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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 18, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Cheek, one of its clerks, announced that the Senate has passed without amendments concurrent resolutions of the House of the following titles:

H. Con. Res. 319. Concurrent resolution congratulating the Republic of Latvia on the 10th anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

H. Con. Res. 371. Concurrent resolution supporting the goals and ideas of National Alcohol and Drug Recovery Month.

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

S. 1608. An act to provide stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for the benefit of public schools and roads and to enhance the health, diversity and productivity of Federal lands.

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.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

CAMPAIGN FINANCE REFORM

Mr. STEARNS. Madam Speaker, I rise today to speak on campaign finance reform.

This is a topic that this Chamber is quite familiar with, and a topic which seeks to prohibit the abuse of soft money campaign donations to national political parties. Though the current campaign finance system is in need of reform, the proposal the House passed, the Shays-Meehan bill, did not improve or strengthen our campaign finance system.

The road towards campaign finance reform has been a long one with many constitutional roadblocks. The Supreme Court took a dim view of our efforts to curtail first amendment rights. Through such rulings of Buckley v. Valeo in 1976, and other cases, the court has declared that the government may not regulate political commentaries ''to promote a candidate and his views.'' The court made an exception for ads that use explicit language to ''advocate the election or defeat of a clearly identifiable candidate.''

The Congress recently took a step in the right direction reforming campaign finance flaws by ending the secret fund-raising and spending by political groups under Section 527 of the Internal Revenue Code. Section 527 groups receive a large degree of anonymity under the law so long as their television ads, opinion polling and other political activities do not recommend the election or defeat of a specific candidate. This new law requires them to identify themselves to the public, then file periodic reports with the IRS that identify contributors and disclose how they spend their money in the political arena.

About a year ago, the House passed its own campaign finance reform, the Shays-Meehan bill. It was aimed at reforming abuses in modern day campaign fund-raising. Though I believe campaign finance reform is needed, the Shays-Meehan bill was not the right approach. It has been over 20 years since we last overhauled our campaign finance laws, but I believe many of the bill's provisions would have been ruled unconstitutional before the U.S. Supreme Court.

I could not support proposals placing restrictions on issue ads, thereby effectively regulating campaign expenditures by individuals, interest groups and organizations loosely allied to the parties. That legislation attempts to alter the constitutional distinction between express advocacy and issue advocacy by mere statutory definitions. The goal of this bill was to expand the category of speech that can be regulated by the Federal Government, thereby making speech no longer free.

Under current law, all individuals, political parties, businesses and other organizations are free to refer to candidates and their records on issues without regulation by the Federal Government. But under the Shays-Meehan bill, the mere reference to a candidate's name on radio or television during election campaigns would transform issue advocacy into regulated express advocacy.

Additionally, the legislation bans soft money for political parties. The

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Shays-Meehan bill would regulate, limit or even prohibit individuals, organizations, and corporations from receiving or spending soft money for national political parties or political committees. The attempt to limit the free rights of political parties would clearly be unconstitutional, and the courts of course, most likely would strike down these restrictions.

Since the 1976 Buckley v. Valeo decision, strong majorities have supported protections for the expenditures of money for political communications. I do not believe government restrictions on issue ads can be reconciled with the first amendment. No matter how they are dressed up, such restrictions will still involve government regulation of political speech, which we do not want.

Furthermore, such a concept of campaign finance reform is both counterproductive and, as I mentioned earlier, unconstitutional. Moreover, the bill's relative impact on the two major parties is decidedly out of balance, in my opinion. That is why I voted for the bipartisan Hutchinson-Allen substitute, which unfortunately failed on the House floor.

This bill is simple in its path towards strengthening our system and increasing public trust in the elected Federal officials. Congress would implement full disclosure laws, treat soft money and hard money the same, and make all campaign reports filed with the Federal Election Commission available to the public electronically through the Internet and through other electronic sources within 48 hours after those reports are filed. That is what the Hutchinson-Allen substitute would do. That is the proposal I supported.

I also believe that strong bipartisan support exits for an array of the reforms that could pass if Shays-Meehan were set aside. These include technological improvements in disclosure, strengthening enforcement, greater safeguards against the entry of foreign money, and possibly tax deductions to encourage small in-State donations.

While any effective and feasible solution to campaign fundraising may be out of reach in this Congress, I am confident that next year, after the Presidential election and congressional races, this body can once again focus its attention on reforming our campaign finance laws.

THE CORPS OF ENGINEERS AND ITS RELATIONSHIP TO CONGRESS AND THE ENVIRONMENT

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

Mr. BLUMENAUER. Madam Speaker, the week-long series in the Washington Post about the Corps of Engineers and its relationship to Congress and, more importantly, to the environment, raises key questions about the Corps' future direction.

The immediate challenge is for the Corps and Congress to respond carefully, thoughtfully, and in the right context to the real issues surrounding the Corps' important mission.

In its very name, the Army Corps of Engineers combines the two professions that are perhaps most results-oriented, focused, precise and committed to following orders: engineering and the military. It imposes upon those of us in Congress a special responsibility. We must be sure that we are asking the right questions and looking at the big picture. For if the Corps' assignment is to stop flooding in a particular area, that is precisely what they will do, but that may be all that they do.

As much as I agree with some of the concerns and criticisms of the Corps, it is wrong to single them out alone. The behavior of the Corps is just the most obvious example of our country's 2-century long certainty that we can conquer and bend to our will the force of nature. The Corps has simply been responding to the orders and expectations of Congress and the citizens.

Unfortunately, when it comes to the Corps' responsibility to deal with waterways and flooding, the policies that Congress has directed and funded often appear to be doing more damage than good. Our flood insurance program continues to subsidize people to live in harm's way. Combined with our tendency to engineer rivers, to channelize them, to raise levees ever higher, along with failure to insist on careful land use and wetlands protection, we have produced a situation that is dangerous and self-perpetuating. We are subsidizing people to stay in harm's way, and at the same time we are engineering rivers to produce more frequent and dangerous flooding.

Obviously, part of the message is to stop treating our rivers, wetlands and beaches like machines to be channeled, repaved and recontoured without regard for long-term costs to the environment or, frankly, to the Federal Treasury. The $8 billion we are prepared to spend now to repair part of the damage that we inflicted on the Everglades through miscalculation and poor planning and engineering is an example of why reform is needed.

Madam Speaker, there are, indeed, serious efforts with real potential for reform right now. I have been pleased during my tenure in Congress with the Corps' efforts to reposition itself. Its Challenge 21 proposal would allow the Corps to enter into an agreement with local partners to provide passive flood mitigation and river restoration projects and do so more quickly and cheaply. Congress can help speed this on its way with adequate funding right now.

In WRDA 99, we made it easier for local communities to choose nonstructural approaches to flood control, giving them more freedom to choose more environmentally and economical approaches.

The Corps of Engineers' shoreline protection program is in serious need of reassessment to avoid a parade of costly and expensive projects that in the long run are environmentally destructive and put people again in harm's way. This is especially critical at a time when it is estimated that the average shoreline will retreat 500 feet over the next 60 years, and that in the next decade alone, 10,000 structures will fall into the ocean. We cannot afford a blank check from the taxpayer and another losing fight with irresistible environmental forces.

Madam Speaker, H.R. 4879, introduced by the gentleman from Wisconsin (Mr. KIND), of which I am a proud cosponsor, is another important piece of reform that would go a long way in addressing some of the problems that have been exposed. This bill would reform the project overview and authorization process, establish an objective outside review panel for controversial projects. To increase transparency and accountability, it would guarantee more citizen participation and lead to a better balance between economic and environmental considerations.

At the end of the day, we need more dramatic steps. When Congress found military base closing too polarized and politicized to tackle itself, we established a separate commission to handle it. Through that, we have been able to do the right thing for the military, while helping communities and the Federal taxpayers. Perhaps it is time for such a stronger mechanism to depolarize and depoliticize the Corps operation here in Congress and to help everybody look at the big picture.

In the meantime, we can use the new public attention and new leadership at the Corps to promote change and reform within the Corps itself so that they can be a critical ally in protecting the environment, making our communities more livable and our families safe, healthy and economically secure.

RECESS

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

Accordingly (at 12 o'clock and 43 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Lord God of covenant love, grant penetrating peace and patient understanding to all families and this Nation as we learn to live with each other and all our differences.

Spread over us today the Spirit of Your covenant; that we may recognize Your presence in ordinary things and

freely acknowledge You as Lord of all and in all.

May the relationship of husband and wife and between parent and child be nourished by this life-giving Spirit.

Let understanding put an end to strife and humble resolve overcome all difficulties so, Your lasting and compassionate love be cradled anew in our homes and become vibrant strength across this Nation.

Bless and protect the families of this Congress, especially those in most need of Your healing and mercy. We are confident in Your love for each of them now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SMITH of Texas 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.

ADDITIONAL APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE HERBERT H. BATEMAN

The SPEAKER pro tempore. Pursuant to House Resolution 573, the Chair announces the Speaker's additional appointment of the following Members of the House to the committee to attend the funeral of the late Herbert H. Bateman:

Mr. GOODLING, Pennsylvania;
Mr. LEWIS, California;
Mr. TAYLOR, Mississippi.

LORI HARRIGAN AND THE 2000 OLYMPICS

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

Mr. GIBBONS. Mr. Speaker, I rise today to recognize Lori Harrigan, a Las Vegas native, who made history this weekend.

Lori pitched the first-ever solo no-hitter in Olympic history. Nicknamed ''Vegas,'' Lori Harrigan lead the United States team to victory over the Canadian team in the first softball game of the Olympics in Sydney, Australia.

Harrigan was also a member of the U.S. Olympic softball team that won the gold medal in Atlanta in 1996. The United States is honored to have such talented and distinguished athletes representing our country in the Olympics.

And while the U.S. team still has several more games to play before making it to the gold medal game later this month, I want to join with my fellow Nevadans in wishing Harrigan and her teammates the best of luck in extending their 111 gaming-winning streak in Sydney.

And to every other U.S. Olympian in Sydney, America is very proud of you and your accomplishments. Best of luck in the coming weeks of Olympic competition.

ALLOWING JANET RENO TO GET AWAY WITH TREASON

(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, when faced with solid evidence that China funneled cash illegally to the Democrat party, Janet Reno turned her back. When 100 witnesses took the fifth amendment before Congress, Janet Reno said no to the independent counsel.

Janet Reno, as reports now say, even said no to an FBI request to wire-tap a suspected Chinese spy. Now, if that is not enough to prop up Communism, even when the CIA told Janet Reno China had missiles pointed at us, Janet Reno said no. Beam me up, Congress. We are allowing Janet Reno to get away with treason. She has betrayed America before our very own eyes.

The only time she has said yes was to helping Communist China. I urge Congress to pass H.R. 5161, mandating a thorough investigation into this Chinese communist business.

Mr. Speaker, I yield back the treason with reason I believe I can prove of Janet Reno.

MEDIA BIASED IN MANY WAYS

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

Mr. SMITH of Texas. Mr. Speaker, in the presidential election, George Bush really faces three opponents: AL GORE, Bill Clinton and his manipulation of the government bureaucracy, and a bias by many in the media.

During the next few weeks, I am going to point out examples of media bias. The slanting of the news appears in many forms. Reporters injecting their own opinion into articles, the decision by editors and reporters to cover or not to cover certain subjects, and one-sided stories that fail to achieve a fair balance of opinions.

The American people will know there is something wrong with media coverage. In fact, a survey conducted by the American Society of Newspaper Editors showed that more than three-quarters agree there is bias in news coverage.

Conscientious editors and reporters know the media should provide the facts and fair and objective coverage. The American people are smart enough to make up their own minds.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

FISHERMAN'S PROTECTIVE ACT AMENDMENTS OF 1999

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 579) providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 1651.

The Clerk read as follows:

H. RES. 579

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 1651, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

Page 1, line 4, strike ''**SEC. 401. USE OF AIRCRAFT PROHIBITED.**'' and all that follows through ''**SEC. 402.**'', and insert ''**SEC. 401.**''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.Res. 579.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1651, the Fisherman's Protective Act Amendments. This bill makes a number of fishery conservation improvements in several important laws.

Title I amends the Fisheries Protective Act to extend current law so that reimbursement may be provided to owners of U.S. fishing vessels illegally detained or seized by foreign countries. Since this provision has expired, the bill will ensure that U.S. vessels illegally seized or fined by a foreign nation are able to seek reimbursement in the future.

Title II establishes a panel to advise the Secretaries of State and the Interior of the Yukon River salmon management issues in Alaska. The U.S. and Canada had an interim agreement regarding management of the salmon stocks of mutual interests in the Yukon River, but the agreement expired in March of 1998. When the interim agreement expired, it was unclear whether the advisory panel was still authorized to recommend salmon restoration measures.

This bill codifies the Yukon River Salmon Panel and authorizes the panel to advise the Secretary of State and the Secretary of the Interior on the management, enhancement, and restoration of Yukon River salmon stocks and perform other activities that relate to the conservation and management of the Yukon River salmon stocks.

Finally, Title III authorizes the Secretary of Commerce to acquire, purchase, lease, lease-purchase, or charter and equip up to six fishery survey vessels. These vessels are one of the most important fishery management tools available to Federal scientists. Because they conduct a vast majority of fishery stock surveys, their reliability is critical to fishery management. The information obtained using them is critical for the improvement of regulations governing fisheries management.

This bill is virtually identical to the measure that overwhelmingly passed the House last year; however, it does not include the extraneous measure added in the other body dealing with the harvest of bluefin tuna using spotter planes in the North Atlantic. This is a good conservation bill, and I urge an aye vote on this measure.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of H.R. 1651, which was passed by the House last year. As my colleague and dear friend from Maryland (Mr. GILCHREST) on the other side of the aisle has explained it, this bill contains several provisions intended to improve fisheries conservation, management, and data collection.

It was approved unanimously by the Senate, the other body, last month; and I do urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and agree to the resolution, H. Res. 579.

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

A motion to reconsider was laid on the table.

PACIFIC SALMON RECOVERY ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2798) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, and California for salmon habitat restoration projects in coastal waters and upland drainages, as amended.

The Clerk read as follows:

H.R. 2798

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 ''Pacific Salmon Recovery Act''.

SEC. 2. SALMON CONSERVATION AND SALMON HABITAT RESTORATION ASSISTANCE.

(a) REQUIREMENT TO PROVIDE ASSISTANCE.—Subject to the availability of appropriations, the Secretary of Commerce shall provide financial assistance in accordance with this Act to qualified States and qualified tribal governments for salmon conservation and salmon habitat restoration activities.

(b) ALLOCATION.—Of the amounts available to provide assistance under this section each fiscal year (after the application of section 3(g)), the Secretary—

(1) shall allocate 85 percent among qualified States, in equal amounts; and

(2) shall allocate 15 percent among qualified tribal governments, in amounts determined by the Secretary.

(c) TRANSFER.—

(1) IN GENERAL.—The Secretary shall promptly transfer in a lump sum—

(A) to a qualified State that has submitted a Conservation and Restoration Plan under section 3(a) amounts allocated to the qualified State under subsection (b)(1) of this section, unless the Secretary determines, within 30 days after the submittal of the plan to the Secretary, that the plan is inconsistent with the requirements of this Act; and

(B) to a qualified tribal government that has entered into a memorandum of understanding with the Secretary under section 3(b) amounts allocated to the qualified tribal government under subsection (b)(2) of this section.

(2) TRANSFERS TO QUALIFIED STATES.—The Secretary shall make the transfer under paragraph (1)(A)—

(A) to the Washington State Salmon Recovery Board, in the case of amounts allocated to Washington;

(B) to the Oregon State Watershed Enhancement Board, in the case of amounts allocated to Oregon;

(C) to the California Department of Fish and Game for the California Coastal Salmon Recovery Program, in the case of amounts allocated to California;

(D) to the Governor of Alaska, in the case of amounts allocated to Alaska; and

(E) to the Office of Species Conservation, in the case of amounts allocated to Idaho.

(d) REALLOCATION.—

(1) AMOUNTS ALLOCATED TO QUALIFIED STATES.—Amounts that are allocated to a qualified State for a fiscal year shall be reallocated under subsection (b)(1) among the other qualified States, if—

(A) the qualified State has not submitted a plan in accordance with section 3(a) as of the end of the fiscal year; or

(B) the amounts remain unobligated at the end of the subsequent fiscal year.

(2) AMOUNTS ALLOCATED TO QUALIFIED TRIBAL GOVERNMENTS.—Amounts that are allocated to a qualified tribal government for a fiscal year shall be reallocated under subsection (b)(2) among the other qualified tribal governments, if the qualified tribal government has not entered into a memorandum of understanding with the Secretary in accordance with section 3(b) as of the end of the fiscal year.

SEC. 3. RECEIPT AND USE OF ASSISTANCE.

(a) QUALIFIED STATE SALMON CONSERVATION AND RESTORATION PLAN.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified State shall develop and submit to the Secretary a Salmon Conservation and Salmon Habitat Restoration Plan.

(2) CONTENTS.—Each Salmon Conservation and Salmon Restoration Plan shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) except as provided in subparagraph (D), give priority to use of assistance under this section for projects that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the laws or regulations of the qualified State;

(D) in the case of a plan submitted by a qualified State in which, as of the date of the enactment of this Act, there is no area at which a salmon species referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs to conserve and enhance species of salmon that intermingle with, or are otherwise related to, species referred to in subparagraph (C)(iii)(I), which may include (among other matters)—

(I) salmon-related research, data collection, and monitoring;

(II) salmon supplementation and enhancement;

(III) salmon habitat restoration;

(IV) increasing economic opportunities for salmon fishermen; and

(V) national and international cooperative habitat programs; and

(ii) provide for revision of the plan within one year after any date on which any salmon species that spawns in the qualified State is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation and recovery of salmon;

(H) require that the qualified State maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of enactment of this Act; and

(I) ensure that activities funded under this Act are conducted in a manner in which, and in areas where, the State has determined that they will have long-term benefits.

(3) SOLICITATION OF COMMENTS.—In preparing a plan under this subsection a qualified State shall seek comments on the plan from local governments in the qualified State.

(b) TRIBAL MOU WITH SECRETARY.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified tribal government shall enter into a memorandum of understanding with the Secretary regarding use of the assistance.

(2) CONTENTS.—Each memorandum of understanding shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) give priority to use of assistance under this Act for activities that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the ordinances or regulations of the qualified tribal government;

(D) in the case of a memorandum of understanding entered into by a qualified tribal government for an area in which, as of the date of the enactment of this Act, there is no area at which a salmon species that is referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs described in subsection (a)(2)(D)(i);

(ii) include a requirement that the memorandum shall be revised within one year after any date on which any salmon species that spawns in the area is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) establish specific requirements for reporting to the Secretary by the qualified tribal government;

(H) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation or recovery of salmon; and

(I) require that the qualified tribal government maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of enactment of this Act.

(c) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Assistance under this Act may be used by a qualified State in accordance with a plan submitted by the State under subsection (a), or by a qualified tribal government in accordance with a memorandum of understanding entered into by the government under subsection (b), to carry out or make grants to carry out, among other activities, the following:

(A) Watershed evaluation, assessment, and planning necessary to develop a site-specific and clearly prioritized plan to implement watershed improvements, including for making multi-year grants.

(B) Salmon-related research, data collection, and monitoring, salmon supplementation and enhancement, and salmon habitat restoration.

(C) Maintenance and monitoring of projects completed with such assistance.

(D) Technical training and education projects, including teaching private landowners about practical means of improving land and water management practices to contribute to the conservation and restoration of salmon habitat.

(E) Other activities related to salmon conservation and salmon habitat restoration.

(2) USE FOR LOCAL AND REGIONAL PROJECTS.—Funds allocated to qualified States under this Act shall be used for local and regional projects.

(d) USE OF ASSISTANCE FOR ACTIVITIES OUTSIDE OF JURISDICTION OF RECIPIENT.—Assistance under this section provided to a qualified State or qualified tribal government may be used for activities conducted outside the areas under its jurisdiction if the activity will provide conservation benefits to naturally produced salmon in streams of concern to the qualified State or qualified tribal government, respectively.

(e) COST SHARING BY QUALIFIED STATES.—

(1) IN GENERAL.—A qualified State shall match, in the aggregate, the amount of any financial assistance provided to the qualified State for a fiscal year under this Act, in the form of monetary contributions or in-kind contributions of services for projects carried out with such assistance. For purposes of this paragraph, monetary contributions by the State shall not be considered to include funds received from other Federal sources.

(2) LIMITATION ON REQUIRING MATCHING FOR EACH PROJECT.—The Secretary may not require a qualified State to provide matching funds for each project carried out with assistance under this Act.

(3) TREATMENT OF MONETARY CONTRIBUTIONS.—For purposes of subsection (a)(2)(H), the amount of monetary contributions by a qualified State under this subsection shall be treated as expenditures from non-Federal sources for salmon conservation and salmon habitat restoration programs.

(f) COORDINATION OF ACTIVITIES.—

(1) IN GENERAL.—Each qualified State and each qualified tribal government receiving assistance under this Act is encouraged to carefully coordinate salmon conservation activities of its agencies to eliminate duplicative and overlapping activities.

(2) CONSULTATION.—Each qualified State and qualified tribal government receiving assistance under this Act shall consult with the Secretary to ensure there is no duplication in projects funded under this Act.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—

(1) FEDERAL ADMINISTRATIVE EXPENSES.—Of the amount made available under this Act each fiscal year, not more than 1 percent may be used by the Secretary for administrative expenses incurred in carrying out this Act.

(2) STATE AND TRIBAL ADMINISTRATIVE EXPENSES.—Of the amount allocated under this Act to a qualified State or qualified tribal government each fiscal year, not more than 3 percent may be used by the qualified State or qualified tribal government, respectively, for administrative expenses incurred in carrying out this Act.

SEC. 4. PUBLIC PARTICIPATION.

(a) QUALIFIED STATE GOVERNMENTS.—Each qualified State seeking assistance under this Act shall establish a citizens advisory committee or provide another similar forum for local governments and the public to participate in obtaining and using the assistance.

(b) QUALIFIED TRIBAL GOVERNMENTS.—Each qualified tribal government receiving assistance under this Act shall hold public meetings to receive recommendations on the use of the assistance.

SEC. 5. CONSULTATION NOT REQUIRED.

Consultation under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be required based solely on the provision of financial assistance under this Act.

SEC. 6. REPORTS.

(a) QUALIFIED STATES.—Each qualified State shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by the qualified State under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(a)(2).

(b) SECRETARY.—

(1) ANNUAL REPORT REGARDING QUALIFIED TRIBAL GOVERNMENTS.—The Secretary shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by qualified tribal governments under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(b)(2).

(2) BIANNUAL REPORT.—The Secretary shall, by not later than December 31 of the second year in which amounts are available to carry out this Act, and of every second year thereafter, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a biannual report on the use of funds allocated to qualified States under this Act. The report shall review programs funded by the States and evaluate the success of this Act in meeting the criteria listed in section 3(a)(2).

SEC. 7. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(2) QUALIFIED STATE.—The term ''qualified State'' means each of the States of Alaska, Washington, Oregon, California, and Idaho.

(3) QUALIFIED TRIBAL GOVERNMENT.—The term ''qualified tribal government'' means—

(A) a tribal government of an Indian tribe in Washington, Oregon, California, or Idaho that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon management and recovery activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act; and

(B) an Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims

Settlement Act (43 U.S.C. 1601 et seq.) that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon conservation and management; and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act.

(4) SALMON.—The term ''salmon'' means any naturally produced salmon or naturally produced trout of the following species:

(A) Coho salmon (oncorhynchus kisutch).

(B) Chinook salmon (oncorhynchus tshawytscha).

(C) Chum salmon (oncorhynchus keta).

(D) Pink salmon (oncorhynchus gorbuscha).

(E) Sockeye salmon (oncorhynchus nerka).

(F) Steelhead trout (oncorhynchus mykiss).

(G) Sea-run cutthroat trout (oncorhynchus clarki clarki).

(H) For purposes of application of this Act in Oregon—

(i) Lahontan cutthroat trout (oncorhnychus clarki henshawi); and

(ii) Bull trout (salvelinus confluentus).

(I) For purposes of application of this Act in Washington and Idaho, Bull trout (salvelinus confluentus).

(5) SECRETARY.—The term Secretary means the Secretary of Commerce.

SEC. 8. PACIFIC SALMON TREATY.

(a) TRANSBOUNDARY PANEL REPRESENTATION.—

(1) IN GENERAL.—Section 3 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3632) is amended by redesignating subsections (f), (g), and (h) in order as subsections (g), (h), and (i), and by inserting after subsection (e) the following:

''(f) TRANSBOUNDARY PANEL.—The United States shall be represented on the transboundary Panel by 7 Panel members, of whom—

''(1) 1 shall be an official of the United States Government with salmon fishery management responsibility and expertise;

''(2) 1 shall be an official of the State of Alaska with salmon fishery management responsibility and expertise; and

''(3) 5 shall be individuals knowledgeable and experienced in the salmon fisheries for which the transboundary Panel is responsible.''.

(2) CONFORMING AMENDMENTS.—

(A) Subsection (g) of section 3 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3632), as redesignated by paragraph (1) of this subsection, is amended—

(i) by striking ''and (e)(2)'' and inserting ''(e)(2), and (f)(2)'';

(ii) by striking ''and (e)(4)'' and inserting ''(e)(4), and (f)(3)''; and

(iii) by striking ''The appointing authorities listed above'' and inserting ''For the southern, northern, and Frazier River Panels, the appointing authorities listed above''.

(B) Subsection (h)(2) of section 3 the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3632), as redesignated by paragraph (1) of this subsection, is amended by striking ''and southern'' and inserting '', southern, and transboundary''.

(C) Section 9 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3638) is amended by striking ''9(g)'' and inserting ''9(h)''.

(b) COMPENSATION AND EXPENSES FOR UNITED STATES REPRESENTATIVES ON NORTHERN AND SOUTHERN FUND COMMITTEES.—

(1) COMPENSATION.—Section 11 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3640) is amended by redesignating subsections (c) and (d) in order as subsections (d) and (e), and by inserting after subsection (b) the following:

''(c) COMPENSATION FOR REPRESENTATIVES ON NORTHERN FUND AND SOUTHERN FUND COMMITTEES.—United States Representatives on the Pacific Salmon Treaty Northern Fund Committee and Southern Fund Committee who are not State or Federal employees shall receive compensation at the minimum daily rate of pay payable under section 5376 of title 5, United States Code, when engaged in the actual performance of duties for the United States Section or for the Commission.''.

(2) EXPENSES.—Subsection (d) of such section, as so redesignated, is amended by inserting ''members of the Northern Fund Committee, members of the Southern Fund Committee,'' after ''Joint Technical Committee,''.

(3) CLERICAL AMENDMENTS.—

(A) IN GENERAL.—Section 11 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 5332) is amended—

(i) in subsection (a) by striking ''at the daily rate of GS–18 of the General Schedule'' and inserting ''at the maximum daily rate of pay payable under section 5376 of title 5, United States Code,''; and

(ii) in subsection (b) by striking ''at the daily rate of GS–16 of the General Schedule'' and inserting ''at the minimum daily rate of pay payable under section 5376 of title 5, United States Code,''.

(B) APPLICATION.—The amendments made by subparagraph (A) shall not apply to Commissioners, Alternate Commissioners, Panel Members, and Alternate Panel Members (as those terms are used in section 11 of the Pacific Salmon Treaty Act of 1985) appointed before the effective date of this subsection.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) CLERICAL AMENDMENT.—Section 623 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000, as enacted by section 1000(a)(1), Division B of Public Law 106–113 (16 U.S.C. 3645) is redesignated and moved so as to be section 16 of the Pacific Salmon Treaty Act of 1985.

(2) AUTHORIZATION OF APPROPRIATIONS.—Subsection (d) of such section is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—For capitalizing the Northern Fund and Southern Fund established under the 1999 Pacific Salmon Treaty Agreement and related agreements, there are authorized to be appropriated a total of $75,000,000 for the Northern Fund and a total of $65,000,000 for the Southern Fund for fiscal years 2000, 2001, 2002, and 2003, for the implementation of those agreements.''.

SEC. 9. TREATMENT OF INTERNATIONAL FISHERY COMMISSION PENSIONERS.

For United States citizens who served as employees of the International Pacific Salmon Fisheries Commission and the International North Pacific Fisheries Commission (in this section referred to as the ''Commissions'') and who worked in Canada in the course of employment with those commissions, the President shall—

(1) calculate the difference in amount between the valuation of the Commissions' annuity for each employee's payment in United States currency and in Canadian currency for past and future (as determined by an actuarial valuation) annuity payments; and

(2) out of existing funds available for this purpose, pay each employee a lump-sum payment in the total amount determined under paragraph (1) to compensate each employee for past and future benefits resulting from the exchange rate inequity.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $200,000,000 for each of the fiscal years 2001, 2002, and 2003 to carry out this Act. Funds appropriated under this section may remain until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2798, as amended.

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

There was no objection.

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

Mr. Speaker, today we are considering H.R. 2798, a bill that authorizes the Secretary of Commerce to provide financial assistance to qualified States and tribal governments for salmon conservation and habitat restoration activities. The qualified States include Alaska, California, Idaho, Oregon, and Washington. The tribal government from each State is also eligible to participate in the program.

Mr. Speaker, the bill authorizes $200 million to be apportioned to the States and tribes for activities that will protect salmon or restore salmon habitat.

While the Federal Government has spent millions of dollars on salmon restoration, the efforts have been successful.

This bill will direct funds to the State and local projects where the money will do the most good. The States are required to match the Federal funds reported annually to Congress on the use of the funds and their consistency with the act.

The Secretary reports annually to Congress on the tribal governments' use of the funds and every 2 years on each States use of the funds. Administrative uses of the funds are capped at 3 percent for the States and tribes, and 1 percent for the Secretary.

The bill clarifies that the funds be given to the States in a lump sum and allows the States of Washington and Idaho to use funds for habitat restoration and conservation of endangered bull trout in addition to salmon.

In addition, the bill includes language authorizing the Northern and Southern funds for the Pacific Salmon Treaty. These funds were created last year when the U.S. and Canada came to an agreement on a 10-year management scheme for salmon species covered under the treaty.

The 1999 agreement also created a transboundary panel under the treaty; and this bill creates that panel, authorizes its participants and allows them to be compensated for time spent working on the panel.

Finally, the bill includes a section that allows the commissioners to the International Pacific Salmon Fisheries

Commission and the North Pacific Fisheries Commission to get a review of their pension. These individuals are U.S. citizens and have been paid in Canadian dollars and have been harmed by the differences in the exchange rate.

This bill would allow for review in a lump sum payment out of existing funds if an inequity has occurred.

Mr. Speaker, this is an important conservation bill and will do a great deal to conserve salmon and restore salmon habitat in the Northwest, and I urge an aye vote on the legislation.

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

□ 1415

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 2798, the Pacific Salmon Recovery Act introduced by the gentleman from California (Mr. THOMPSON). I know that the gentleman from California (Mr. THOMPSON) gladly would have been here to offer his statement of support, but those of us from the most western part of the United States find it very difficult to make our flights on time on a day like Monday, but I am sure that he would have been happy to be here to present his statement in support of this legislation.

Mr. Speaker, as many Members of the House are aware, salmon are an important part of the economy of the West Coast of the United States and are fished both commercially and recreationally. They are also very important to tribal custom and tradition, and their decline in the past decade has been widely felt throughout the region.

Already 25 varieties of salmon in the Pacific Northwest in California have been listed as endangered or threatened under the Endangered Species Act, and more listings are very likely to occur. The causes of this decline are many, but can be predominantly attributed to habitat loss, water diversions, and river alteration.

Mr. Speaker, restoration of salmon stocks will be difficult and the work to restore habitats and modify water uses can only be successful with the full participation of State and local governments. For that reason, the States and the administration support a coast-wide salmon recovery effort to be implemented by the States and the coastal tribes. Approximately $58 million was appropriated in this effort last year and the House Committee on Appropriations has allocated additional funding this year contingent upon an authorization.

Mr. Speaker, H.R. 2798 would provide that authorization. It has broad bipartisan support of the States, the administration, and fishing and conservation groups, and I urge my colleagues to support this important legislation.

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

Mr. GILCHREST. Mr. Speaker, I urge an ''aye'' vote on this legislation, and I appreciate the gentleman from American Samoa for helping out with this legislation.

Mr. THOMPSON of California. Mr. Speaker, I rise today in support of the H.R. 2798, the Pacific Salmon Recovery Act.

My northern California district comprises several hundred miles of coastline and a large proportion of our State's salmon fisheries. However, decades of water diversions, dam building, poor industrial practices, and urban development have had a terrible impact on the rivers and streams of the Pacific Northwest.

While salmon are still an integral part of the culture of my district, the fish stocks themselves are in a state of collapse.

Twenty-six distinct population segments of Pacific salmon and sea-run trout are listed as either endangered or threatened under the Endangered Species Act.

According to the U.S. Fish and Wildlife Service, the Trinity River system alone has lost more than 80 percent of its King Salmon and more than 60 percent of its Steelhead Trout over the past 50 years.

As recently as 1988, sport and commercial salmon fishing in the Pacific region generated more than $1.25 billion for the regional economy.

Since them, salmon fishing closures have contributed to the loss of nearly 80 percent of this region's job base, with a total salmon industry loss over the past 30 years of approximately 72,000 family wage jobs.

Today, at least 80 percent of the salmon caught commercially in the Pacific Northwest and northern California each year come, not from wild populations, but from hatchery stocks.

With commercial harvest of coho salmon completely illegal and other species not far behind, hundreds of our fishing men and women have been forced out of business and our local economies have suffered.

Early efforts at the state level have begun the process of reversing the decline of our salmon economy.

But even this effort will not be sufficient. The Pacific Salmon Recovery Act will provide a much-needed boost to our stream restoration efforts, as it will for the states of Idaho, Oregon, Washington, and Alaska.

H.R. 2798 authorizes up to $200 million for salmon habitat restoration activities by the five Pacific states and the tribal governments over three years.

Administrative expenses are capped at 1 percent for the Secretary of Commerce and 3 percent for the states and tribal governments to ensure that funds are spent where they are most desperately needed.

Financial assistance to the states is contingent on a Memorandum of Understanding. At a minimum, the MOU will prioritize salmon recovery, provide measurable criteria for measuring success, and promote projects that are scientifically based and cost-effective.

Eligible uses of the money include watershed planning, single, and multiyear project grants, watershed organization support and assistance, and project maintenance and monitoring.

Decline of the salmon stocks and the resulting land use restrictions have impact every economic sector in the Pacific Northwest, from fishing to farming to manufacturing to recreation.

We will never be able to return to what was once ''business as usual,'' but this measure would provide a significant step toward restoring our salmon habitat and repairing our local economies.

Private landowners, conservation groups, and industry already have committed to the lengthy process of repairing the damage done.

I urge my colleagues to support state, local, and private efforts to restore the Pacific Salmon runs by supporting the Pacific Salmon Recovery Act.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 2798, as amended.

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

The title of the bill was amended so as to read: ''A bill to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes.''.

A motion to reconsider was laid on the table.

BLACK HILLS NATIONAL FOREST AND ROCKY MOUNTAIN RESEARCH STATION IMPROVEMENT ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4226) to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest, as amended.

The Clerk read as follows:

H.R. 4226

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 ''Black Hills National Forest and Rocky Mountain Research Station Improvement Act''.

SEC. 2. SALE OR EXCHANGE OF LAND, BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') may, under such terms and conditions as the Secretary may prescribe, sell or exchange any right, title, and interest of the United States in and to the approximately 362 acres contained in the following parcels of land in the State of South Dakota:

(1) Tract BLKH–1 ''Spearfish Dwelling'' (approximately 0.24 acres); N½ of Lot 8 and Lot 9 of Block 16, Section 10, T6N, R2E, Black Hills Meridian.

(2) Tract BLKH–2 ''Deadwood Garage'' (approximately 0.12 acres); Lots 9 and 11 of Block 34, Section 23, T5N, R3E, Black Hills Meridian.

(3) Tract BLKH–3 ''Deadwood Dwellings'' (approximately 0.32 acres); Lots 12-16, inclusive, of Block 44, Section 23, T5N, R3E, Black Hill Meridian.

(4) Tract BLKH–4 ''Hardy Work Center'' (approximately 150 acres); E½SW¼SE¼, SE¼SE¼, Section 19; NE¼NW¼NE¼, E½NE¼SE¼, E½SE¼NE¼, NE¼NE¼, Section 30, T3N, R1E, Black Hills Meridian.

(5) Tract BLKH–6 ''Pactola Work Center'' (approximately 100 acres); W½SW¼NW¼, W½NW¼SW¼, W½SW¼SW¼, SE¼SW¼SW¼, Section 25; E½NE¼SE¼, SE¼SE¼NE¼, Section 26, T2N, R5E, Black Hills Meridian.

(6) Tract BLKH–7 ''Pactola Ranger District Office'' (approximately 8.25 acres); Lot 1 of Ranger Station Subdivision, Section 4, T1N, R7E, Black Hills Meridian.

(7) Tract BLKH–8 ''Reder Administrative Site'' (approximately 82 acres); Lots 6 and 7, Section 29; Lot A of Reder Placer, Lot 19, NW¼SE¼NE¼, Section 30, T1S, R5E, Black Hills Meridian.

(8) Tract BLKH–9 ''Allen Gulch Properties'' (approximately 21 acres); Lot 14 less and except Tract STA #0029, Section 25, and Lot 1, Section 36, T1S, R4E, Black Hills Meridian.

(9) Tract BLKH–10 ''Custer Ranger District Office'' (approximately 0.39 acres); Lots 4 and 9 of Block 125 and the East 15 feet of the vacated north/south alley adjacent to Lot 4, City of Custer, Section 26, T3S, R4E, Black Hills Meridian.

(b) TECHNICAL CORRECTIONS.—The Secretary may make technical corrections to the legal descriptions in paragraphs (1) through (9) of subsection (a).

(c) APPLICABLE AUTHORITIES.—Except as otherwise provided in this section, any sale or exchange of land described in subsection (a) shall be subject to laws (including regulations) applicable to the conveyance and acquisition of land for National Forest System purposes.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept cash equalization payments in excess of 25 percent of the total value of the land described in subsection (a) from any exchange under subsection (a).

(e) SOLICITATIONS OF OFFERS.—

(1) IN GENERAL.—In carrying out this section, the Secretary may use solicitations of offers for sale or exchange under this section on such terms and conditions as the Secretary may prescribe.

(2) REJECTION OF OFFERS.—The Secretary may reject any offer under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(f) DISPOSITION OF FUNDS.—Any funds received by the Secretary from a sale under this section or as cash equalization payments from an exchange under this section—

(1) shall be deposited into the fund established by Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(2) shall be available for expenditure, on appropriation, for—

(A) the acquisition from willing sellers of land and interests in land in the State of South Dakota; and

(B) the acquisition or construction of administrative improvements in connection with the Black Hills National Forest.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 3. REPLACEMENT LABORATORY, ROCKY MOUNTAIN RESEARCH STATION, RAPID CITY, SOUTH DAKOTA.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Agriculture $2,100,000 for a laboratory facility for the Rocky Mountain Research Station in Rapid City, South Dakota, to replace the obsolete laboratory capability at the research station. The replacement facility shall be colocated with at least one of the administrative improvements for the Black Hills National Forest acquired or constructed under the authority of section 2(f)(2)(B).

(b) CONDITIONS ON ACQUISITION OF PROPERTY.—No funds available to carry out this section may be used to purchase or otherwise acquire property unless—

(1) the acquisition is from willing sellers; and

(2) the property is located within the boundaries of the State of South Dakota.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill now being considered.

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

There was no objection.

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

Mr. Speaker, H.R. 4226 was introduced by our esteemed colleague, the gentleman from South Dakota (Mr. THUNE). This legislation would allow the Forest Service to consolidate and upgrade several administrative sites in the Black Hills National Forest as well as provide authorization of $2.1 million for the construction of a replacement lab for a branch of the Rocky Mountain Research Center currently located in Rapid City, South Dakota.

The subcommittee on Forests and Forest Health held a hearing on May 3, 2000 where the gentleman from South Dakota (Mr. THUNE) and the Forest Service testified in support of the legislation. However, the Forest Service requested the bill to be amended to formally identify the sites to be relocated, and requested that the Rapid City branch of the Rocky Mountain Research Station not be required to co-locate a new administrative site in the Black Hills National Forest. Negotiations continued on this bill throughout the entire committee process and the bill that is satisfactory to all of those involved was ordered reported by the full committee, as amended, on July 26, 2000, by unanimous consent.

Mr. Speaker, I urge all Members to vote for this important piece of legislation.

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

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

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

Mr. Speaker, H.R. 4226 authorizes the Secretary of Agriculture to sell or exchange nine administrative sites on approximately 367 acres of land in the Black Hills National Forest in South Dakota. Funds from the sale or exchange of the lands which are valued at around $2.4 million will be used to relocate, consolidate and upgrade administrative offices through land acquisition and construction of facilities. Construction costs to combine four district ranger offices into two new buildings are estimated to be around $4 million.

Mr. Speaker, the bill also authorizes $2.1 million to be appropriated for the construction of a laboratory facility in the Rocky Mountain Research Center in Rapid City, South Dakota. This facility is to be allocated with one of the administrative sites acquired or constructed through the sale of the lands. The existing research station center is in need of significant repair and does not meet OSHA and the provisions of the Americans With Disabilities Act requirements.

The administration supports this legislation, it has bipartisan support from my colleagues on both sides of the aisle, and I urge my colleagues to support this legislation.

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

Mr. GILCHREST. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. THUNE), and I commend him for coming from one of the more beautiful States in this country and representing the heritage of the Black Hills.

Mr. THUNE. Mr. Speaker, I thank the gentleman from Maryland for yielding me this time. As always, I welcome him to come to South Dakota to enjoy the beauty of the Black Hills.

I rise today in support of H.R. 4226, the Black Hills National Forest and Rocky Mountain Research Center improvement act of 2000.

Mr. Speaker, early this spring, I held a land use summit in Rapid City, South Dakota. At that event, Members, departments, and multiple-use groups voiced their frustration about the possible closing of the Rocky Mountain Research Center for Great Plains Ecosystem Research located in Rapid City.

In response to the concerns raised at the land use summit, I introduced H.R. 4226. The funds authorized by this bill would help preserve important research positions and allow the Rocky Mountain Research Center to continue studying and addressing a range of wildlife issues on the region's grasslands and woodlands. The research station plays an important role in helping

manage the Black Hills National Forest and grasslands. The station, which focuses on managing prairies to sustain livestock and wildlife, has been instrumental in decisions affecting wood production and stream flows, and in providing forage for livestock and wildlife species.

Additionally, and perhaps most importantly, in light of the devastating fires that raged in the Black Hills region this summer, the research station provides vital fire ecology research.

Mr. Speaker, this bill contains two major provisions that address these important forest management and health needs for South Dakota.

First, H.R. 4226 authorizes the Secretary of Agriculture to sell or exchange certain lands owned by the Forest Service and to use the funds to acquire land in order to construct two administrative sites for the Black Hills National Forest. By allowing the Black Hills National Forest to construct two new administrative facilities, the Forest Service will be able to eliminate two leased offices which have an annual cost of $150,000, thereby consolidating four administrative sites into two.

Additionally, by allowing the sale or exchange of these lands, the Black Hills National Forest can increase efficiency and communications, decrease public confusion over the location of administrative sites, and make the Black Hills more visible and available to the over four million people that visit the area each year. Furthermore, according to the Forest Service, this bill will save the taxpayers an additional $109,000 in annual maintenance costs and $880,000 in deferred maintenance costs.

Mr. Speaker, H.R. 4226 also contains a provision to protect private property owners from being forced to sell their land for the project. Second, this bill authorizes $2.1 million to build a new research laboratory for the Rocky Mountain Research Center to be co-located with one of the new Forest Service administrative buildings.

Authorizing the funds to build the new research laboratory is essential, because the Forest Service has indicated it may close the research station if it does not have a new facility. Currently the station's laboratory needs major repairs, is not handicap accessible, does not meet OSHA regulations and is inadequate to support the unit's mission. In fact, it is my understanding that the current facility housing the Rocky Mountain Research Center in Rapid City was among the lowest ranked in a recent review of all USDA research facilities by the strategic planning task force on USDA research.

The Forest Service has estimated the construction of a new lab co-located with one of the new administrative sites would save the taxpayers $10,200 in annual maintenance costs, and $219,700 in deferred maintenance costs.

Mr. Speaker, I would like to thank the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Resources, and the gentleman from California (Mr. MILLER), the ranking member. I would also like to thank the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE), the chairman of the Subcommittee on Forests and Forest Health and the gentleman from Washington (Mr. SMITH), the ranking member, for their work on this bill. I would also like to thank their staff and, in particular, Veronica Rolocut and Erica Rosenberg.

Additionally, I want to thank Dan Uresk at the Rocky Mountain Research Center as well as Black Hills National Forest Supervisor John Twiss for their help on this legislation.

Mr. Speaker, this bill will streamline administrative operations in the Black Hills National Forest as well as provide a future for the Rocky Mountain Research Station and the valuable information that it provides.

Mr. Speaker, I urge my colleagues to support this legislation by voting to pass H.R. 4226.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to compliment the gentleman from South Dakota for an excellent presentation, especially as the chief sponsor of this legislation.

Mr. Speaker, I do not have any additional speakers, so I yield back the balance of my time.

Mr. GILCHREST. Mr. Speaker, we have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 4226, as amended.

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

A motion to reconsider was laid on the table.

□ 1430

COLUSA BASIN WATERSHED INTEGRATED RESOURCES MANAGEMENT ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1113) to assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of the water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California, as amended.

The Clerk read as follows:

H.R. 1113

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 ''Colusa Basin Watershed Integrated Resources Management Act''.

SEC. 2. AUTHORIZATION OF ASSISTANCE.

The Secretary of the Interior (in this Act referred to as the ''Secretary''), acting within existing budgetary authority, may provide financial assistance to the Colusa Basin Drainage District, California (in this Act referred to as the ''District''), for use by the District or by local agencies acting pursuant to section 413 of the State of California statute known as the Colusa Basin Drainage Act (California Stats. 1987, ch. 1399) as in effect on the date of the enactment of this Act (in this Act referred to as the ''State statute''), for planning, design, environmental compliance, and construction required in carrying out eligible projects in the Colusa Basin Watershed to—

(1)(A) reduce the risk of damage to urban and agricultural areas from flooding or the discharge of drainage water or tailwater;

(B) assist in groundwater recharge efforts to alleviate overdraft and land subsidence; or

(C) construct, restore, or preserve wetland and riparian habitat; and

(2) capture, as an incidental purpose of any of the purposes referred to in paragraph (1), surface or stormwater for conservation, conjunctive use, and increased water supplies.

SEC. 3. PROJECT SELECTION.

(a) ELIGIBLE PROJECTS.—A project shall be an eligible project for purposes of section 2 only if it is—

(1) consistent with the plan for flood protection and integrated resources management described in the document entitled ''Draft Programmatic Environmental Impact Statement/Environmental Impact Report and Draft Program Financing Plan, Integrated Resources Management Program for Flood Control in the Colusa Basin'', dated May 2000; and

(2) carried out in accordance with that document and all environmental documentation requirements that apply to the project under the laws of the United States and the State of California.

(b) COMPATIBILITY REQUIREMENT.—The Secretary shall ensure that projects for which assistance is provided under this Act are not inconsistent with watershed protection and environmental restoration efforts being carried out under the authority of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4706 et seq.) or the CALFED Bay-Delta Program.

SEC. 4. COST SHARING.

(a) NON-FEDERAL SHARE.—The Secretary shall require that the District and cooperating non-Federal agencies or organizations pay—

(1) 25 percent of the costs associated with construction of any project carried out with assistance provided under this Act;

(2) 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to such a project; and

(3) 35 percent of the costs associated with planning, design, and environmental compliance activities.

(b) PLANNING, DESIGN, AND COMPLIANCE ASSISTANCE.—Funds appropriated pursuant to this Act may be made available to fund 65 percent of costs incurred for planning, design, and environmental compliance activities by the District or by local agencies acting pursuant to the State statute, in accordance with agreements with the Secretary.

(c) TREATMENT OF CONTRIBUTIONS.—For purposes of this section, the Secretary shall treat the value of lands, interests in lands (including rights-of-way and other easements), and necessary relocations contributed by the District to a project as a payment by the District of the costs of the project.

SEC. 5. COSTS NONREIMBURSABLE.

Amounts expended pursuant to this Act shall be considered nonreimbursable for purposes of the Act of June 17, 1902 (32 Stat. 388;

43 U.S.C. 371 et seq.), and Acts amendatory thereof and supplemental thereto.

SEC. 6. AGREEMENTS.

Funds appropriated pursuant to this Act may be made available to the District or a local agency only if the District or local agency, as applicable, has entered into a binding agreement with the Secretary—

(1) under which the District or the local agency is required to pay the non-Federal share of the costs of construction required by section 4(a); and

(2) governing the funding of planning, design, and compliance activities costs under section 4(b).

SEC. 7. REIMBURSEMENT.

For project work (including work associated with studies, planning, design, and construction) carried out by the District or by a local agency acting pursuant to the State statute in section 2 before the date amounts are provided for the project under this Act, the Secretary shall, subject to amounts being made available in advance in appropriations Acts, reimburse the District or the local agency, without interest, an amount equal to the estimated Federal share of the cost of such work under section 4.

SEC. 8. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—The Secretary may enter into cooperative agreements and contracts with the District to assist the Secretary in carrying out the purposes of this Act.

(b) SUBCONTRACTING.—Under such cooperative agreements and contracts, the Secretary may authorize the District to manage and let contracts and receive reimbursements, subject to amounts being made available in advance in appropriations Acts, for work carried out under such contracts or subcontracts.

SEC. 9. RELATIONSHIP TO RECLAMATION REFORM ACT OF 1982.

Activities carried out, and financial assistance provided, under this Act shall not be considered a supplemental or additional benefit for purposes of the Reclamation Reform Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa et seq.).

SEC. 10. APPROPRIATIONS AUTHORIZED.

Within existing budgetary authority and subject to the availability of appropriations, the Secretary is authorized to expend up to $25,000,000, plus such additional amount, if any, as may be required by reason of changes in costs of services of the types involved in the District's projects as shown by engineering and other relevant indexes to carry out this Act. Sums appropriated under this section shall remain available until expended.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1113.

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

There was no objection.

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

Mr. Speaker, H.R. 1113 introduced, by the gentleman from California (Mr. OSE), addresses issues associated with water management, flood control, drainage and subsistence occurring within the multicounty Colusa Basin in California.

The bill intends to reduce the risk of damage to urban and agricultural areas from flooding or the discharge of drainage water. It will assist in groundwater recharge efforts, as well as provide funding for conservation, conjunctive use and increased water supplies.

One of the prime objectives of local project proponents in seeking introduction of this legislation was to specifically identify a congressional priority for funding from within existing Federal programs. This authorization is not intended to expand Federal expenditure but is to prioritize existing spending. I would encourage my colleagues to vote for the legislation.

Mr. GILCHREST. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. OSE) to address some of his feelings on this legislation that affects his Congressional District.

Mr. OSE. Mr. Speaker, oftentimes, I am reminded by others who are smarter than I, when an organization does what one is hoping it does, perhaps the best thing one can do is just sit down and be quiet. However, I did want to offer a few remarks on the passage of H.R. 1113.

H.R. 1113 is a win-win for my district in that it provides the opportunity to complete work that was commenced under my predecessor's tenure. When Vic Fazio was here in the 105th Congress, he worked with Members on both sides of the aisle, the purpose of which was to bring some flood protection to the Colusa Basin and its residents. He was, I believe, able to get this package passed through the House twice, actually; but, unfortunately, it got caught in a time crunch at the end of the 105th and, as such, did not get signed by the President.

We are back here today on the first step of the new travels of the new journey. We pass it here in the House. It will go on to the Senate from here. The essential components of this bill are that we provide flood protection for people in the Colusa Basin, hopefully averting up to an average of $5 million a year in flood damage that occurs on seasonal streams off the Pacific Coast range.

It provides up to 10,000 acres of new wetlands and habitat for wildlife along the Pacific flyaway. It is supported by the Yolo, Glenn and Colusa Boards of Supervisors, the California Farm Bureau, local organizations like the Family Water Alliance, the Sacramento Valley Landowners Association, the Glenn-Colusa Irrigation District, and also by the municipalities such as Willows, Colusa and Orland.

It is also somewhat of a unique vehicle in that the Colusa Basin Drainage District has entered into a memorandum of understanding somewhat unusual in this, laying out the parameters under which the 10,000 acres of new wildlife and habitat area will be managed. It is unique in that sense.

It is perhaps a vehicle we could mimic elsewhere in the country as we work to balance our needs between the demands of humans for flood protection and our needs to help in the environment and the like.

Again, I want to express my appreciation to the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) for allowing me to come and speak.

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend, the gentleman from Maryland (Mr. GILCHREST) for his management of the legislation and on the floor.

Mr. Speaker, this bill authorizes a number of relatively small structures for water retention and watershed management in California's Colusa Basin. The bill, as amended, now requires a reasonable level of local cost sharing to help cover project planning, design and environmental compliance expenses. I thank the gentleman from California (Mr. OSE) for his sponsorship of this bill, and I urge my colleagues to support this legislation.

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

Mr. GILCHREST. Mr. Speaker, I urge my colleagues to vote aye on the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 1113, as amended.

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

A motion to reconsider was laid on the table.

MISSOURI RIVER BASIN PROJECT CONVEYANCE

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2984) to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska, as amended.

The Clerk read as follows:

H. R. 2984

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

SECTION 1. CONVEYANCE OF THE ASSETS OF THE MIDDLE LOUP DIVISION OF THE MISSOURI RIVER BASIN PROJECT, NEBRASKA.

(a) IN GENERAL.—The Secretary shall, as soon as practicable after the date of enactment of this Act and in accordance with all applicable law, convey all right, title, and interest in and to the property comprising the assets of the Missouri River Basin Project, Middle Loup Division, Nebraska, in accordance with the Memorandum of Understanding.

(b) SALE PRICE.—The Secretary shall accept $2,847,360 as payment from the District and $2,600,000 as payment from the power customers under the terms specified in this section, as consideration for the conveyance under subsection (a). Out of the receipts from the sale of power from the Pick-Sloan Missouri Basin Program (Eastern Division) collected by the Western Area Power Administration and deposited into the Reclamation fund of the Treasury in fiscal year 2001, $2,600,200 shall be treated as full and complete payment by the power customers of such consideration and repayment by the power customers of all aid to irrigation associated with the facilities conveyed under subsection (a).

(c) FUTURE BENEFITS.—Upon payment by the Districts of consideration for the conveyance in accordance with the Memorandum of Understanding, the Middle Loup Division of the Missouri River Basin Project—

(1) shall not be treated as a Federal reclamation project; and

(2) shall not be subject to the reclamation laws or entitled to receive any reclamation benefits under those laws.

(d) LIABILITY.—Except as otherwise provided by law, effective on the date of conveyance of the assets under this section, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the assets.

(e) DEFINITIONS.—In this section:

(1) ASSETS.—The term ''assets'' has the meaning that term has in the Memorandum of Understanding.

(2) DISTRICTS.—The term ''Districts'' means the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska.

(3) MEMORANDUM OF UNDERSTANDING.—The term ''Memorandum of Understanding'' means Bureau of Reclamation memorandum of understanding number 99AG601285, entitled ''MEMORANDUM OF UNDERSTANDING BETWEEN UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION GREAT PLAINS REGION NEBRASKA-KANSAS AREA OFFICE AND LOUP BASIN RECLAMATION DISTRICT FARWELL IRRIGATION DISTRICT SARGENT IRRIGATION DISTRICT CONCERNING PRINCIPLES AND ELEMENTS OF PROPOSED TRANSFER OF TITLE TO WORKS, FACILITIES AND LANDS IN THE MIDDLE LOUP DIVISION''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. Gilchrest. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2984.

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

There was no objection.

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

Mr. Speaker, H.R. 2984 directs the Secretary of Interior to convey all right, title and interest in the Middle Loup Division to the Farwell Irrigation District; the Sargent Irrigation District; and the Loup Basin Reclamation District, in the State of Nebraska, in accordance with a signed memorandum of understanding between the Bureau of Reclamation and the districts.

An agreement on the sale price has been worked out between the districts, the Bureau of Reclamation and Western Area Power Administration for the facilities to be conveyed under this act. I urge an aye vote on this legislation.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, H.R. 2984, as amended, would direct to the Bureau of Reclamation, subject to applicable law, to convey a portion of the Pick-Sloan Missouri Basin flood control and irrigation project to the Loup Basin Reclamation District, the Sargent River Irrigation District and the Farwell Irrigation District in Nebraska.

This legislation, as amended, it is my understanding that the administration supports it and at a later point in time I will reserve the right to vote on this suspension bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 2984, as amended.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

TORRES-MARTINEZ DESERT CAHUILLA INDIANS CLAIMS SETTLEMENT ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4643) to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4643

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 ''Torres-Martinez Desert Cahuilla Indians Claims Settlement Act''.

SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) In 1876, the Torres-Martinez Indian Reservation was created, reserving a single, 640-acre section of land in the Coachella Valley, California, north of the Salton Sink. The Reservation was expanded in 1891 by Executive Order, pursuant to the Mission Indian Relief Act of 1891, adding about 12,000 acres to the original 640-acre reservation.

(2) Between 1905 and 1907, flood waters of the Colorado River filled the Salton Sink, creating the Salton Sea, inundating approximately 2,000 acres of the 1891 reservation lands.

(3) In 1909, an additional 12,000 acres of land, 9,000 of which were then submerged under the Salton Sea, were added to the reservation under a Secretarial Order issued pursuant to a 1907 amendment of the Mission Indian Relief Act. Due to receding water levels in the Salton Sea through the process of evaporation, at the time of the 1909 enlargement of the reservation, there were some expectations that the Salton Sea would recede within a period of 25 years.

(4) Through the present day, the majority of the lands added to the reservation in 1909 remain inundated due in part to the flowage of natural runoff and drainage water from the irrigation systems of the Imperial, Coachella, and Mexicali Valleys into the Salton Sea.

(5) In addition to those lands that are inundated, there are also tribal and individual Indian lands located on the perimeter of the Salton Sea that are not currently irrigable due to lack of proper drainage.

(6) In 1982, the United States brought an action in trespass entitled ''United States of America, in its own right and on behalf of Torres-Martinez Band of Mission Indians and the Allottees therein v. the Imperial Irrigation District and Coachella Valley Water District'', Case No. 82–1790 K (M) (hereafter in this section referred to as the ''U.S. Suit'') on behalf of the Torres-Martinez Indian Tribe and affected Indian allottees against the two water districts seeking damages related to the inundation of tribal- and allottee-owned lands and injunctive relief to prevent future discharge of water on such lands.

(7) On August 20, 1992, the Federal District Court for the Southern District of California entered a judgment in the U.S. Suit requiring the Coachella Valley Water District to pay $212,908.41 in past and future damages and the Imperial Irrigation District to pay $2,795,694.33 in past and future damages in lieu of the United States request for a permanent injunction against continued flooding of the submerged lands.

(8) The United States, the Coachella Valley Water District, and the Imperial Irrigation District have filed notices of appeal with the United States Court of Appeals for the Ninth Circuit from the district court's judgment in the U.S. Suit (Nos. 93–55389, 93–55398, and 93–55402), and the Tribe has filed a notice of appeal from the district court's denial of its motion to intervene as a matter of right (No. 92–55129).

(9) The Court of Appeals for the Ninth Circuit has stayed further action on the appeals pending the outcome of settlement negotiations.

(10) In 1991, the Tribe brought its own lawsuit, Torres-Martinez Desert Cahuilla Indians, et al., v. Imperial Irrigation District, et al., Case No. 91–1670 J (LSP) (hereafter in this section referred to as the ''Indian Suit'') in the United States District Court, Southern District of California, against the two water districts, and amended the complaint to include as a plaintiff, Mary Resvaloso, in her own right, and as class representative of all other affected Indian allotment owners.

(11) The Indian Suit has been stayed by the district court to facilitate settlement negotiations.

(b) PURPOSE.—The purpose of this Act is to facilitate and implement the settlement agreement negotiated and executed by the parties to the U.S. Suit and Indian Suit for the purpose of resolving their conflicting claims to their mutual satisfaction and in the public interest.

SEC. 3. DEFINITIONS.

For the purposes of this Act:

(1) TRIBE.—The term ''Tribe'' means the Torres-Martinez Desert Cahuilla Indians, a federally recognized Indian tribe with a reservation located in Riverside and Imperial Counties, California.

(2) ALLOTTEES.—The term ''allottees'' means those individual Tribe members, their successors, heirs, and assigns, who have individual ownership of allotted Indian trust lands within the Torres-Martinez Indian Reservation.

(3) SALTON SEA.—The term ''Salton Sea'' means the inland body of water located in Riverside and Imperial Counties which serves as a drainage reservoir for water from precipitation, natural runoff, irrigation return flows, wastewater, floods, and other inflow from within its watershed area.

(4) SETTLEMENT AGREEMENT.—The term ''Settlement Agreement'' means the Agreement of Compromise and Settlement Concerning Claims to the Lands of the United States Within and on the Perimeter of the Salton Sea Drainage Reservoir Held in Trust for the Torres-Martinez Indians executed on June 18, 1996, as modified by the first, second, third, and fourth modifications thereto.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) PERMANENT FLOWAGE EASEMENT.—The term ''permanent flowage easement'' means the perpetual right by the water districts to use the described lands in the Salton Sink within and below the minus 220-foot contour as a drainage reservoir to receive and store water from their respective water and drainage systems, including flood water, return flows from irrigation, tail water, leach water, operational spills, and any other water which overflows and floods such lands, originating from lands within such water districts.

SEC. 4. RATIFICATION OF SETTLEMENT AGREEMENT.

The United States hereby approves, ratifies, and confirms the Settlement Agreement.

SEC. 5. SETTLEMENT FUNDS.

(a) ESTABLISHMENT OF TRIBAL AND ALLOTTEES SETTLEMENT TRUST FUNDS ACCOUNTS.—

(1) IN GENERAL.—There are established in the Treasury of the United States three settlement trust fund accounts to be known as the ''Torres-Martinez Settlement Trust Funds Account'', the ''Torres-Martinez Allottees Settlement Account I'', and the ''Torres-Martinez Allottees Settlement Account II'', respectively.

(2) AVAILABILITY.—Amounts held in the Torres-Martinez Settlement Trust Funds Account, the Torres-Martinez Allottees Settlement Account I, and the Torres-Martinez Allottees Settlement Account II shall be available to the Secretary for distribution to the Tribe and affected allottees in accordance with subsection (c).

(b) CONTRIBUTIONS TO THE SETTLEMENT TRUST FUNDS.—

(1) IN GENERAL.—Amounts paid to the Secretary for deposit into the trust fund accounts established by subsection (a) shall be allocated among and deposited in the trust accounts in the amounts determined by the tribal-allottee allocation provisions of the Settlement Agreement.

(2) CASH PAYMENTS BY COACHELLA VALLEY WATER DISTRICT.—Within the time, in the manner, and upon the conditions specified in the Settlement Agreement, the Coachella Valley Water District shall pay the sum of $337,908.41 to the United States for the benefit of the Tribe and any affected allottees.

(3) CASH PAYMENTS BY IMPERIAL IRRIGATION DISTRICT.—Within the time, in the manner, and upon the conditions specified in the Settlement Agreement, the Imperial Irrigation District shall pay the sum of $3,670,694.33 to the United States for the benefit of the Tribe and any affected allottees.

(4) CASH PAYMENTS BY THE UNITED STATES.—Within the time and upon the conditions specified in the Settlement Agreement, the United States shall pay into the three separate tribal and allottee trust fund accounts the total sum of $10,200,000, of which sum—

(A) $4,200,000 shall be provided from moneys appropriated by Congress under section 1304 of title 31, United States Code, the conditions of which are deemed to have been met, including those of section 2414 of title 28, United States Code; and

(B) $6,000,000 shall be provided from moneys appropriated by Congress for this specific purpose to the Secretary.

(5) ADDITIONAL PAYMENTS.—In the event that any of the sums described in paragraph (2) or (3) are not timely paid by the Coachella Valley Water District or the Imperial Irrigation District, as the case may be, the delinquent payor shall pay an additional sum equal to 10 percent interest annually on the amount outstanding daily, compounded yearly on December 31 of each respective year, until all outstanding amounts due have been paid in full.

(6) SEVERALLY LIABLE FOR PAYMENTS.—The Coachella Valley Water District, the Imperial Irrigation District, and the United States shall each be severally liable, but not jointly liable, for its respective obligation to make the payments specified by this subsection.

(c) ADMINISTRATION OF SETTLEMENT TRUST FUNDS.—The Secretary shall administer and distribute funds held in the Torres-Martinez Settlement Trust Funds Account, the Torres-Martinez Allottees Settlement Account I, and the Torres-Martinez Allottees Settlement Account II in accordance with the terms and conditions of the Settlement Agreement.

SEC. 6. TRUST LAND ACQUISITION AND STATUS.

(a) ACQUISITION AND PLACEMENT OF LANDS INTO TRUST.—

(1) IN GENERAL.—The Secretary shall convey into trust status lands purchased or otherwise acquired by the Tribe within the areas described in paragraphs (2) and (3) in an amount not to exceed 11,800 acres in accordance with the terms, conditions, criteria, and procedures set forth in the Settlement Agreement and this Act. Subject to such terms, conditions, criteria, and procedures, all lands purchased or otherwise acquired by the Tribe and conveyed into trust status for the benefit of the Tribe pursuant to the Settlement Agreement and this Act shall be considered as if such lands were so acquired in trust status in 1909 except as (i) to water rights as provided in subsection (c), and (ii) to valid rights existing at the time of acquisition pursuant to this Act.

(2) PRIMARY ACQUISITION AREA.—

(A) IN GENERAL.—The primary area within which lands may be acquired pursuant to paragraph (1) consists of the lands located in the Primary Acquisition Area, as defined in the Settlement Agreement. The amount of acreage that may be acquired from such area is 11,800 acres less the number of acres acquired and conveyed into trust under paragraph (3).

(B) EFFECT OF OBJECTION.—Lands referred to in subparagraph (A) may not be acquired pursuant to paragraph (1) if by majority vote the governing body of the city within whose incorporated boundaries (as such boundaries exist on the date of the Settlement Agreement) the subject lands are situated within formally objects to the Tribe's request to convey the subject lands into trust and notifies the Secretary of such objection in writing within 60 days of receiving a copy of the Tribe's request in accordance with the Settlement Agreement. Upon receipt of such a notification, the Secretary shall deny the acquisition request.

(3) SECONDARY ACQUISITION AREA.—

(A) IN GENERAL.—Not more than 640 acres of land may be acquired pursuant to paragraph (1) from those certain lands located in the Secondary Acquisition Area, as defined in the Settlement Agreement.

(B) EFFECT OF OBJECTION.—Lands referred to in subparagraph (A) may not be acquired pursuant to paragraph (1) if by majority vote—

(i) the governing body of the city within whose incorporated boundaries (as such boundaries exist on the date of the Settlement Agreement) the subject lands are situated within, or

(ii) the governing body of Riverside County, California, in the event that such lands are located within an unincorporated area,

formally objects to the Tribe's request to convey the subject lands into trust and notifies the Secretary of such objection in writing within 60 days of receiving a copy of the Tribe's request in accordance with the Settlement Agreement. Upon receipt of such a notification, the Secretary shall deny the acquisition request.

(4) CONTIGUOUS LANDS.—The Secretary shall not take any lands into trust for the Tribe under generally applicable Federal statutes or regulations where such lands are both—

(A) contiguous to any lands within the Secondary Acquisition Area that are taken into trust pursuant to the terms of the Settlement Agreement and this Act; and

(B) situated outside the Secondary Acquisition Area.

(b) RESTRICTIONS ON GAMING.—The Tribe may conduct gaming on only one site within the lands acquired pursuant to subsection 6(a)(1) as more particularly provided in the Settlement Agreement.

(c) WATER RIGHTS.—All lands acquired by the Tribe under subsection (a) shall—

(1) be subject to all valid water rights existing at the time of tribal acquisition, including (but not limited to) all rights under any permit or license issued under the laws of the State of California to commence an appropriation of water, to appropriate water, or to increase the amount of water appropriated;

(2) be subject to the paramount rights of any person who at any time recharges or stores water in a ground water basin to recapture or recover the recharged or stored

water or to authorize others to recapture or recover the recharged or stored water; and

(3) continue to enjoy all valid water rights appurtenant to the land existing immediately prior to the time of tribal acquisition.

SEC. 7. PERMANENT FLOWAGE EASEMENTS.

(a) CONVEYANCE OF EASEMENT TO COACHELLA VALLEY WATER DISTRICT.—

(1) TRIBAL INTEREST.—The United States, in its capacity as trustee for the Tribe, as well as for any affected Indian allotment owners, and their successors and assigns, and the Tribe in its own right and that of its successors and assigns, shall convey to the Coachella Valley Water District a permanent flowage easement as to all Indian trust lands (approximately 11,800 acres) located within and below the minus 220-foot contour of the Salton Sink, in accordance with the terms and conditions of the Settlement Agreement.

(2) UNITED STATES INTEREST.—The United States, in its own right shall, notwithstanding any prior or present reservation or withdrawal of land of any kind, convey to the Coachella Valley Water District a permanent flowage easement as to all Federal lands (approximately 110,000 acres) located within and below the minus 220-foot contour of the Salton Sink, in accordance with the terms and conditions of the Settlement Agreement.

(b) CONVEYANCE OF EASEMENT TO IMPERIAL IRRIGATION DISTRICT.—

(1) TRIBAL INTEREST.—The United States, in its capacity as trustee for the Tribe, as well as for any affected Indian allotment owners, and their successors and assigns, and the Tribe in its own right and that of its successors and assigns, shall grant and convey to the Imperial Irrigation District a permanent flowage easement as to all Indian trust lands (approximately 11,800 acres) located within and below the minus 220-foot contour of the Salton Sink, in accordance with the terms and conditions of the Settlement Agreement.

(2) UNITED STATES.—The United States, in its own right shall, notwithstanding any prior or present reservation or withdrawal of land of any kind, grant and convey to the Imperial Irrigation District a permanent flowage easement as to all Federal lands (approximately 110,000 acres) located within and below the minus 220-foot contour of the Salton Sink, in accordance with the terms and conditions of the Settlement Agreement.

SEC. 8. SATISFACTION OF CLAIMS, WAIVERS, AND RELEASES.

(a) SATISFACTION OF CLAIMS.—The benefits available to the Tribe and the allottees under the terms and conditions of the Settlement Agreement and the provisions of this Act shall constitute full and complete satisfaction of the claims by the Tribe and the allottees arising from or related to the inundation and lack of drainage of tribal and allottee lands described in section 2 of this Act and further defined in the Settlement Agreement.

(b) APPROVAL OF WAIVERS AND RELEASES.—The United States hereby approves and confirms the releases and waivers required by the Settlement Agreement and this Act.

SEC. 9. MISCELLANEOUS PROVISIONS.

(a) ELIGIBILITY FOR BENEFITS.—Nothing in this Act or the Settlement Agreement shall affect the eligibility of the Tribe or its members for any Federal program or diminish the trust responsibility of the United States to the Tribe and its members.

(b) ELIGIBILITY FOR OTHER SERVICES NOT AFFECTED.—No payment pursuant to this Act shall result in the reduction or denial of any Federal services or programs to the Tribe or to members of the Tribe, to which they are entitled or eligible because of their status as a federally recognized Indian tribe or member of the Tribe.

(c) PRESERVATION OF EXISTING RIGHTS.—Except as provided in this Act or the Settlement Agreement, any right to which the Tribe is entitled under existing law shall not be affected or diminished.

(d) AMENDMENT OF SETTLEMENT AGREEMENT.—The Settlement Agreement may be amended from time to time in accordance with its terms and conditions to the extent that such amendments are not inconsistent with the trust land acquisition provisions of the Settlement Agreement, as such provisions existed on—

(1) the date of the enactment of this Act, in the case of Modifications One and Three; and

(2) September 14, 2000, in the case of Modification Four.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

SEC. 11. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided by subsection (b), this Act shall take effect on the date of enactment of this Act.

(b) EXCEPTION.—Sections 4, 5, 6, 7, and 8 shall take effect on the date on which the Secretary determines the following conditions have been met:

(1) The Tribe agrees to the Settlement Agreement and the provisions of this Act and executes the releases and waivers required by the Settlement Agreement and this Act.

(2) The Coachella Valley Water District agrees to the Settlement Agreement and to the provisions of this Act.

(3) The Imperial Irrigation District agrees to the Settlement Agreement and to the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4643.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4643, a bill which will provide for the settlement of issues and claims related to the trust land of the Torres-Martinez Indian tribe.

H.R. 4643 would settle claims related to the loss of approximately 14,000 acres of trust lands by the Torres-Martinez Indian tribe. It would also implement a comprehensive settlement negotiated after 18 years of litigation involving the Federal Government and the tribe.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Mrs. BONO), whose district is impacted, to further explain the legislation.

Mrs. BONO. Mr. Speaker, I rise today in support of H.R. 4643, the Torres-Martinez Desert Cahuilla Indian Claim Settlement Act. Mr. Speaker, this legislation will bring an end to an injustice suffered by this tribe nearly a century ago. And for nearly a quarter of a century, the tribe has been working with the Federal Government and local water districts to reach a settlement that is fair and equitable for all parties. Finally, we have the opportunity to right this injustice and resolve this long-standing issue.

The Torres-Martinez tribe has been without the use of over 11,000 acres of their reservation lands, due to an accident of the Federal Government nearly a century ago. This accident was compounded by the more recent actions of local water districts and agricultural interests in the southeastern section of California.

Between 1905 and 1907, flood waters of the Colorado River breached an Army Corps of Engineers retaining dike and spilled into the Salton Sink. The result of this accident was the creation of the Salton Sea and the loss of the Torres-Martinez reservation lands. These lands remained inundated due in part of the flowage of natural runoff and drainage water from the irrigation systems of the Imperial, Coachella and Mexicali Valleys into the Salton Sea.

This issue has been before the Ninth Circuit Court of Appeals for two decades. After years spent in the judicial system, the Court and the tribe have turned to Congress and the administration to reach a settlement agreement that provides an equitable resolution that all agree is long overdue. Everyone may recall that my late husband, the Honorable Sonny Bono, also tried to bring a resolution to this issue in 1996. This body approved his bill. However, due to time constraints and disputes with entities that were not party to the settlement agreement itself, the bill never cleared the Senate and never made it to the President's desk, despite the administration's keen interest in having the bill signed into law.

Now, 95 years after the Torres-Martinez suffered their loss of lands, the time has come to finally remedy this situation. This Congress has one more chance to attempt to help this impoverished tribe; and it is my sincere hope that we will seize this opportunity and right this wrong once and for all.

Mr. Speaker, the Torres-Martinez people have worked tirelessly to accommodate the requests of the local cities, the County of Riverside and other local tribes. They have proven to be good neighbors by incorporating many suggestions and changes into the settlement agreement and this legislation. Some would argue that they have been too accommodating. As a result of numerous public forums and face-to-face meetings, this legislation reflects a consensus of the entire community. That is why the bill is supported by a wide variety of entities including the

City of Coachella, within whose jurisdictional boundaries the Torres-Martinez may acquire land, consistent with existing law and the provisions contained in both the settlement agreement and this act. The tribe also enjoys the full support of Riverside County, the only other governmental entity within whose jurisdiction this tribe may acquire land as part of this settlement.

Mr. Speaker, what speaks volumes is the level of support of this agreement coming from the other sovereign Indian nations. I have received letters from virtually every tribe in the region which applaud the merits of this legislation and endorse the passage of this bill. Some tribes have even gone so far as to actively support this bill in the halls of Congress. They strongly believe that the Torres-Martinez are entitled to this just remedy and find it difficult to believe that this case has still not been resolved.

The Torres-Martinez people have also received strong bipartisan support in Congress. The gentleman from Alaska (Mr. YOUNG) has been a staunch ally and supporter of this bill. The chairman has lent his energy and enthusiasm to this cause, and I am most grateful for the leadership and help he has provided to both the tribe and me during this process.

In addition, I want to recognize the original cosponsor of this legislation, the ranking member of the House Committee on Resources, the gentleman from California (Mr. GEORGE MILLER). It is largely due to his efforts on behalf of this tribe that this bill has finally made its way to the floor today.

It is also fitting to thank the Departments of Interior and Justice for their good work on this issue. The administration has cooperated with the tribe, the local water districts and the body in crafting an equitable solution. Also thanks to the boards and staff at the Coachella Valley Water District and the Imperial Irrigation District for their continued efforts.

I must also thank the other Members of this body, especially the gentleman from Michigan (Mr. KILDEE), who has been kind enough to lend their support to the Torres-Martinez. I commend them for standing up for what is right and justice.

Finally, to the staff and attorneys who have worked with this issue for countless hours, I thank them.

Now, Mr. Speaker, I humbly ask on behalf of the Torres-Martinez tribe that this body approve the legislation and give the people of this tribe the justice that they have sought for the past 95 years.

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 4643, a bill to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indian Nation. The Torres-Martinez Indian Reservation was created in 1876 to include 640 acres of land in the Coachella Valley south of California. The reservation was enlarged in 1891 and again in 1909. During this period, the Salton Sea was created covering thousands of acres of the reservation. The Salton Sea did not recede as expected and today approximately 11,000 acres of reservation land remain flooded.

Litigation over several issues surrounding the reservation has been ongoing for decades and the House has previously passed legislation in support of Torres-Martinez' goal of obtaining usable and economically viable reservation land.

During the term of this Congress, further disagreement has arisen and considerable effort has gone into resolving these new differences. It is my understanding that earlier today an agreement acceptable to all parties was reached and that this new agreement has been incorporated into the manager's amendment being offered today.

I want to thank the gentleman from Alaska (Mr. YOUNG), the chairman of our House Committee on Resources, the gentleman from California (Mr. GEORGE MILLER), the ranking minority member of the full committee, in our efforts to helping the Torres-Martinez tribe obtain additional productive land for their reservation. I also want to particularly commend the gentlewoman from California (Mrs. BONO), the chief sponsor of this legislation, for her tireless efforts in this legislation and her willingness to sponsor a bill to incorporate the provision of a fairly complex agreement. We would not be here today if she had not done so.

I also want to give particular public recognition and my compliments and commendation to my good friend, the gentleman from Michigan (Mr. KILDEE), who has worked tirelessly for the past several years in giving his assistance and full participation in the negotiations between this tribe and other tribes in California. This has really helped tremendously in bridging the differences among not only the tribes but State officials.

Mr. Speaker, this is a good example of legislation in which not every party got everything that they wanted but it is something that they have indicated they can live with, and I know that it does give the Torres-Martinez tribe at last some useful land for their reservation. Mr. Speaker, I urge my colleagues to support this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, here we are again passing legislation to implement the settlement agreement to stop 18 years of litigation and provide the desperately poor Torres-Martinez Desert Cahuilla Indians with some usable land. Currently, the Tribe has over 11,000 acres of land sitting at the bottom of the Salton Sea with no hope of ever using that land for needed economic development or sustainable housing for their members. A court found in favor of the tribe in a 1984 trespassing suit brought against the Imperial Irrigation District (ID) and the Coachella Valley Water District (CVWD) and awarded damages to the tribe. To stave off a second suit filed on behalf of the tribe, the U.S. stepped in and worked out a settlement agreement agreeable to all parties.

The House of Representatives overwhelmingly passed this settlement legislation in the 104th Congress when our former colleague Sonny Bono pushed for its enactment. Congressman Bono tried to do the right thing by this tribe then and now Congresswoman BONO is continuing to fight for the tribe. I have been a proud sponsor of both bills and want to commend Mrs. BONO for all her hard work on behalf of this needy tribe. She has had to overcome a small but very well funded campaign of misinformation to bring the bill to this point.

This settlement will provide for payments to the tribe for the two water districts and provides to them permanent drainage flowage easements. Further, the tribe agrees to drop all claims against the United States with regard to their worthless land and is permitted to purchase some 11,000 acres out of two boxes drawn within ancestral lands to use for the benefit of the tribe. It is important to note that this tribe has been unable, through no fault of their own, to use most of their land since 1876.

This legislation has a wide range of support including the Imperial Irrigation and Coachella Valley Water Districts, the Department of Interior, the Department of Justice, numerous surrounding non Indian communities, several Members of Congress, and all local Indian tribes. I have letters from some of these supporters which I'd like entered into the record along with my statement.

The bill before us today includes numerous concessions agreed to by the Torres-Martinez Tribe. Some I personally do not agree with, however I support the sovereign right of the tribe to make its own decisions and they have maintained legal representation througout the process. The path this bill has taken has been a painful and difficult one due to the earlier opposition of a lone, small, wealthy tribe. Garnering non Indian support to fairly assist needy Indian Tribes has always been a hard task and one I've gladly taken on throughout my 25 years serving in the House. However, tribe against tribe situations are the most difficult we deal with and when one side is vastly out spent in its efforts, it makes the situation all the more sad. I hope this is the last of such battles we will have to address.

With that I urge my colleagues to support this bill and finally end this sad chapter in our history.

AGUA CALIENTE BAND
OF CAHUILLA INDIANS,
Palm Springs, CA.

Hon. MARY BONO,
House of Representatives, Washington, DC.

DEAR CONGRESSWOMAN BONO: On behalf of the Agua Caliente Band of Cahuilla Indians I wish to state that we support H.R. 4346. This bill contains a settlement agreement between the Torres-Martinez tribe, Coachella Valley Water District, Imperial Irrigation District and the Federal Government. This agreement settles a 15-year-old lawsuit that

is on appeal before the Ninth Circuit Court. The entire east valley community stands to benefit from the legislation. Advantages will include the fact that agriculture will obtain rights to run off water from the numerous farms in the area and the federal government will continue efforts to clean up the Salton Sea.

As fellow Indian Nations we understand the hardships that the Torres-Martinez Band of Mission Indians have endured for nearly a century. A major injustice will be made right by the passage of this settlement agreement and we commit ourselves to help end this struggle. We are disappointed that the Cabazon Band of Mission Indians will not take this opportunity to help a fellow, disadvantaged nation, as they instead stand alone in their efforts to defeat this agreement.

If we can provide your office with any information on this matter, please feel free to contact us at any time. Also, if requested, we would be pleased to provide the House Committee on Resources with testimony in support of this measure when it becomes appropriate.

Yours truly,

RICHARD M. MILANOVICH,
Chairman, Tribal Council.

COACHELLA VALLEY WATER DISTRICT,
Coachella, CA, July 24, 2000.

Representative GEORGE MILLER,
Ranking Minority Member, House Resources Committee, Washington, DC.

DEAR REPRESENTATIVE MILLER: On behalf of the Coachella Valley Water District, I would like to request that the House Resources Committee favorably report H.R. 4643, ''to provide for the settlement and claims related to the trust lands of the Torres-Martinez desert Cahuilla Indians, and for other purposes.''

Enactment of this legislation would facilitate and implement a settlement agreement reached by the U.S. Government, the Tribe, Imperial Irrigation District and the Coachella Valley Water District. It is a rare occasion in which parties to such complex litigation are able to join together on a final resolution that is so important to such complex litigation are able to join together on a final resolution that is so important to our region in the State of California.

We appreciate any efforts you are able to make toward ensuring enactment of this legislation in the House this year.

Yours very truly,

TOM LEVY,
General Manager—Chief Engineer.

IMPERIAL IRRIGATION DISTRICT,
Imperial, CA, July 25, 2000.

Hon. GEORGE MILLER,
Ranking Member, House Resources Committee, Washington, DC.

DEAR MR. MILLER: On behalf of the Board of Directors of the Imperial Irrigation District (IID), I am writing to express our support for H.R. 4643.

As you know, this legislation would help finalize the settlement of claims by the Torres-Martinez Desert Cahuilla Indian Tribe involving flooding around the Salton Sea. The settlement resolves long-standing disputes concerning land and water use by the IID and The Coachella Valley Water District located in the southern California desert.

The IID respectfully urges your support for H.R. 4643 during the committee's consideration of the measure.

We appreciate the time you and the committee staff have given this issue over the past few years and we look forward to the passage of the implementing legislation.

Sincerely,

ERIC E. YODER,
Government Relations.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield such time as he may consume to my good friend, the gentleman from Michigan (Mr. KILDEE).

□ 1445

Mr. KILDEE. Mr. Speaker, I rise in strong support of H.R. 4643, as amended, legislation that will settle the land claims of the Torres-Martinez tribe of California.

Mr. Speaker, the time is long overdue for our government to provide just compensation to the Torres-Martinez tribe for the reservation lands they lost decades ago.

We have a moral obligation to fulfill this duty, and I am pleased that this legislation is before us today. I urge strongly the passage of H.R. 4643, as amended.

Mr. Speaker, for the last several years, and past weeks especially, I have been working with the Torres-Martinez tribe and the Cabazon Band to negotiate a compromise on an issue that has been a sticking point to these two sovereign governments.

Mr. Speaker, I believe this compromise will allow the Torres-Martinez tribe to be compensated while protecting the sovereign interests of the Cabazon tribe.

Mr. Speaker, I want to thank the tribal leaders of Torres-Martinez, the Cabazon. It has been a pleasure working with the gentlewoman from California (Mrs. BONO) on this bill. I thank the gentleman from California (Mr. GEORGE MILLER) for his assistance in resolving this most difficult issue.

I also want to thank Kimberly Teehee of my staff here; Marie Howard, the committee staff, who has worked so hard on this; and Linda Valter who has done such a wonderful job over there.

This has been really a labor of love for all of us, and I am just very happy that we are at the point we are today.

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

Mr. GILCHREST. Mr. Speaker, we have no additional speakers. I urge an aye vote on the legislation.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I do not have any additional speakers, so I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 4643, as amended.

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

A motion to reconsider was laid on the table.

EL CAMINO REAL DE TIERRA ADENTRO NATIONAL HISTORIC TRAIL ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2271) to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail, as amended.

The Clerk read as follows:

H.R. 2271

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 ''El Camino Real de Tierra Adentro National Historic Trail Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) El Camino Real de Tierra Adentro (the Royal Road of the Interior), served as the primary route between the colonial Spanish capital of Mexico City and the Spanish provincial capitals at San Juan de Los Caballeros (1598–1600), San Gabriel (1600–1609) and then Santa Fe (1610–1821).

(2) The portion of El Camino Real de Tierra Adentro that resided in what is now the United States extended between El Paso, Texas and present San Juan Pueblo, New Mexico, a distance of 404 miles;

(3) El Camino Real is a symbol of the cultural interaction between nations and ethnic groups and of the commercial exchange that made possible the development and growth of the borderland;

(4) American Indian groups, especially the Pueblo Indians of the Rio Grande, developed trails for trade long before Europeans arrived;

(5) In 1598, Juan de Oñate led a Spanish military expedition along those trails to establish the northern portion of El Camino Real;

(6) During the Mexican National Period and part of the U.S. Territorial Period, El Camino Real de Tierra Adentro facilitated the emigration of people to New Mexico and other areas that would become the United States;

(7) The exploration, conquest, colonization, settlement, religious conversion, and military occupation of a large area of the borderlands was made possible by this route, whose historical period extended from 1598 to 1882;

(8) American Indians, European emigrants, miners, ranchers, soldiers, and missionaries used El Camino Real during the historic development of the borderlands. These travelers promoted cultural interaction among Spaniards, other Europeans, American Indians, Mexicans, and Americans;

(9) El Camino Real fostered the spread of Catholicism, mining, an extensive network of commerce, and ethnic and cultural traditions including music, folklore, medicine, foods, architecture, language, place names, irrigation systems, and Spanish law.

SEC. 3. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended—

(1) by designating the paragraphs relating to the California National Historic Trail, the Pony Express National Historic Trail, and the Selma to Montgomery National Historic Trail as paragraphs (18), (19), and (20), respectively; and

(2) by adding at the end the following:

''(21) EL CAMINO REAL DE TIERRA ADENTRO.—

''(A) El Camino Real de Tierra Adentro (the Royal Road of the Interior) National Historic Trail, a 404 mile long trail from the Rio Grande near El Paso, Texas to San Juan Pueblo, New Mexico, as generally depicted

on the maps entitled 'United States Route: El Camino Real de Tierra Adentro', contained in the report prepared pursuant to subsection (b) entitled 'National Historic Trail Feasibility Study and Environmental Assessment: El Camino Real de Tierra Adentro, Texas-New Mexico', dated March 1997.

''(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of Interior.

''(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior.

''(D) LAND ACQUISITION.—No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for El Camino Real de Tierra Adentro.

''(E) VOLUNTEER GROUPS; CONSULTATION.—The Secretary of the Interior shall—

''(i) encourage volunteer trail groups to participate in the development and maintenance of the trail; and

''(ii) consult with other affected Federal, State, local governmental, and tribal agencies in the administration of the trail.

''(F) COORDINATION OF ACTIVITIES.—The Secretary of the Interior may coordinate with United States and Mexican public and non-governmental organizations, academic institutions, and, in consultation with the Secretary of State, the Government of Mexico and its political subdivisions, for the purpose of exchanging trail information and research, fostering trail preservation and educational programs, providing technical assistance, and working to establish an international historic trail with complementary preservation and education programs in each nation.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2271, as amended.

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

There was no objection.

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

Mr. Speaker, H.R. 2271 amends the National Trails System Act to designate El Camino Real de Tierra Adentro as a component of the National Trails System.

The bill directs the Secretary of the Interior to administer the trail, to encourage volunteer groups to develop and maintain the trail, and also to consult with affected Federal, State, local governmental, and tribal agencies in its administration. The bill requires owner consent for any Federal land acquisition along the trail.

Additionally, H.R. 2271 authorizes the Secretary to coordinate trail activities and programs with the Government of Mexico as well as with Mexican non-governmental organizations and academic institutions.

Mr. Speaker, this trail is one of several historic trails that has had a significant role in the history and development of the United States and Mexico. It served as the primary route between the colonial Spanish capital of Mexico City and the Spanish provincial capital in the modern day city of Santa Fe.

The trail is approximately 1,800 miles long and existed for an extended period from the late 16th century to the late 19th century. The portion of the trail that resides in what is now the United States extends a distance of 404 miles from the Rio Grande River near El Paso, Texas, to San Juan Pueblo, New Mexico. Over its long history, this trail was used by various groups and served as a cultural crossroads between diverse peoples and cultures.

Mr. Speaker, I am offering an amendment with this bill which makes some technical changes and also strikes the ''consent of the owner'' language in the provision dealing with land acquisition. Since most of this trail is on Federal land anyway, land acquisition authority really, in my opinion, is not necessary.

I actually in a way am opposed to this amendment myself. But so we can move this legislation, we have worked out an agreement with the other side that some of us who have some reservations about this amendment, we can probably work that out in the future.

Therefore, I urge my colleagues to support H.R. 2271 and to vote for this legislation.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I am both delighted and honored to be able to share my thoughts with my colleagues on this occasion of the consideration by this body of a bill that would designate the El Camino Real de Tierra Adentro as a National Historic Trail.

I also want to congratulate and applaud the efforts of the gentleman from the great State of Texas and from El Paso for his leadership on this issue.

The Camino Real has already been designated as a Millennium Legacy Trail and has been the object of a Sisters Area agreement between two waystops on this historic trail, San Francisco del Oro located in Chihuahua, Mexico, and Socorro, New Mexico, situated in the heart of my home State. It has given rise to other sister cities agreements between many other communities in New Mexico and in Mexico.

For those of my colleagues who may share my love of Southwest history, by the way, although portions of this historic trail were used in prehistoric times, it was first blazed as a complete trail by the expedition led by Juan de Onate in 1598 when he made his way to New Mexico to assure its settlement by the Spanish Crown. I am told that there is still a plaque in the city of Zacatecas that marks the place where this expedition departed on its year-long trek. This winding 1,800 mile long roadway was the first European trade route in what is now the United States.

My home State of New Mexico as one of the trailheads for this incredible road, and the other trailhead lies in Mexico City, has a great veneration for this historic route, a route which for too long has been overshadowed by younger but better-publicized national trails. Yet, this trail has left its indelible imprint on my home State and on our national history.

New Mexico, to this very day, is peopled by Hispanics who trace their ancestry directly to many of those original settlers who accompanied Juan de Onate in 1598. New Mexico Hispanics still treasure the way of life that they tended and shaped over the past 4 centuries and more.

Hispanic institutions that were carried by the Camino Real del Tierra Adentro in the minds and hearts of those Hispanic settlers are part of New Mexico's enchanted way of life. New Mexico's old missions, scattered along the Camino Real and its branches, date back to the 17th century.

In the 16th, 17th, 18th and 19th centuries, and long before the existence of the Santa Fe Trail or the Oregon Trail or the rise of the Appalachian Trail in the 18th century, there was already an established pattern of commerce over the Camino Real, a pattern that even reached out into our vast Great Plains. The flow of people and goods that were part of that commerce created and supported strong historic ties between New Mexico and Mexico. Indeed, to this day, many Mexican families and many New Mexican manito families can trace their roots back to the same ancestors who lived in the 16th, 17th, 18th, and 19th centuries.

Before the middle of the last century, the Camino Real de Tierra Adentro was still uninterrupted by a frontera, an international border. By even before taking of the Southwest by our national government just before the middle of the last century, the Camino Real also nurtured our country by giving viability to the Santa Fe Trail. As a result, the national commerce flowing across the late-opening branch of the Camino Real, the Santa Fe Trail, nurtured our Nation's economy when it sorely needed that sustenance.

I am confident that the passage of this legislation today will do the same thing. I know that enactment of the legislation we consider today will strengthen many common ties between the United States and Mexico that are symbolized by and embodied in the Camino Real, important ties such as transportation, commerce, and education. I say strengthen because we know in New Mexico the Camino Real never closed. It may have changed its

course slightly as well as the ease with which it could be traveled, all trails eventually do, but over the centuries and through today, it has continued to connect the people of Mexico and the United States.

Revitalizing it will, undoubtedly, lead to many future discoveries that reconnect Hispanic citizens of our two countries even more closely through the ties of common family historical and cultural heritage. Revitalizing the Camino Real will also allow the larger family of Americans to participate in and benefit from that effort. It will lead to a more rounded, more holistic view of the history of our continent, one that will enable us to continue to discover and explore the commonalities that bond our two countries.

On March 22 of this year, I was privileged to have my office host officials of Mexico's Instituto Nacional de Antropologia e Historia when they signed a landmark agreement with the U.S. Bureau of Land Management concerning the recognition, protection, and promotion of the Camino Real.

□ 1500

Consideration of this legislation today demonstrates that the agreement signed on March 22 was not a mere paper agreement; rather, it provided a remarkable beginning that will lead to increased understanding in the future, an understanding that says, when people of goodwill will come together to share their fortunes through family, historical, cultural and economic connections, they enrich not only each other but all of those around them.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield such time as he may consume to my colleague from the great State of Texas (Mr. REYES) who represents this area and has played a real leadership role on this issue.

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

Mr. Speaker, I am proud to be the sponsor of the El Camino Real de Tierra Adentro National Historic Trail Act.

This trail has a great deal of importance to the southwest. El Camino Real de Tierra Adentro, otherwise known as the Royal Road of the Interior, served as the primary route between the colonial Spanish capital of Mexico City and the Spanish provincial capitals of San Juan de Los Caballeros, San Gabriel, and ultimately Santa Fe, New Mexico.

The portion of El Camino Real de Tierra Adentro that resided in what is now the United States extended between El Paso, Texas, the district that I represent, and present-day San Juan Pueblo, New Mexico, a distance of some 404 miles.

El Camino Real is a symbol of the cultural interaction between nations and ethnic groups and of the commercial exchange that made possible the development and growth of our borderland. American Indian groups dating back into prehistoric times, especially the Pueblo Indians of the Rio Grande River Valley, used the area and the trail along the Rio Grande long before Europeans arrived on this continent.

In 1598, Don Juan de Onate led a Spanish military expedition along those trails to establish the northern portion of El Camino Real; and during the Mexican National Period and part of the U.S. Territorial Period, El Camino Real de Tierra Adentro facilitated the immigration of people into New Mexico and other areas that would ultimately become the United States of America.

This trail is important to the history of the borderlands as it was central to the exploration, conquest, colonization, settlement, religious conversion, and military occupation of the Southwest. Many people used this trail, including American Indians, European immigrants, miners, ranchers, cowboys, soldiers and missionaries. These travelers promoted cultural interaction among Spaniards, other Europeans, American Indians, Mexicans and Americans.

El Camino Real fostered the spread of Catholicism, mining, an extensive network of commerce, and ethnic and cultural traditions including music, folklore, medicine, foods, architecture, language, place names, irrigation systems, and Spanish law, to name a few. This trail is important to the cultural history and the rich heritage of the Southwest and of this country.

H.R. 2271 amends the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail. This noncontroversial legislation prohibits the acquisition of any lands or interests outside the exterior boundaries of any federally administered area for El Camino Real de Tierra Adentro.

With the amendment today, which we are willing to accept, this bill or a similar bill has already been passed by the Senate. The Senate bill was sponsored by Senator JEFF BINGAMAN and cosponsored by Senator PETE DOMENICI.

I would like to thank the gentleman from Alaska (Chairman YOUNG) and the gentleman from California (Mr. GEORGE MILLER) as well as the gentleman from Utah (Mr. HANSEN) as well as the gentleman from Puerto Rico (Mr. ROMERO-BARCELO), the ranking member of that committee, for the work that they did to move this bill out of the committee and onto the House floor for today's vote.

I would also like to thank my colleague and good friend the gentleman from New Mexico (Mr. UDALL) for his help in this legislation. He is a cosponsor of this legislation and clearly appreciates the historical impact that the trail has had on two nations.

I hope that my colleagues will support me in the passage of this legislation. I urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 2271, as amended.

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

A motion to reconsider was laid on the table.

WHITE CLAY CREEK WILD AND SCENIC RIVERS SYSTEM ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1849) to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, as amended.

The Clerk read as follows:

S. 1849

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 ''White Clay Creek Wild and Scenic Rivers System Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) Public Law 102–215 (105 Stat. 1664) directed the Secretary of the Interior, in cooperation and consultation with appropriate State and local governments and affected landowners, to conduct a study of the eligibility and suitability of White Clay Creek, Delaware and Pennsylvania, and the tributaries of the creek for inclusion in the National Wild and Scenic Rivers System;

(2) as a part of the study described in paragraph (1), the White Clay Creek Wild and Scenic Study Task Force and the National Park Service prepared a watershed management plan for the study area entitled ''White Clay Creek and Its Tributaries Watershed Management Plan'', dated May 1998, that establishes goals and actions to ensure the long-term protection of the outstanding values of, and compatible management of land and water resources associated with, the watershed; and

(3) after completion of the study described in paragraph (1), Chester County, Pennsylvania, New Castle County, Delaware, Newark, Delaware, and 12 Pennsylvania municipalities located within the watershed boundaries passed resolutions that—

(A) expressed support for the White Clay Creek Watershed Management Plan;

(B) expressed agreement to take action to implement the goals of the Plan; and

(C) endorsed the designation of the White Clay Creek and the tributaries of the creek for inclusion in the National Wild and Scenic Rivers System.

SEC. 3. DESIGNATION OF WHITE CLAY CREEK.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(162) WHITE CLAY CREEK, DELAWARE AND PENNSYLVANIA.—The 190 miles of river segments of White Clay Creek (including tributaries of White Clay Creek and all second order tributaries of the designated segments) in the States of Delaware and Pennsylvania,

as depicted on the recommended designation and classification maps (dated June 2000), to be administered by the Secretary of the Interior, as follows:

''(A) 30.8 miles of the east branch, including Trout Run, beginning at the headwaters within West Marlborough township downstream to a point that is 500 feet north of the Borough of Avondale wastewater treatment facility, as a recreational river.

''(B) 15.0 miles of the east branch beginning at the southern boundary line of the Borough of Avondale to a point where the East Branch enters New Garden Township at the Franklin Township boundary line, including Walnut Run and Broad Run outside the boundaries of the White Clay Creek Preserve, as a recreational river.

''(C) 4.0 miles of the east branch that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania, beginning at the northern boundary line of London Britain township and downstream to the confluence of the middle and east branches, as a scenic river.

''(D) 6.8 miles of the middle branch, beginning at the headwaters within Londonderry township downstream to a point that is 500 feet north of the Borough of West Grove wastewater treatment facility, as a recreational river.

''(E) 14 miles of the middle branch, beginning at a point that is 500 feet south of the Borough of West Grove wastewater treatment facility downstream to the boundary of the White Clay Creek Preserve in London Britain township, as a recreational river.

''(F) 2.1 miles of the middle branch that flow within the boundaries of the White Clay Creek Preserve in London Britain township, as a scenic river.

''(G) 17.2 miles of the west branch, beginning at the headwaters within Penn township downstream to the confluence with the middle branch, as a recreational river.

''(H) 12.7 miles of the main stem, excluding Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware, beginning at the confluence of the east and middle branches in London Britain township, Pennsylvania, downstream to the northern boundary line of the city of Newark, Delaware, as a scenic river.

''(I) 5.4 miles of the main stem (including all second order tributaries outside the boundaries of the White Clay Creek Preserve and White Clay Creek State Park), beginning at the confluence of the east and middle branches in London Britain township, Pennsylvania, downstream to the northern boundary of the city of Newark, Delaware, as a recreational river.

''(J) 16.8 miles of the main stem beginning at Paper Mill Road downstream to the Old Route 4 bridge, as a recreational river.

''(K) 4.4 miles of the main stem beginning at the southern boundary of the property of the corporation known as United Water Delaware downstream to the confluence of White Clay Creek with the Christina River, as a recreational river.

''(L) 1.3 miles of Middle Run outside the boundaries of the Middle Run Natural Area, as a recreational river.

''(M) 5.2 miles of Middle Run that flow within the boundaries of the Middle Run Natural Area, as a scenic river.

''(N) 15.6 miles of Pike Creek, as a recreational river.

''(O) 38.7 miles of Mill Creek, as a recreational river.''.

SEC. 4. BOUNDARIES.

With respect to each of the segments of White Clay Creek and its tributaries designated by the amendment made by section 3, in lieu of the boundaries provided for in section 3(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(b)), the boundaries of the segment shall be 250 feet as measured from the ordinary high water mark on both sides of the segment.

SEC. 5. ADMINISTRATION.

(a) BY SECRETARY OF THE INTERIOR.—The segments designated by the amendment made by section 3 shall be administered by the Secretary of the Interior (referred to in this Act as the ''Secretary''), in cooperation with the White Clay Creek Watershed Management Committee as provided for in the plan prepared by the White Clay Creek Wild and Scenic Study Task Force and the National Park Service, entitled ''White Clay Creek and Its Tributaries Watershed Management Plan'' and dated May 1998 (referred to in this Act as the ''Management Plan'').

(b) REQUIREMENT FOR COMPREHENSIVE MANAGEMENT PLAN.—The Management Plan shall be considered to satisfy the requirements for a comprehensive management plan under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(c) COOPERATIVE AGREEMENTS.—In order to provide for the long-term protection, preservation, and enhancement of the segments designated by the amendment made by section 3, the Secretary shall offer to enter into a cooperative agreement pursuant to sections 10(c) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the White Clay Creek Watershed Management Committee as provided for in the Management Plan.

SEC. 6. FEDERAL ROLE IN MANAGEMENT.

(a) IN GENERAL.—The Director of the National Park Service (or a designee) shall represent the Secretary in the implementation of the Management Plan, this Act, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by section 3, including the review, required under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)), of proposed federally-assisted water resources projects that could have a direct and adverse effect on the values for which the segment is designated.

(b) ASSISTANCE.—To assist in the implementation of the Management Plan, this Act, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by section 3, the Secretary may provide technical assistance, staff support, and funding at a cost to the Federal Government in an amount, in the aggregate, of not to exceed $150,000 for each fiscal year.

(c) COOPERATIVE AGREEMENTS.—Any cooperative agreement entered into under section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)) relating to any of the segments designated by the amendment made by section 3—

(1) shall be consistent with the Management Plan; and

(2) may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of the segments.

(d) NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a segment designated by the amendment made by section 3 that is not in the National Park System as of the date of the enactment of this Act shall not, under this Act—

(1) be considered a part of the National Park System;

(2) be managed by the National Park Service; or

(3) be subject to laws (including regulations) that govern the National Park System.

SEC. 7. STATE REQUIREMENTS.

State and local zoning laws and ordinances, as in effect on the date of the enactment of this Act, shall be considered to satisfy the standards and requirements under section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) with respect to the segment designated by the amendment made by section 3.

SEC. 8. NO LAND ACQUISITION.

The Federal Government shall not acquire, by any means, any right or title in or to land, any easement, or any other interest along the segments designated by the amendment made by section 3 for the purpose of carrying out the amendment or this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 1849, as amended.

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

There was no objection.

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

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

Mr. GILCHREST. Mr. Speaker, S. 1849, introduced by Senator JOE BIDEN from Delaware, designates approximately 190 miles of segments and tributaries of White Clay Creek in Delaware and Pennsylvania as a component of the National Wild and Scenic Rivers System. Companion legislation was also introduced by the gentleman from Pennsylvania (Mr. PITTS) who deserves major credit for crafting this bill.

White Clay Creek is the watershed for more than 69,000 acres in southeastern Pennsylvania and northwestern Delaware. White Clay Creek is an important source of drinking water and also contains recreational, cultural, and scenic resources. Although much of the land around these segments is privately owned, surveys by private property owners have indicated general support for this legislation.

In 1991, Congress authorized the White Clay Creek Study Act, which directed the National Park Service to prepare a study of the eligibility and suitability of White Clay Creek as a Wild and Scenic River. This law also directed the National Park Service and White Clay Creek Study Task Force to develop a watershed management plan for the area. The study indicated the segments identified in this bill as both suitable and feasible to be designated into the Wild and Scenic Rivers System.

Mr. Speaker, during the committee proceedings on this bill, an amendment

was passed which excluded some smaller segments that are not yet suitable for designation and established the width of the river segments for the wild and scenic designation at 250 feet. We believe that these changes are necessary and, hence, have amended the Senate bill to include them.

Mr. Speaker, all of the 15 local governmental entities within the watershed have passed resolutions supporting the designation and implementation of the management plan. This bill has the additional support of the minority and the administration. I urge all my colleagues to support S. 1849, with an amendment.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, the 102nd Congress commissioned a study of White Clay Creek, from its headwaters in Delaware to its confluence with the Christina River in Pennsylvania, to determine if the creek and any of its tributaries might be eligible for designation as part of the Wild and Scenic Rivers Program. Ultimately, the study supported such designation.

As part of the study, the National Park Service, working with a local task force, developed a cooperative management plan which was approved in 1998. Since completion of the study, three counties and 13 municipalities in Delaware and Pennsylvania have adopted resolutions endorsing designation of the creek.

S. 1849 would amend the Wild and Scenic Rivers Act to add several segments of White Clay Creek and its tributaries to the program. Under the legislation, the river will be managed cooperatively between the Secretary and State and local governments, consistent with the 1998 management plan. The bill prohibits any Federal land acquisition for the purpose of carrying out this act.

Mr. Speaker, we join the administration and the local communities in supporting passage of S. 1849, as amended.

I commend the gentleman from Maryland (Mr. GILCHREST) and other members of the committee for their work on this bill.

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

Mr. GILCHREST. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. PITTS) the author of this legislation.

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

Mr. Speaker, I rise today in strong support of the White Clay Creek Wild and Scenic Rivers Systems Act.

This bill represents a community-driven effort to preserve the White Clay Creek watershed, which is located in southeastern Pennsylvania and northwestern Delaware. The watershed is one of only a few relatively unspoiled river systems remaining in the highly developed corridor between Philadelphia, Pennsylvania and the Wilmington-Newark Delaware corridor. It is a valuable natural, ecological, and historic resource, as well as an important water resource for millions of families in the surrounding regions.

My personal desire to see this watershed preserved goes back almost 30 years. In fact, my son and I used to fish for trout there when he was a boy.

The White Clay Creek, however, is being threatened by rapid development in the region. To preserve the creek, to protect its water quality and conserve the wildlife in the watershed, it is important that we designate the creek as a Wild and Scenic River.

This bill is the culmination of more than 8 years of hard work by the local community. I have worked closely with farmers, landowners, concerned citizens, State and local officials, and the National Park Service to draft the amended language contained in this bill. It has been encouraging to me to see all interested parties work together toward the common goal of preserving this watershed.

This effort provides us with an excellent model of how to succeed in protecting our environment and natural resources. It has been a grassroots, a bi-state, and bipartisan effort from the beginning.

The Wild and Scenic designation will bring the resources that the Federal Government has to offer without ceding local control. Townships and boroughs, which historically have controlled development, will retain the power they have always had. This designation will simply give us another tool to make sure that this important natural resource is not lost to future generations.

The White Clay Creek Wild and Scenic Rivers System Act has the overwhelming support of everyone involved in the process.

I especially want to thank the gentleman from Alaska (Chairman YOUNG) from the Committee on Resources and the gentleman from Utah (Chairman HANSEN) of the Subcommittee on National Parks and Public Lands for their support of this legislation and their leadership in bringing this bill to the House floor.

I urge Members to support preserving the environment and to vote yes on this bill.

Mr. CASTLE. Mr. Speaker, I rise today in strong support of S. 1849, the ''White Clay Creek Wild and Scenic Rivers Act.'' I am proud to be an original cosponsor of this legislation to designate officially White Clay Creek and its tributaries as part of the National Park Service's National Wild and Scenic Rivers System.

This bill is the culmination of over 30 years of grassroots efforts to bring attention to the unique qualities of White Clay Creek and to build consensus to protecting its beauty from the adverse consequences of urban sprawl. White Clay Creek is located in the densely populated area between Philadelphia, Pennsylvania and Newark, Delaware.

White Clay Creek is well worth protecting. There are 38 properties in the watershed that have been listed on the National Register of Historic Places.

In addition, the watershed is home to three endangered plant species and 100 more plant species of ''special concern'' to the State of Delaware.

With regards to wildlife, the endangered bog turtle is found in the watershed along with 38 ''rare'' animal species on Delaware's list of ''special concern.''

Because the watershed is located in the middle of the Atlantic flyway, it is the northern boundary for many southern species of birds and the southern boundary for many northern species of birds. In total, there are about 200 bird species in the watershed, including the American bald eagle.

In addition, White Clay Creek serves as a vital source of drinking water for New Castle County, Delaware and Chester County, Pennsylvania.

Finally, White Clay Creek watershed is a popular location for fishing (particularly trout fishing), hiking, jogging, swimming, bird-watching, horseback riding, skating, sledding, cross-country skiing, photography, and limited deer hunting.

In September 1999, the National Parks Service released its final report, as ordered by Congress in 1991, recommending the size and scope of the wild and scenic designation for White Clay Creek. The study confirmed the beliefs of the citizens living in the watershed that there was popular support for protecting the watershed's natural, historic, and recreational resources. In fact, 89 percent of the landowners surveyed agreed to support land use regulations and programs to conserve and protect the watershed. At the same time a majority believed that there must be room for planned residential, commercial, and industrial growth.

Therefore, a White Clay Creek Task Force of private landowners, river-related organizations, and all levels of government developed the White Clay Creek Management Plan to designate a total of 191 miles, 24 miles as scenic and 167 miles as recreational, or White Clay Creek as suitable for the National Wild and Scenic River System.

All fifteen of the local governments in the watershed, including the city of Newark and New Castle County, passed resolutions supporting the management plan. The designated scenic areas flow through the White Clay Creek Preserve and the White Clay Creek State Park.

Mr. Speaker, I would like to take this opportunity to describe exactly what it means and what it does not mean for White Clay Creek to be designated wild an scenic. This bill means that the river receives permanent protection from federally-licensed or assisted water resource projects (dams, diversions,

channelization, etc.) that would have a direct and adverse effect on its free-flowing condition or outstanding remarkable resources.

It does not mean that existing wastewater treatment plants or potential reservoir sites cannot be expanded to accommodate carefully planned residential, commercial, and industrial growth. New Castle County is actively seeking solutions to water shortage problems, and this bill does not limit options that are in the best interests of the citizens of Delaware.

This legislation does not replace the authority of state, county, and municipal governments to regulate land use in the watershed.

It simply prohibits Federal funds from being used to interfere with the free-flowing nature of the river or its unique resources. In doing so, it elevates the status of the river in competing for Federal preservations grants. Finally, it mobilizes the states, local governments, and communities in the watershed to work together to preserve this unique, free flowing river.

Mr. Speaker, I would like to take a moment to acknowledge House Resources Committee Chairman, DON YOUNG; Parks Subcommittee Chairman, JIM HANSEN; Resources Committee Staff, Tod Hull; my colleague, JOE PITTS; National Parks Staff, Chuck Barscz; and all the citizens in Delaware and Pennsylvania who have worked for over 30 years to protect White Clay Creek.

Mr. Speaker, I believe the combination of White Clay Creek Watershed's unique features and the strong local support for protecting the watershed justify its designation as a wild and scenic river. The Senate passed companion legislation by unanimous consent on April 13, 2000. I urge my colleagues to give their strong support to this bill.

Mr. GILCHREST. Mr. Speaker, I urge support for the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the Senate bill, S. 1849, as amended.

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

A motion to reconsider was laid on the table.

□ 1515

DISTRICT OF COLUMBIA AND UNITED STATES TERRITORIES CIRCULATING QUARTER DOLLAR PROGRAM ACT

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5010) to provide for a circulating quarter dollar coin program to commemorate the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5010

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''District of Columbia and United States Territories Circulating Quarter Dollar Program Act''.

SEC. 2. ISSUANCE OF REDESIGNED QUARTER DOLLARS COMMEMORATING THE DISTRICT OF COLUMBIA AND EACH OF THE TERRITORIES.

Section 5112 of title 31, United States Code, is amended by inserting after subsection (m) the following new subsection:

''(n) REDESIGN AND ISSUANCE OF CIRCULATING QUARTER DOLLAR COMMEMORATING THE DISTRICT OF COLUMBIA AND EACH OF THE TERRITORIES.—

''(1) REDESIGN IN 2009.—

''(A) IN GENERAL.—Notwithstanding the fourth sentence of subsection (d)(1) and subsection (d)(2) and subject to paragraph (6)(B), quarter dollar coins issued during 2009, shall have designs on the reverse side selected in accordance with this subsection which are emblematic of the District of Columbia and the territories.

''(B) FLEXIBILITY WITH REGARD TO PLACEMENT OF INSCRIPTIONS.—Notwithstanding subsection (d)(1), the Secretary may select a design for quarter dollars issued during 2009 in which—

(i) the inscription described in the second sentence of subsection (d)(1) appears on the reverse side of any such quarter dollars; and

(ii) any inscription described in the third sentence of subsection (d)(1) or the designation of the value of the coin appears on the obverse side of any such quarter dollars.

''(2) SINGLE DISTRICT OR TERRITORY DESIGN.—The design on the reverse side of each quarter dollar issued during 2009 shall be emblematic of 1 of the following: The District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

''(3) SELECTION OF DESIGN.—

''(A) IN GENERAL.—Each of the 6 designs required under this subsection for quarter dollars shall be—

''(i) selected by the Secretary after consultation with—

''(I) the chief executive of the District of Columbia or the territory being commemorated, or such other officials or group as the chief executive officer of the District of Columbia or the territory may designate for such purpose; and

''(II) the Commission of Fine Arts; and

''(ii) reviewed by the Citizens Commemorative Coin Advisory Committee.

''(B) SELECTION AND APPROVAL PROCESS.—Designs for quarter dollars may be submitted in accordance with the design selection and approval process developed by the Secretary in the sole discretion of the Secretary.

''(C) PARTICIPATION.—The Secretary may include participation by District or territorial officials, artists from the District of Columbia or the territory, engravers of the United States Mint, and members of the general public.

''(D) STANDARDS.—Because it is important that the Nation's coinage and currency bear dignified designs of which the citizens of the United States can be proud, the Secretary shall not select any frivolous or inappropriate design for any quarter dollar minted under this subsection.

''(E) PROHIBITION ON CERTAIN REPRESENTATIONS.—No head and shoulders portrait or bust of any person, living or dead, and no portrait of a living person may be included in the design of any quarter dollar under this subsection.

''(4) TREATMENT AS NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.

''(5) ISSUANCE.—

''(A) QUALITY OF COINS.—The Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (4) in uncirculated and proof qualities as the Secretary determines to be appropriate.

''(B) SILVER COINS.—Notwithstanding subsection (b), the Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (4) as the Secretary determines to be appropriate, with a content of 90 percent silver and 10 percent copper.

''(C) SOURCES OF BULLION.—The Secretary shall obtain silver for minting coins under subparagraph (B) from available resources, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

''(D) TIMING AND ORDER OF ISSUANCE.—Coins minted under this subsection commemorating the District of Columbia and each of the territories shall be issued in equal sequential intervals during 2009 in the following order: the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

''(6) OTHER PROVISIONS.—

''(A) APPLICATION IN EVENT OF ADMISSION AS A STATE.—If the District of Columbia or any territory becomes a State before the end of the 10-year period referred to in subsection (l)(1), subsection (l)(7) shall apply, and this subsection shall not apply, with respect to such State.

''(B) APPLICATION IN EVENT OF INDEPENDENCE.—If any territory becomes independent or otherwise ceases to be a territory or possession of the United States before quarter dollars bearing designs which are emblematic of such territory are minted pursuant to this subsection, this subsection shall cease to apply with respect to such territory.

''(7) TERRITORY DEFINED.—For purposes of this subsection, the term 'territory' means the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.''.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

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

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

Mr. BACHUS. Mr. Speaker, today the House meets to consider a bill that builds on the immense popularity of the 50-State quarter program that has vast numbers of Americans looking in their pocket every day at their change. This is an addition which should be made to the legislation. It is overdue, and it recognizes the contributions of the District of Columbia and the U.S. territories.

There are many issues in this country that divide us, but there are issues that unite us; and I am happy to arise today in the spirit of unity in a bipartisan way to celebrate our diversity, to celebrate the territories that are a part of these United States and also the District of Columbia. It is appropriate and

it is fitting that we should add six new quarters to the 50-State quarter program. Those will be American Samoa, Guam, the Virgin Islands, the Northern Marianas, Puerto Rico, and the District of Columbia. Without further delay, I think it would be appropriate to hear from the representatives of the District of Columbia and the territories.

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

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume. I rise in support of this bill. As most of us are aware, our currency has shown new faces in recent years. Most recently we saw the introduction of the new Sacagawea one-dollar coin which replaces the Susan B. Anthony dollar coin. From 1999 to 2008, the country will witness the implementation of the 50-State circulating commemorative quarter program, which represents the longest running change in currency design in recent memory.

While the obverse of these quarters will continue to feature George Washington's profile, the reverse will feature a design honoring five States per year. Each State will be honored in the order in which it ratified the Constitution or entered the Union.

The bill we are considering today extends the ongoing circulating quarter program to the District of Columbia and the U.S. territories, which were not covered by the law that authorized the current program. These territories include Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, and the Northern Mariana Islands. Depending on how popular the quarter turns out to be in the long term, the Federal Government may end up earning $5 billion or more in seigniorage, a figure expected to increase with the addition of the District and the territories. I am pleased to join the delegates of the District of Columbia and the U.S. territories in supporting this legislation.

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

Mr. BACHUS. Mr. Speaker, I yield myself such time as I may consume. There are several people which should be recognized as a part of this effort, and I think the first one of those should be the gentlewoman from the District of Columbia (Ms. NORTON). She and her staff have worked tirelessly on this issue, and I would like to particularly recognize Jon Bouker for his work, a member of her staff.

I would also like to salute the delegates of the various territories. The gentleman from American Samoa (Mr. FALEOMAVAEGA) is here with us today. The gentleman from Guam (Mr. UNDERWOOD) is making his way back from Guam. That is quite a chore. The gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) will speak, along with the gentlewoman from the District of Columbia (Ms. NORTON).

I would also like to recognize the gentleman from Delaware (Mr. CASTLE). The House may recall that when he first proposed this quarter program, there was quite a bit of resistance. Some thought that it would be unsuccessful, that it would even be a disaster. That word was used. In fact, it has been a great success. Sometime ago, in fact, when that legislation was brought up, he made assurances to the gentlewoman from the District of Columbia that at some time the District of Columbia would be added. I look forward to hearing from these people who played quite a role in bringing this legislation before us today.

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

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. I thank the distinguished gentlewoman from California (Ms. WATERS) for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 5010, the District of Columbia and U.S. Territories Circulating Quarter Dollar Program Act. I want to begin by thanking the former chairman, the gentleman from Delaware (Mr. CASTLE), the gentleman from Alabama (Mr. BACHUS), and the gentleman from Iowa (Mr. LEACH), as well as the gentleman from New York (Mr. LAFALCE) and the gentlewoman from California (Ms. WATERS), for their support in getting this bill to the floor so quickly today. It is indeed a pleasure for me to be here this afternoon as we move closer toward rectifying the omission of the District of Columbia and the insular areas from the original 50-State commemorative coin program act. It took us nearly 2 years, but with the vote on H.R. 5010 today, the United States citizens of the District of Columbia and the territories will finally get the opportunity to have our Nation commemorate and celebrate a significant event or fact about our respective homes.

This is a great day for all of us because with this bill we will finally be able to celebrate, all of America.

While my district, the U.S. Virgin Islands, also known as America's Paradise, has many ecological, historical, and cultural treasures which are worthy of commemoration, we also boast of having been the place where the first Secretary of the Treasury, Alexander Hamilton, grew up and honed the skills which served our then fledgling Nation so well.

For the benefit of those who might not know this, the Virgin Islands have been a member of the American family since 1917, when Denmark sold the islands of the former Danish West Indies, St. Thomas, St. Croix and St. John, to the United States for just $25 million.

We are located 1,000 miles southeast of Miami in the Caribbean Sea and are four main islands and numerous keys, with beaches that have consistently ranked among the best in the world. We also boast the only site where members of Christopher Columbus' party are known to have set foot on what is today U.S. soil. The Salt River National Historical and Ecological Park was established in 1992 to, among other things, commemorate this important historical event.

Mr. Speaker, the people of the Virgin Islands see it as only fitting that we along with the residents and citizens of Guam, American Samoa, Puerto Rico, and the District of Columbia should also get the opportunity to educate our fellow Americans at whose side we have fought to defend and protect our Nation about our unique qualities as well as promote our pride at being Americans.

Mr. Speaker, I thank the gentlewoman from the District of Columbia because it was her leadership and dogged determination that made this day possible.

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

I would also like to recognize the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) for their work on this bill and also the gentlewoman from California (Ms. WATERS) for her work.

Mr. Speaker, it is my pleasure to yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding this time to me and for yielding me his time from the other side of the aisle. It was not necessary, but I think it does show the bipartisan spirit in which this bill in particular has come to the floor. I also want to thank the gentleman from Iowa (Mr. LEACH), the chairman of the full committee, and the gentleman from New York (Mr. LAFALCE), his ranking member, and I thank the gentlewoman from California, the ranking member of the subcommittee for her strong support of this bill and for her consistently strong support of the District of Columbia.

I appreciate especially the initial work of the then chairman of the committee, the gentleman from Delaware (Mr. CASTLE), and, of course, the gentleman from Alabama (Mr. BACHUS), the current Chair, who has worked as tirelessly with us as we have with him to make sure that we would get to the day when all American jurisdictions would be included in the coin commemoration act under discussion here today.

When the District and the four insular areas were inadvertently left out of the 50-State Commemoration Coin Program Act, we did not see any reason to hold everyone else up. We thought that the act should proceed so that the 10-year period for incorporating States could go forward because we had the assurance of the gentleman from Delaware (Mr. CASTLE) that D.C. and the insular areas would indeed be included. I knew he would keep his word. There was never any doubt about that. Not only did he move immediately in that direction by joining all of us who are delegates as a cosponsor of the bill, but

the gentleman from Alabama (Mr. BACHUS) also never lost a beat in continuing in that tradition until the work was done.

□ 1530

In any case, no damage has been done because there is a 10-year period according to date of admission to the Union, and, therefore, they would not have gotten to us anyway before now.

We are very pleased that the first 10 States are already on-line, some of them joyously touting their coin. We know that the differences between the States, the District and the territories was never meant to be invidious and never has been in this body; and we have never been so treated in this body. We are all Americans, and we appreciate that this body has, for the most part, included all of us whenever possible. That was always the intent on both sides of the aisle here.

After all, there are no differences between the insular areas and the District of Columbia on the one hand and the States on the other with respect to our American citizenship. None of the differences go to participation in a coin commemoration program.

If I may say so, this is a matter of particular pride to the areas and to the District. In a real sense, because we are not States, we perhaps reach out for ways to indicate our unity with the States. We do it in the way we carry the flag, and wave the flag. We do it in our service in the Armed Forces where the territories and the District of Columbia consistently show membership in the armed service greatly disproportionate to their numbers. The District, for example, had more residents who served in the Gulf War than 47 States. So it may be that this coin act, which may not mean very much to the average citizen, it may mean much more to those of us who come from the areas and the District of Columbia, because we look for ways to show that we are full-blooded Americans in jurisdictions of the United States, not colonies or inferior territories. Therefore, we appreciate when this body and the Senate afford us that recognition, the maximum permissible under law.

In the past, we have even won the right to vote in the Committee of the Whole, although that was withdrawn. D.C. especially longs for all the recognition it can get. If you were part of a jurisdiction in the United States that was third per capita in Federal income taxes, you would look for all the recognition from those who control the United States Treasury that you could get, and so this D.C. coin is just another way of saying we, too, are Americans.

We note that on one side of the coin will be the picture of the father of our country, and I cannot tell my colleagues what it will mean to the people I represent, that the other side, will be some image of the District of Columbia. We are already talking about what it should be. We are going to hold a competition to see what it should be. There is going to be enormous excitement when we get to that day.

We know that day is not going to be there for a few years now, but the excitement is bubbling up in the District already. We appreciate that there has been no controversy whatsoever about our participation in the coin program. Indeed, we know that in this case the more the merrier because it means more money to the U.S. Treasury.

We note with particular joy that this program has already brought $1.8 billion into the United States Treasury.

We mean to be a part of filling the coffers of the Treasury along with the 50 States and the other areas.

Mr. Speaker, I thank the gentleman from Alabama (Mr. BACHUS) very much for yielding me the time.

Ms. WATERS. Mr. Speaker, I yield 7 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I would be remiss if I do not especially recognize and compliment my good friend from Alabama (Mr. BACHUS) for not only his management of the legislation on the floor, but for his outstanding leadership as chairman of the Subcommittee on Domestic and International Monetary Policy that provides jurisdiction for this kind of legislation.

Mr. Speaker, I do want to thank the gentleman for his assistance and for his tireless efforts to bring this legislation down to the floor. I would like to also compliment and thank my good friend, the gentlewoman from the District of Columbia (Ms. NORTON), and her outstanding leadership and her tireless efforts for the past couple of years in bringing this to the attention, not only to the attention of our colleagues, but also especially the merits of this legislation and why we are here now today.

Mr. Speaker, I also would like to thank the gentleman from Delaware (Mr. CASTLE) for his outstanding assistance in garnering support from both sides of the aisle in seeing that this legislation is taking corrective action of what was done previously; and, of course, I want to thank my good friend, the gentlewoman from California (Ms. WATERS) representing our side of the aisle, in bringing this legislation now to the attention of the Members.

Mr. Speaker, I rise today in support strongly of H.R. 5010, a bill to amend the Circulating Quarter Dollar Program Act to include the District of Columbia and the U.S. territories.

Before proceeding, I would like to echo the sentiments expressed by my good friend, the gentlewoman from the District of Columbia, (Ms. NORTON). I wished that her pleadings for all of these years would not be taken as a political issue but to do only that which is right. Mr. Speaker, 600,000 U.S. citizens paying income taxes, and they have no representation here in the halls of the Congress.

I think there is tremendous contradiction to the whole principle of democracy and what representation is. As an example, taxation without representation is what she represents today. I wish my colleagues would not look upon her as a Democrat or a Republican, but as a representative of 600,000 income tax-paying citizens of our Nation.

Mr. Speaker, I recall years ago when the question of the territories of Alaska and Hawaii were brought to the attention of the Members, and there was concern whether we were going to have two Democratic Senators' or two Republican Senators' representation on political issues but not on the principle. They thought that Hawaii was going to be a Republican State; that is not the case today. They thought that Alaska was going to be a Democratic State; it is not the case.

The point here is that representation truly ought to be brought for full consideration of this Chamber, and I sincerely hope and I fully support the contention and the efforts made by my good friend, the gentlewoman from the District of Columbia (Ms. NORTON). The District of Columbia definitely needs representation, and that is all they are asking for, and we ought to do that which is right.

Mr. Speaker, it comes as no surprise that I am a strong supporter of this bill. It would add six additional jurisdictions to the Commemorative Coin Program Act by extending the program an additional year.

Mr. Speaker, in the 105th Congress, when we passed the Commemorative Coin Program Act, the insular areas and the District of Columbia were omitted from the legislation.

Current law authorizes the minting of 25-cent coins to commemorate each of the 50 States through state-specific designs on one side of the coins. It is a 10-year program with five States being honored each year.

This bill amends current law by adding an 11th and part of the 12th year to the program. During this period, the District of Columbia and the five insular areas would also be recognized through the minting of 25-cent coins. Commemorative designs on one side of the coins will be selected by the Secretary of the Treasury in consultation with the chief executives of these areas.

This legislation is very timely, Mr. Speaker; and I would also like to note that my district this year celebrated its 100th year of its most unique political relationship with the United States, and many Americans are not aware of this. It certainly would be a special honor to see this legislation enacted into this year.

American Samoa has had a long and proud history of supporting the United States ever since the traditional leaders of the main island of Tutuila ceded

their island to the United States on April 17, 1900, and then his Majesty King Tuimanua of the Manua Islands ceded his islands in July 1904. Tutuila's beautiful harbor is the deepest in the South Pacific and the Harbor of Pago Pago was used as a coaling station for United States Naval ships in the early part of the century; and it was a major staging area for some 30,000 Marines during World War II, as it was part of our military strategy of troop movements to Micronesia to the Solomon Islands and Guadalcanal and other areas of the Pacific. To this day American Samoa serves as an important refueling station for U.S. ships as well as military aircrafts.

Mr. Speaker, American Samoa has many of its sons and daughters who serve in all branches of the Armed Forces, and they serve very proudly. Congress has recognized American Samoa's proud heritage on numerous occasions and many of my constituents have served honorably in special recognition especially of this Union for 100 years now.

Mr. Speaker, I believe it is only fitting to acknowledge the centennial anniversary of our relationship with the United States in this commemorative coin. I ask my colleagues to support this legislation.

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

Mr. Speaker, the delegate, the gentlewoman from the District of Columbia (Ms. NORTON), and also the gentleman from American Samoa (Mr. FALEOMAVAEGA) both mentioned, I think, a very important point, one that I learned when I served in the U.S. Army, and that was the fact that our citizens in Puerto Rico, District of Columbia, Guam, they all serve in the military. They are very capable soldiers. As the gentlewoman from the District of Columbia said, more served in the Gulf War from the District of Columbia than 47 States.

I can tell my colleagues from my personal experience that anyone who served in the military knows that they will meet a lot of residents or citizens of Puerto Rico or Guam or American Samoa.

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

Mr. BACHUS. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Speaker, I know that two of our colleagues are absent because of the tremendous distance, our resident commissioner from Puerto Rico (Mr. ROMERO-BARCELO) and the delegate from Guam (Mr. UNDERWOOD) would have been more than happy to participate in our deliberations this afternoon.

Mr. Speaker, I just wanted to note their absence, but I know they would have been more than happy to participate, but cannot because of the long distances that we have to travel coming in between. I want to thank the gentleman from Alabama (Mr. BACHUS) for noting the service that those of us who come from the insular areas and our good friend, the gentlewoman from the District of Columbia, we serve in the armed forces just as well, we bleed.

I think it is time also that sometimes our friends from the 50 States of our Union could give us the proper recognition. After all, we can always print money, but we can never print that life when it comes back in a body bag. I know my good friend, the gentleman from Alabama, he and I served in the Army together. We know what that means. And I think this is what America is all about.

Mr. Speaker, I want to thank my good friend, the gentlewoman from the District of Columbia, for recognizing the service of our insular areas.

Mr. BACHUS. Mr. Speaker, reclaiming my time, I thought when I yielded to the gentleman, he might also want to mention something about pro football, but I will yield a few more seconds in case he might want to mention that.

Mr. FALEOMAVAEGA. Mr. Speaker, I would be happy to. We have 16 Samoans that currently play in the NFL out of a humble population maybe out of 200,000 nationwide. That means for every 12,000 Samoans living here in the United States, we produce one NFL player, Mr. Speaker. Maybe we need to have a couple more Samoans.

Mr. BACHUS. Reclaiming my time, Mr. Speaker, I think that illustrates a very important point, and that is that when our school children collect that coin from American Samoa, they are going to find out that more pro football players per 10,000 people by far come from American Samoa than from any other States or territories. They are going to learn some other beautiful things.

Mr. FALEOMAVAEGA. Mr. Speaker, if the gentleman would yield further, now that we are on the subject of professional football, I hope it is not just to be playing in the NFL, but I am sure that our people from the insular areas, from Puerto Rico, that we would also like to see our sons and daughters in medicine, law, engineering and in business, all different walks of life. I realize that sometimes when they see Samoans they have a very different stereotyping of my people. They think that we are mean, that we are violent, but we are really very nice people, as long as you do not provoke us.

Mr. BACHUS. Mr. Speaker, when they get that quarter, they are going to learn all of those wonderful things.

Mr. Speaker, I again want to say that when the gentleman from Delaware (Mr. CASTLE) proposed this, he really precipitated our school children doing something that a lot of teachers and a lot of parents were not able to do, and, that is, have our school children learn not only the 50 States but now with the addition of the year 2009, the six additional quarters, they will learn the locations, and they will learn something about the States, the District of Columbia, and the territories.

□ 1545

I think there are school children out there that are eagerly awaiting these quarters. I also want to say this, and here is some more good news about this, the taxpayers of the United States are currently profiting by $200 million per every quarter issued. So the net effect of this on the Treasury, using today's estimate, will be a net gain of $1.2 billion by including these additional coins.

Now that was not the reason for it, but it just means that as is oft, we find that good acts sometimes have their own rewards that we do not know about. This will be an additional benefit to the people of the United States.

Finally, I want to say that in conclusion that Mr. MURKOWSKI from Alaska, and I think someone said about Hawaii but Alaska, one of the last territories to be admitted to the United States, he has introduced this bill in the Senate and he has high hopes for quick passage of the Senate bill once the House bill is passed, which we anticipate will happen today.

So I would like to close by simply urging the House to unanimously approve this. The Committee on Banking and Financial Services and Subcommittee on Domestic and International Monetary Policy approved this unanimously. We strongly feel that this action ought to be taken; that it is one that does unite our country, pulls us together, gives us common identity, very worthwhile legislation; and we hope that the Senate will follow suit very quickly.

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

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume, as I close out this legislation.

Mr. Speaker, I would like to give thanks to the gentleman from Alabama (Mr. BACHUS) for his leadership on this issue. I must say that whether it is this issue or debt relief, I have found my colleague to be extremely fair in using the power of his chairmanship to make sure that he gives equal opportunity to all of our colleagues with their issues.

I am very pleased and proud that we have such a great working relationship and that he indeed has been more than fair, not only on this issue but on many other issues. Let me just say to the gentlewoman from the District of Columbia (Ms. NORTON) and to the representatives of the other territories who have spoken today and those who are not here, I am so very pleased that this particular legislation gives them the opportunity not only to support the 50 States circulating commemorative quarter program and to make sure that the District and the territories are included, but it gives an opportunity to speak to the unfairness of a lack of the ability to vote on important issues facing this Nation and its territories and the District, and I am very pleased that the gentleman has had an opportunity here today to remind us one more time that there is

much unfinished work to be done as we try and deal with the question of the District of Columbia and the territories.

I have been working on voting rights for the District for many, many years, long before I left the California State assembly where at one time I think working with Walter Washington and some others and Fauntroy, we were talking about a constitutional amendment, I believe at that time. I think these representatives are so focused and many of us are so focused on these issues because there are important issues here that cannot be swept under the rug. We were all raised and socialized and educated on the idea that this country began with the belief that there should be no taxation without representation. That is drummed into our heads early on in learning of the history of this Nation. So we believe that. We believe very strongly that there should be no taxation without representation, and so, again, while this is about a coin and while this is about making sure that we include the District and territories that were left out of the original legislation, this also, too, is about the whole very, very basic tenet that there should be no taxation without representation.

We use this time today to add our voices one more time to asking that the right thing be done, not only with this coin but with voting rights and full participation by the District and the territories.

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

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

Mr. Speaker, once again I want to reiterate the contributions that the District of Columbia and our territories make each day, not only to the defense of our country but the professionals that they supply, the men and women that work daily. They are an integral part of our country, and it is time that we pass this legislation.

Mr. Speaker, I do want to say that the gentleman from Guam (Mr. UNDERWOOD) gave an excellent statement to the full committee and those remarks will be in the RECORD. We found out late Friday that this was going to be on the docket for today. Unlike some of us in the Continental United States, it takes 2 or 3 days, sometimes travel arrangements, to be here and it was just too late. That is unfortunate that that happened but those representatives simply could not get back here quick enough, but they will be given every opportunity and will be making statements about this legislation.

Mr. CASTLE. Mr. Speaker, I would like to offer a few remarks about this bill.

As the author of the original 50 State quarter legislation in 1996, I have taken a keen interest in the administration and potential expansion of the 50 State quarter program.

I am proud to support the expansion of the quarter program to the District of Columbia and the U.S. Territories. I think this bill can best be understood in the context of the legislative history of the original 50 State quarter program.

When I first proposed the 50 State quarter legislation, I was met with a lot of resistance from the administration, which had serious misgivings about how the program would be received by the public. They wanted to downgrade the bill to a study.

Fortunately, it has been a huge success. All one has to do is turn on the television to see dozens of ads selling State quarters and fancy maps to display them. In fact, our biggest problem with the program is that people cannot get their hands on the quarters fast enough. That will continue to be an issue that I will press with the mint and the Federal Reserve.

Because there had been so much concern in the Administration about whether or not the quarter program would be well received, Congress limited it to the 50 States.

Now, I think even the most skeptical observers would agree that the program should be extended to the District of Columbia and the U.S. Territories without hesitation or delay. This is not a two-bit piece of legislation.

I urge my colleagues to support passage of this legislation today.

Mr. UNDERWOOD. Mr. Speaker, as a cosponsor of H.R. 5010, the ''District of Columbia and United States Territories Circulating Quarter Dollar Program Act,'' I rise in support of this very important legislation. Although separate from the program initiated in 1997 by the 50 States Commemorative Coin Program Act, H.R. 5010 will no doubt create the same interest and enjoy the same success as its predecessor.

It was hoped that Commemorative Coin Program will lead the American public to become more aware of the rich history of U.S. coinage, which dates all the way back to the 1790's; that the various designs will generate a collective pride among Americans—not only their home States—but also the United States in general; and that the 50 States Commemorative Coin Program will reflect similar values which exist in each of our 50 States while also celebrating our Nation's diversity.

This objective has partly been met. In addition to serious collectors, U.S. mint surveys indicate that about 15 million kids are collecting the commemorative quarters and, at the same time, learning about their country's history and heritage. Commemorative quarters have outsold Pokemon cards a hundred times over.

Unfortunately, by excluding the District of Columbia and the Territories in the 1997 coin program, we have shortchanged the American public and missed out on an opportunity to present a more accurate reflection of the history and diversity of this great nation. By the same token, many residents of the District, Guam, Puerto Rico, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands have considered non-inclusion in the commemorative quarter program as the latest manifestation of disregard towards our membership and contributions to this country. If the Commemorative Quarter Program truly intends to celebrate this Nation's diversity, such an oversight is inexcusable.

I represent the island of Guam. In 1994, we commemorated the fiftieth anniversary of Guam's liberation after three years of occupation by the Japanese during World War II. We hold the distinction of being the only civilian American community to suffer occupation during that war. In 1998, we marked the hundred-year anniversary of the commencement of our relationship with the United States which resulted from the Spanish-American War. Last August, we commemorated the fifty-year anniversary of the enactment of the Organic Act of Guam which granted civil government and U.S. citizenship to the people of Guam. Together with the Commonwealth of the Northern Mariana Islands, we are the westernmost territories of the United States. Guam is ''where America's day begins.'' These are some interesting points that we on Guam want to share with the American public and these are some of the points that will be conveyed to the American public if the commemorative quarter program is extended to the Territories and the District.

H.R. 5010, the ''District of Columbia and United States Territories Circulating Quarter Dollar Program Act,'' will enable the District and the Territories to share in the pride brought about by commemorative quarters to the fifty states. It would serve the American public to be acquainted with the diversity and culture that defines the Territories and the District. More importantly, having commemorative quarters issued in honor of the District and the Territories, will go a long way towards recognizing areas of this nation that most citizens of the fifty states oftentimes overlook. Passage of this legislation will ensure the Commemorative coin program will finally cover all Americans and all areas where the U.S. flag flies. Seeing a latte stone or tapa cloth on the other side of a coin with George Washington's portrait will be a great testimony to this country's diversity. Who knows, a full examination of representative democracy for all these areas under the American flag could follow this effort to include the Territories and the District. This legislation is significant, important and necessary. It is worth much—much more than two-bits.

Again, I would like to thank my colleagues who have supported H.R. 5010, the ''District of Columbia and United States Territories Circulating Quarter Dollar Program Act,'' and urge its expeditious passage and enactment.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 5010, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5010, the bill just considered.

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

There was no objection.

DEFENSE PRODUCTION ACT EXTENSION

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1715) to extend the expiration date of the Defense Production Act of 1950, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1715

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

SECTION 1. EXTENSION AND REAUTHORIZATION OF THE DEFENSE PRODUCTION ACT OF 1950.

(a) EXTENSION OF TERMINATION DATE.—Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2001''.

(b) EXTENSION OF AUTHORIZATION.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''2000'' and inserting ''2001''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. Bachus).

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

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

Mr. BACHUS. Mr. Speaker, I will say that we intend to take only a very few minutes on this bill. This bill, as amended, is simply a 1-year extension of the Defense Production Act. I am not sure that any other explanation other than that is needed. I think all Members of this House know what that act is. We normally extend it for 3 years, but the reason we are doing it for 1 year is that Chairman GRAMM in the Senate wishes to take up reform of the legislation and has not had an opportunity to do that. It is a very worthy effort on his part.

The House, as soon as we pass this 1-year extension, we expect the Senate to do the same.

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

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

Mr. Speaker, I would like to thank our subcommittee chair for seeing to it again that this bill is on the floor today. The reason reauthorization of this act is necessary is that it contains the basic emergency authorities of the President to obtain needed emergency products for national defense. Annual renewals of this legislation have become quite routine in recent years and there is every expectation the other body will act with speed on this measure due to this tradition.

At some point, a review of some of the details of this legislation may become advisable, such as those permitting minor long-term production of various goods. However, there has been no outstanding complaints about abuse of these powers in many, many years. Consequently, this side of the aisle supports this measure to renew the act for 1 year.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 1715, as amended.

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

The title of the bill was amended so as to read:

''A bill to extend and reauthorize the Defense Production Act of 1950.''.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1715, the bill just considered.

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

There was no objection.

BUREAU OF ENGRAVING AND PRINTING SECURITY PRINTING AMENDMENTS ACT OF 2000

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4096) to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments, and security documents at the request of the individual States or any political subdivision thereof, on a reimbursable basis, and for other purposes.

The Clerk read as follows:

H.R. 4096

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 ''Bureau of Engraving and Printing Security Printing Amendments Act of 2000''.

SEC. 2. PRODUCTION OF DOCUMENTS FOR FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Section 5114(a) of title 31, United States Code (relating to engraving and printing currency and security documents) is amended—

(1) by striking ''(a) The Secretary of the Treasury'' and inserting:

''(a) AUTHORITY TO ENGRAVE AND PRINT.—

''(1) IN GENERAL.—The Secretary of the Treasury''; and

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

''(2) ENGRAVING AND PRINTING FOR FOREIGN GOVERNMENTS.—The Secretary of the Treasury may, if the Secretary determines that it will not interfere with engraving and printing needs of the United States—

''(A) produce currency, postage stamps, and other security documents for foreign governments, subject to a determination by the Secretary of State that such production would be consistent with the foreign policy of the United States; and

''(B) produce security documents for States and their political subdivisions.''.

(b) PAYMENT FOR SERVICES.—Section 5143 of title 31, United States Code (relating to payment for services of the Bureau of Engraving and Printing) is amended—

(1) in the 1st sentence, by inserting '', any foreign government, or any individual state or other political subdivision of any foreign government'' after ''agency''; and

(2) in the last sentence, by inserting '', foreign government, or individual state or other political subdivision of a foreign government'' after ''agency''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

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

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

Mr. BACHUS. Mr. Speaker, H.R. 4096 is titled Bureau of Engraving and Printing Security Printing Amendments Act of 2000. It simply grants the Treasury Department's currency printing arm the ability to produce on a reimbursable basis security documents or currency for foreign countries or security documents for States in the United States or their political subdivisions.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. PORTER).

Mr. PORTER. Mr. Speaker, I would like to engage the distinguished chairman of the Subcommittee on Domestic and International Monetary Policy, the gentleman from Alabama (Mr. BACHUS), and a member of the subcommittee, the gentlewoman from Illinois (Mrs. BIGGERT), in a colloquy.

The gentleman from Alabama (Mr. BACHUS), the gentlewoman from Illinois (Mrs. BIGGERT), the gentlewoman from California (Ms. WATERS) and other members of the subcommittee have worked diligently on the subcommittee to see that our monetary policy remains strong and sound in an ever-changing global economy, and I applaud them for doing so.

Mr. Speaker, for the first time since World War II, there is a currency developing that could become a significant reserve currency for the world, in competition with the U.S. dollar. This currency is the Euro.

The dominance of the dollar as the world's premier reserve currency has a measurably positive impact on the U.S. Federal budget and on our economy as a whole. That dominance must be protected and preserved.

The dollar's position has been secured in part by high confidence in its

soundness. Our currency handling industry has produced technology to count and flawlessly scan for counterfeits at high speeds.

□ 1600

But, there is danger of that soundness being challenged because of unfair foreign competition.

In Europe, each country's Central Bank typically permits the European manufacturers of machines that handle currency to also participate in the design and/or production of that currency. As a result, these European companies have advanced knowledge of and make technical contributions to the currency before it is released. Therefore, it can adapt its currency-handling products well in advance of the release and even add characteristics to the currency which favor its technology.

These cooperative relationships between foreign manufacturers and their governments create exclusive home markets. U.S. companies have long been the innovators in currency-scanning technology. If foreign manufacturers were to succeed in driving the last remaining U.S. company out of business, they could then set U.S. prices at their own domestic rates, or higher, with impunity. The United States must begin to consider steps to ensure a level playing field for the one remaining U.S. manufacturer of currency processing equipment.

Therefore, I hope that as the 106th Congress draws to a close and we begin to look forward to the issues we will address in the next Congress, that the chairman of the subcommittee and its members will continue to work on efforts to maintain and enhance the preeminence of the dollar in world trade. I hope we continue to have an open and informative dialogue on these matters, and perhaps have hearings so that all concerned parties have a chance to express their views on this important subject.

Madam Speaker, I would ask the gentlewoman from Illinois (Mrs. BIGGERT) and the chairman of the subcommittee if they would advise me as to their disposition regarding this concern.

Mrs. BIGGERT. Madam Speaker, will the gentleman yield?

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

Mrs. BIGGERT. Madam Speaker, I want to join my distinguished colleague from Illinois (Mr. PORTER) in applauding the gentleman from Alabama (Mr. BACHUS) for his work on the subcommittee. I would like to associate myself with the comments from the gentleman of Illinois and the important issue that he has raised.

One of the many currency concerns the distinguished chairman has addressed is the importance of maintaining the dollar's preeminence as the currency of choice in world trade. The ability of banks and other commercial entities to handle a given country's currency quickly and accurately is extremely important. Nearly 60 percent of U.S. currency is held abroad, mainly because of the purchasing power and recognized stability of the dollar. As a result, the dollar is a popular target for counterfeiting. As the gentleman from Illinois stated, without a U.S.-based manufacturer, there is concern that future technology upgrades may not keep pace with more sophisticated counterfeit operators. We, as a country, must remain vigilant in the fight against counterfeiting.

Therefore, I hope that as the 106th Congress draws to a close and we begin to look forward to the issues we will address in the next Congress, that the chairman of the subcommittee will continue to work on efforts to maintain and enhance the preeminence of the dollar in world trade. I hope we continue to have an open and informational dialogue on these matters and perhaps hold hearings so that all concerned parties have a chance to express their views on this important subject.

Mr. BACHUS. Madam Speaker, will the gentleman yield?

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

Mr. BACHUS. Madam Speaker, the distinguished gentleman and gentlewoman from Illinois have brought up two very important issues to the continued growth of our economy, and that is the preeminence of the dollar and our ability to detect and to combat counterfeiting. The gentleman and gentlewoman from Illinois are correct in noting that we must remain vigilant to protect the dollar's preeminence as the currency in world trade. Although we have redesigned the dollar with counterfeit-resistant features, the simple fact is that counterfeiting continues. Because of this, we must continually update and improve our currency to ward off that threat.

I can assure the gentlewoman and the gentleman from Illinois that we will continue to endeavor to examine the issues at the committee level. The gentlewoman from Illinois mentioned hearings, and I think that would be appropriate. I will continue to work with both of my colleagues in this dialogue; it is an important dialogue. I will add that the gentlewoman from Illinois (Mrs. BIGGERT) is an important member of both the Committee on Banking and Financial Services and the Subcommittee on Monetary Policy, a very active member, and I can assure her that we will continue to work with all other interested parties to see that the discourse on this important subject continues.

I only wish that I could be working next session with the gentleman from Illinois (Mr. PORTER). Our distinguished colleague is retiring. We are all saddened by that, but I want him to know that he will be missed and all of his efforts will be missed.

Mr. PORTER. Madam Speaker, I thank the chairman of the subcommittee for his very kind words. I thank the gentlewoman from Illinois, and I hope that she will continue to be there and address this issue.

Mr. BACHUS. Madam Speaker, I want to take this opportunity to also say that on Thursday, the gentleman from Illinois (Mr. PORTER) will be recognized for his efforts in fighting and finding a cure for cancer, just one of the many awards that he has been given and will be given for his work on medical research and combating disease and bringing comfort and support to those who do suffer from illness in this country.

Ms. WATERS. Madam Speaker, I yield myself such time as I may consume.

I would like to thank the chairman of the subcommittee and my colleagues on the other side of the aisle for their interest that they have shown in this issue and their concern about monetary policy.

Today, the House takes up H.R. 4096, this bill that would allow the Treasury's Bureau of Engraving and Printing to produce currency, postage stamps and other security documents for foreign countries on a fully reimbursable basis. The bill would also provide the BEP with the authority to produce security documents for the States and their political subdivisions, also on a fully reimbursable basis.

Madam Speaker, I strongly support this bill; and I urge its adoption.

The new authority to print currency for foreign countries is being sought by the Treasury Department and the BEP, and the Treasury Secretary has strongly endorsed this bill.

Madam Speaker, H.R. 4096 is a noncontroversial piece of legislation that will help foreign countries in the printing of reliable, secure currency that will contribute to the stability of their monetary systems and the facilitation of international trade. The new authority will also allow States in the U.S. to come to the BEP for its help in producing security documents such as fish and game stamps, automobile titles, property deeds, birth and death certificates, and bond or special stock certificates. This bill will enable BEP to even out its work schedules and operate more efficiently, particularly during times when it faces excess capacity.

In addition, performing work for foreign countries will allow the Bureau to test without cost to United States taxpayers how technologies and anticounterfeiting techniques can be incorporated into future design of U.S. currency.

The bill will enable the Bureau of Engraving and Printing to fully utilize and hone the skills of its workforce, particularly craft employees such as portrait and letter engravers. In the last decade, countries such as Turkey, South Africa, Eritrea and Kuwait have approached the BEP to print security documents on their behalf, but the BEP could not provide the service because it lacked the statutory authority. This will do it.

Madam Speaker, I urge swift passage of this bill.

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

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

I think that the ranking member from California pointed out something very important. This legislation, which was made at the request of the administration, will allow the Bureau and the engravers there to develop their expertise, which is already considerable, to develop that expertise even more in producing cutting edge, anticounterfeiting and security features that might eventually find their way on to United States currency, but they can do that by basically developing it on another currency and seeing if it, in fact, is a benefit.

As the gentlewoman from California (Ms. WATERS) also said, there is excess capacity at the Bureau. We will be reimbursed in full not only for our costs, but our capital investment, so this should have a net positive effect on the Treasury, in the benefit of the U.S. taxpayers. I will submit a full statement in the RECORD, but the gentlewoman from California basically has covered everything that I would cover in my oral statement. I will submit my written statement for the RECORD.

H.R. 4096, the "Bureau of Engraving and Printing Security Printing Amendments Act of 2000," grants the Treasury Department's currency-printing arm the authority to produce, on a reimbursable basis, security documents or currency for foreign countries, or security documents for states of the United States or their political subdivisions.

Currently, the Bureau of Engraving and Printing may only print security products for Federal entities. It produces currency for the Federal Reserve and postage stamps for the United States Postal Service.

Passage of this legislation would permit the United States to assist developing nations in the deployment of stable currency systems, and to produce security products to facilitate international commerce. Those activities would allow the Bureau of Engraving and Printing to realize production efficiencies by providing additional work for the Bureau's superb engravers and printers.

The legislation stipulates that all such printing for foreign nations be done on a strictly reimbursable basis. By law, the Bureau must recover all actual costs as well as imputed long-term capital costs, so there would be no taxpayer cost for this effort. Additionally, there is a non-cash benefit to taxpayers in that depending on the type of currency or security documents printed for foreign nations, the Bureau should be able to develop an expertise in producing cutting-edge anti-counterfeiting and security features that might eventually find their way into United States currency.

Additionally, the bill stipulates that no printing for a foreign nation be undertaken without a determination by the Secretary of State that it is consistent with the foreign policy of the United States; and that printing for either developing countries, or for states, would be limited to times when demand for U.S. currency, postage stamps or other security products is below the Bureau's production capacity.

This bill was introduced "by request" in March, and was passed out of subcommittee and the full Banking Committee on voice votes.

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

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 4096.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BACHUS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4096, the bill just considered.

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

There was no objection.

DEBT RELIEF LOCK-BOX RECONCILIATION ACT FOR FISCAL YEAR 2001

Mr. HERGER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5173) to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt, as amended.

The Clerk read as follows:

H.R. 5173

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 "Debt Relief Lock-box Reconciliation Act for Fiscal Year 2001".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) fiscal discipline, resulting from the Balanced Budget Act of 1997, and strong economic growth have ended decades of deficit spending and have produced budget surpluses without using the social security surplus;

(2) fiscal pressures will mount in the future as the aging of the population increases budget obligations;

(3) until Congress and the President agree to legislation that saves social security and medicare, the social security and medicare surpluses should be used to reduce the debt held by the public;

(4) until Congress and the President agree on significant tax reductions, amounts dedicated for that purpose shall be used to reduce the debt held by the public;

(5) strengthening the Government's fiscal position through public debt reduction increases national savings, promotes economic growth, reduces interest costs, and is a constructive way to prepare for the Government's future budget obligations; and

(6) it is fiscally responsible and in the long-term national economic interest to use a portion of the nonsocial security and non-medicare surpluses to reduce the debt held by the public.

(b) PURPOSE.—It is the purpose of this Act to—

(1) reduce the debt held by the public by $240,000,000,000 in fiscal year 2001 with the goal of eliminating this debt by 2012;

(2) decrease the statutory limit on the public debt; and

(3) ensure that the social security and hospital insurance trust funds shall not be used for other purposes.

TITLE I—DEBT REDUCTION LOCK-BOX

SEC. 101. ESTABLISHMENT OF PUBLIC DEBT REDUCTION PAYMENT ACCOUNT.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 31, United States Code, is amended by adding at the end the following new section:

"§ 3114. Public debt reduction payment account

"(a) There is established in the Treasury of the United States an account to be known as the Public Debt Reduction Payment Account (hereinafter in this section referred to as the 'account').

"(b) The Secretary of the Treasury shall use amounts in the account to pay at maturity, or to redeem or buy before maturity, any obligation of the Government held by the public and included in the public debt. Any obligation which is paid, redeemed, or bought with amounts from the account shall be canceled and retired and may not be reissued. Amounts deposited in the account are appropriated and may only be expended to carry out this section.

"(c) There is hereby appropriated into the account on October 1, 2000, or the date of enactment of this Act, whichever is later, out of any money in the Treasury not otherwise appropriated, $42,000,000,000 for the fiscal year ending September 30, 2001. The funds appropriated to this account shall remain available until expended.

"(d) The appropriation made under subsection (c) shall not be considered direct spending for purposes of section 252 of Balanced Budget and Emergency Deficit Control Act of 1985.

"(e) Establishment of and appropriations to the account shall not affect trust fund transfers that may be authorized under any other provision of law.

"(f) The Secretary of the Treasury and the Director of the Office of Management and Budget shall each take such actions as may be necessary to promptly carry out this section in accordance with sound debt management policies.

"(g) Reducing the debt pursuant to this section shall not interfere with the debt management policies or goals of the Secretary of the Treasury.".

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 31 of title 31, United States Code, is amended by inserting after the item relating to section 3113 the following:

"3114. Public debt reduction payment account.".

SEC. 102. REDUCTION OF STATUTORY LIMIT ON THE PUBLIC DEBT.

Section 3101(b) of title 31, United States Code, is amended by inserting "minus the amount appropriated into the Public Debt Reduction Payment Account pursuant to section 3114(c)" after "$5,950,000,000,000".

SEC. 103. OFF-BUDGET STATUS OF PUBLIC DEBT REDUCTION PAYMENT ACCOUNT.

Notwithstanding any other provision of law, the receipts and disbursements of the Public Debt Reduction Payment Account established by section 3114 of title 31, United States Code, shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President,

(2) the congressional budget, or

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 104. REMOVING PUBLIC DEBT REDUCTION PAYMENT ACCOUNT FROM BUDGET PRONOUNCEMENTS.

(a) IN GENERAL.—Any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the Public Debt Reduction Payment Account established by section 3114 of title 31, United States Code.

(b) SEPARATE PUBLIC DEBT REDUCTION PAYMENT ACCOUNT BUDGET DOCUMENTS.—The excluded outlays and receipts of the Public Debt Reduction Payment Account established by section 3114 of title 31, United States Code, shall be submitted in separate budget documents.

SEC. 105. REPORTS TO CONGRESS.

(a) REPORTS OF THE SECRETARY OF THE TREASURY.—(1) Within 30 days after the appropriation is deposited into the Public Debt Reduction Payment Account under section 3114 of title 31, United States Code, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate confirming that such account has been established and the amount and date of such deposit. Such report shall also include a description of the Secretary's plan for using such money to reduce debt held by the public.

(2) Not later than October 31, 2002, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate setting forth the amount of money deposited into the Public Debt Reduction Payment Account, the amount of debt held by the public that was reduced, and a description of the actual debt instruments that were redeemed with such money.

(b) REPORT OF THE COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than November 15, 2002, the Comptroller General of the United States shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate verifying all of the information set forth in the reports submitted under subsection (a).

TITLE II—SOCIAL SECURITY AND MEDICARE LOCK-BOX

SEC. 201. PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.

(a) PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.—Section 201 of the concurrent resolution on the budget for fiscal year 2001 (H. Con. Res. 290, 106th Congress) is amended as follows:

(1) In the section heading, by inserting ''**AND MEDICARE**'' before ''**SURPLUSES**''.

(2)(A) In subsection (a)(2), by inserting ''and the Hospital Insurance Trust Fund has been running a surplus for the last 2 years'' after ''years''.

(B) In subsection (a)(4), by inserting ''and the Hospital Insurance Trust Fund surplus will be $32 billion'' after ''billion''.

(C) In subsection (a)(5), by striking ''the'' the second place it appears, and by inserting ''and Hospital Insurance Trust Fund'' before ''surpluses''.

(D) In subsection (a)(6), by inserting ''and medicare'' after ''security''.

(E) In subsection (a)(7), by inserting ''and hospital insurance'' after ''security''.

(3) By striking subsection (c) and inserting the following new subsection:

''(c) LOCK-BOX FOR SOCIAL SECURITY AND HOSPITAL INSURANCE SURPLUSES.—

''(1) CONCURRENT RESOLUTIONS ON THE BUDGET.—

''(A) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, an amendment thereto, or conference report thereon, that would set forth a surplus for any fiscal year that is less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

''(B) EXCEPTION.—(i) Subparagraph (A) shall not apply to the extent that a violation of such subsection would result from an assumption in the resolution, amendment, or conference report, as applicable, of an increase in outlays or a decrease in revenue relative to the baseline underlying that resolution for social security reform legislation or medicare reform legislation for any such fiscal year.

''(ii) If a concurrent resolution on the budget or an amendment thereto or conference report thereon would be in violation of subparagraph (A) because of an assumption of an increase in outlays or a decrease in revenue relative to the baseline underlying that resolution for social security reform legislation or medicare reform legislation for any such fiscal year, then that resolution shall include a statement identifying any such increase in outlays or decrease in revenue.

''(2) SPENDING AND TAX LEGISLATION.—

''(A) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

''(i)(I) in the House, the enactment of that bill or resolution as reported; or

''(II) in the Senate, the enactment of that bill or resolution;

''(ii) the adoption and enactment of that amendment; or

''(iii) the enactment of that bill or resolution in the form recommended in that conference report,

would cause the surplus for any fiscal year covered by the most recently agreed to concurrent resolution on the budget to be less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to social security reform legislation or medicare reform legislation.''.

(4) By redesignating subsections (e) and (f) as subsections (h) and (i), respectively, and inserting after subsection (d) the following new subsections:

''(e) ENFORCEMENT.—

''(1) BUDGETARY LEVELS WITH RESPECT TO CONCURRENT RESOLUTIONS ON THE BUDGET.—For purposes of enforcing any point of order under subsection (c)(1), the surplus for any fiscal year shall be—

''(A) the levels set forth in the later of the concurrent resolution on the budget, as reported, or in the conference report on the concurrent resolution on the budget; and

''(B) adjusted to the maximum extent allowable under all procedures that allow budgetary aggregates to be adjusted for legislation that would cause a decrease in the surplus for any fiscal year covered by the concurrent resolution on the budget (other than procedures described in paragraph (2)(A)(ii)).

''(2) CURRENT LEVELS WITH RESPECT TO SPENDING AND TAX LEGISLATION.—

''(A) IN GENERAL.—For purposes of enforcing any point of order under subsection (c)(2), the current levels of the surplus for any fiscal year shall be—

''(i) calculated using the following assumptions—

''(I) direct spending and revenue levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

''(II) for the budget year, discretionary spending levels at current law levels and, for outyears, discretionary spending levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

''(ii) adjusted for changes in the surplus levels set forth in the most recently agreed to concurrent resolution on the budget pursuant to procedures in such resolution that authorize adjustments in budgetary aggregates for updated economic and technical assumptions in the mid-session report of the Director of the Congressional Budget Office.

''(iii) Such revisions shall be included in the first current level report on the congressional budget submitted for publication in the Congressional Record after the release of such mid-session report.

''(B) BUDGETARY TREATMENT.—For purposes of enforcing any point of order under subsection (c)(2), changes in outlays or receipts resulting from social security reform legislation or medicare reform legislation shall not be counted in calculating the surplus for any fiscal year.

''(3) DISCLOSURE OF HI SURPLUS.—For purposes of enforcing any point of order under subsection (c), the surplus of the Federal Hospital Insurance Trust Fund for a fiscal year shall be the levels set forth in the later of the report accompanying the concurrent resolution on the budget (or, in the absence of such a report, placed in the Congressional Record prior to the consideration of such resolution) or in the joint explanatory statement of managers accompanying such resolution.

''(f) ADDITIONAL CONTENT OF REPORTS ACCOMPANYING BUDGET RESOLUTIONS AND OF JOINT EXPLANATORY STATEMENTS.—The report accompanying any concurrent resolution on the budget and the joint explanatory statement accompanying the conference report on each such resolution shall include the levels of the surplus in the budget for each fiscal year set forth in such resolution and of the surplus or deficit in the Federal Hospital Insurance Trust Fund, calculated using the assumptions set forth in subsection (e)(2)(A).

''(g) DEFINITIONS.—As used in this section:

''(1) The term 'medicare reform legislation' means a bill or a joint resolution to save Medicare that includes a provision stating the following: 'For purposes of section 201(c) of the concurrent resolution on the budget for fiscal year 2001, this Act constitutes medicare reform legislation.

''(2) The term 'social security reform legislation' means a bill or a joint resolution to save social security that includes a provision stating the following: 'For purposes of section 201(c) of the concurrent resolution on the budget for fiscal year 2001, this Act constitutes social security reform legislation.'.''.

(5) In the first sentence of subsection (i) (as redesignated), by striking ''(1)''.

(6) At the end, by adding the following new subsection:

''(j) EFFECTIVE DATE.—This section shall cease to have any force or effect upon the enactment of social security reform legislation and medicare reform legislation.''.

(b) PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.—(1) If the budget of the United States Government submitted by the President under section 1105(a) of title 31, United States Code, recommends an on-

budget surplus for any fiscal year that is less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year, then it shall include proposed legislative language for social security reform legislation or medicare reform legislation.

(2) Paragraph (1) shall cease to have any force or effect upon the enactment of social security reform legislation and medicare reform legislation as defined by section 201(g) of the concurrent resolution on the budget for fiscal year 2001 (H. Con. Res 290, 106th Congress).

(c) CONFORMING AMENDMENT.—The item relating to section 201 in the table of contents set forth in section 1(b) of the concurrent resolution on the budget for fiscal year 2001 (H. Con. Res 290, 106th Congress) is amended to read as follows:

''Sec. 201. Protection of social security and medicare surpluses.''.

SEC. 202. REMOVING SOCIAL SECURITY FROM BUDGET PRONOUNCEMENTS.

(a) IN GENERAL.—Any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986.

(b) SEPARATE SOCIAL SECURITY BUDGET DOCUMENTS.—The excluded outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act shall be submitted in separate Social Security budget documents.

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

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

GENERAL LEAVE

Mr. HERGER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5173.

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

There was no objection.

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

I commend my good friend, the gentleman from Kentucky (Mr. FLETCHER), for his tireless efforts in the area of debt reduction.

Madam Speaker, last year, the House overwhelmingly passed, 416 to 12, legislation I introduced, the Social Security lock-box. In March of this year, I introduced the Medicare lock-box, and in June, the House passed it, 420 to 2, to lock away Medicare surpluses. Both lock-boxes, however, have six times been stopped from coming to the floor in the other body by their Democrat leadership and the Clinton-Gore administration. Today, we try again and add to the Social Security and Medicare lock-boxes a third lock-box to be used only for paying down the national public debt.

Rather than paying down national debt with only what remains, after all of the spending is done, this measure sets aside surpluses. No longer will paying down the debt be an afterthought. It instead becomes the priority. This legislation accomplishes three major goals. First, it again stops the raid on Social Security by locking up the entire Social Security Trust Fund surplus. Second, it protects seniors that rely on Medicare by setting aside 100 percent of the Medicare surplus. Third, the debt lock-box would take an additional $42 billion off the spending table and use it to pay down public debt.

All in all, 90 percent of the total surplus, or $240 billion, will be used to pay down debt.

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I suspect my friend from the other side of the aisle will attempt to paint this bill as anything other than a real effort to pay off public debt. However, the real question is very simple: In the aftermath of 40 years of excessive spending, are we going to make our children and grandchildren foot the bill? Do our children not deserve to grow up unhampered by the burden of untold debt incurred by previous generations?

Members of this House are either for protecting Social Security and Medicare and paying down the public debt, or they are not. This legislation combines our historic protection of the Social Security and Medicare trust funds with our unprecedented commitment to debt reduction, thus keeping us on track to eliminating the public debt completely by year 2012, or before.

This bill is a win-win for our children, a win-win for fiscal discipline, and a win-win for our seniors. I urge my colleagues to support the Debt Relief Lock-box Reconciliation Act.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, it is a wonderful thing to be a Member of the House of Representatives in an election year. It is really quite amazing to watch the Republican Party switch positions. During the last 2 weeks the big issue each week has been we are going to override the President's veto on a tax cut that we have given to the people.

They have come out here, and they always put out the press release that goes back to their home newspapers, and it says we tried to save you from the awful taxes of death and all these other things, and the press releases go home; but on the very day that we were trying the last failed override, the Republicans switched position in midair on the same day over in the Committee on Ways and Means and said we want to pay down the debt. We do not want to give away all that tax money; we want to pay down the debt.

So they have had the benefit of the press releases on the fact that they want to cut people's taxes, and everybody wants to cut people's taxes, we have said that all along. But the fact is that they have been reading the polls, and they figured out that the American people do not want tax breaks for the wealthy few. What they want is to pay down the national debt.

So now 7 weeks from tomorrow is election day, and the Republicans say, Oh, my God, the people are not with us. We better go where the people are.

It reminds me of that story about the French parliament, where the member came out of the parliament and said, Where is the mob? I am their leader. They are now running out to get in front of where the American people are.

Madam Speaker, this kind of battlefield conversion about 7 weeks before the election is really kind of a sham. We will all vote for it. Do not let anybody think we are going to have a bad vote on this. It is a PR thing. We are going to send out the PR releases too.

But the American people should not be fooled by this, because no separation legislation is needed to reduce the debt. If, at the end of the fiscal year, when we get to September 30, if there is money left in the Treasury, the Treasury takes it and buys back debt. They reduce the debt. They do not need any rule, they do not need any law, they do not need this kind of nonsense; and that may explain why the Senate has already not even bothered to take up two previous bills just like this.

These lockboxes are good for press releases, but they do not do anything about what is required, which is discipline and not spending money. There has already been $300 billion in debt bought back from the public since 1997 by this mechanism. We did not have any lockbox or anything else; the Treasury just bought back the debt at the end of each year.

But the real danger here is the kind of three-card monte that the Republicans like to play here. It was in June that they voted to put out a supplemental appropriations act and reach in and break their own lockbox. They said they had established this lockbox; but, when it came time and they wanted to do something, they just said, hey, pass an emergency appropriation and we will do it. They broke their own lockbox.

So today we are here, and we are going to pass on suspension calendar by 414 to 0, with a press release.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, just a quick comment, if I could, on my good friend from Washington's comments. It is interesting that during the 40 years that his party held control of the House there was not any debt being paid down. As a matter of fact, we had $200 billion and $300 billion deficits during those years.

As a matter of fact, the last year that they controlled both Houses and the presidency, not only did we not have tax fairness, we were paying the highest taxes in our Nation's history except for World War II. We actually had the highest tax increase during 1993, the last year that his party was in control.

So now the gentleman is right, we did try to bring about some tax fairness; to the 25 million married couples who pay an average of $1,400 a year more, just because they are married, a marriage penalty. We also tried to help those with small businesses and farms who would like to not have their farms and small businesses sold when they pass away just to pay the taxes.

So, yes, we have worked for tax fairness, and I find it tragic that your party and your President have chosen to veto and not pass that legislation.

Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARMEY), our majority leader.

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

Madam Speaker, I guess this is the point in time where we might rely on that old homily: the proof of the pudding is in the eating. For 40 years, throughout all of my adult lifetime, the Democrats controlled this Chamber. During all those 40 years, the growth of government spending seemed to be without limit. Their hunger for new spending programs, one risky spending scheme after another, knew no bounds; and, as they continued spending, spending, spending, and reached the limits of the government's revenue, they spent the Social Security surplus, they spent the Medicare surplus, and then they went into debt to the tune of $250, $260, $270 billion a year. They knew no limit.

In 1994 the public got fed up with it. They turned to the Republicans on our promise that if we were given the majority, we will try to balance the budget. We intended to balance the budget. The voices from the left said it could not be done, it cannot be done. It might have been done if they had ever tried, but they never paid any attention to it.

Well, we not only tried, we did it. Not only did we balance the budget, but we now have an operating surplus of $268 billion. We have here a proposition that says 90 percent of that surplus, 90 percent of it should be dedicated to debt, to buy down of the publicly held debt. What is that promise for future generations? Reduced interest expense on the debt, a reduced burden.

They say again, it cannot be done. But we must do it. We must try. We bring this resolution out here today as a measure of our resolve toward that goal. Not only 90 percent of the unified budget surplus, but 100 percent of all Social Security surplus, 100 percent of all Medicare surplus.

Why must we do that? Because, Madam Speaker, it is not the government's money, it is the people's money. The American people created this surplus, and they now ask us to do something responsible with it.

Make no mistake about it, the cries are out there for more spending. Every Democrat in America has got a new risky spending scheme, and their leader is Vice President GORE. They will spend that money, unless we stand in the way.

We will have this vote today. And, yes, maybe the Senate will not take it up, but we in this body will have made a mark; we will have made the point. We have a commitment; and after this vote is taken, when the Democrats vote for it, as well as us, and they make what they have already confessed to be their public relations statement, it will be harder to go back, even for them.

So, yes, we are saying today we put a limit on government spending; we establish a higher priority of real debt reduction. Yes, there has been $350 billion worth of debt reduction since we took the majority; and no, it never would have happened without us, because we knew, understood and complied with the priorities of the American people. It is now time for all of us to take a stand. I say we can never go back.

Madam Speaker, it is not wasted upon me that our newest, youngest Members are the people that lead this charge, people like the gentleman from Kentucky (Mr. FLETCHER), people like the gentleman from Pennsylvania (Mr. TOOMEY), people who have just gotten to this town and people who have had a vow that while they are in this town they will not squander your money on risky spending schemes, when the better alternative to pay down the debt that was piled up by those who squandered in the past can take a higher priority. I applaud the youth, I applaud the enthusiasm, I applaud the leadership, and I recommend a yes vote for all people, those who mean it, and even those who want to make a public relations statement today.

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

Madam Speaker, I would only say to the distinguished majority leader that it is good to come out here and give a 90 percent debt reduction figure and say we will spend only 10 percent. But one really has to know how to add and subtract when one starts that kind of discussion, because the 10-year surplus is $4 trillion, $4.5 trillion, and the tax cuts proposed by the Republicans are over $943 billion. That is 21 percent spent on tax cuts alone. You cannot get 21 percent out of 10 percent. I do not care how you squeeze it or twist it or what kind of press release you put out, you cannot make the cuts you wanted to make last week and come back in here today and say, we want to pay down the debt to 90 percent.

Madam Speaker, I yield 6 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Madam Speaker, as I listened to my colleague from Texas a moment ago, I could not help but remember the infamous words of Will Rogers, when he said, "It ain't people's ignorance that bothers me so much, it is them knowing so much that ain't so is the problem," and how many times we stand on this floor and we talk about things that are the truth, but we leave out the rest of the truth, the whole truth, and nothing but the truth.

Now, I wish to congratulate my Republican colleagues for coming around to the Blue Dog position on debt reduction, which, by the way, has been supported by a majority on my side of the aisle since we first proposed it this year, and 37 on your side of the aisle supported it when we had a chance of making it work.

Today we have a bill at least rhetorically that says we are now coming around to debt reduction. Unfortunately, this legislation falls into the category of too little too late, and completely unnecessary; but let us pass it.

Once again, my friends on the other side of the aisle have gone back to their districts during the August recess talking about tax cuts and come back talking about debt reduction. They apparently have heard the same message I have heard countless times from the folks I represent; if in fact we have some extra money in the form of a surplus, we should use it to first pay down our debt and prepare to meet the challenges of Social Security and Medicare. In fact, Social Security and Medicare are the first priority of the American people, as it should be, and should be of this body.

I would have preferred that the Republican leadership had been as enthusiastic about that position 6 months ago when the Blue Dogs offered a budget that would have made debt reduction our top priority, and I am tired of listening to this side of the aisle always being in the wrong. Let me remind every one of my colleagues, 140 Democrats supported the debt reduction bill offered by the Blue Dog Democrats, and 37 Republicans in a bipartisan way supported our budget.

□ 1630

It made debt reduction our top priority instead of pursuing tax cuts that would consume all of that surplus. But I am glad we are coming around to our way of thinking. Over the last 2 years, while the Republican leadership has been pushing proposals to use all the

surplus for tax cuts, those of us in the Blue Dog Coalition have been fighting to make debt reduction our top priority.

On July 22, 1999, the gentleman from Tennessee (Mr. TANNER) offered a motion to recommit, H.R. 2488, the Tax Cut Reconciliation Bill, which would have required that 100 percent of the Social Security surplus and 50 percent of the non-Social Security surpluses be dedicated to reducing the national debt. This motion was defeated by a party line vote of 211–210, roll call No. 332, with only one Republican voting for it.

On February 10, 2000, the gentleman from Indiana (Mr. HILL) offered a motion to recommit, H.R. 6, that would have required Congress pass legislation reserving enough of the on-budget surplus for debt reduction to put the Government on a path to eliminate the publicly held debt by 2013 before the tax cut could take effect. This motion was defeated by a vote 196–230, on roll call No. 12, with all Republicans voting no.

Where were all my Republican colleagues who were talking about the virtue of debt reduction today on those votes when we had a chance to put in place a serious bipartisan plan for debt reduction?

The solid Republican opposition to these and other efforts to reserve surpluses for debt reduction stands in sharp contrast to the professed commitment to debt reduction that we hear today.

I was extremely disappointed to discover that the bill reported by the Committee on Ways and Means would only apply to 1 year. The conversion to the cause of debt reduction appears to be just a short plan of convenience. The bill before us will leave Congress free to abandon debt reduction and return to fiscally irresponsible proposals to use the entire surplus for tax cuts and/or increased spending next year.

The markets who are looking to us to see if we are serious about fiscal discipline will not be impressed by a temporary 1-year commitment to debt reduction that we can abandon next year. They are looking for a fiscally responsible, long-term framework that will keep us on a course to paying down the debt while meeting our priorities on the tax cut and spending side of the aisle.

We should follow the advice of the Concord Coalition to set new discretionary caps for the next 5 years on spending for this Congress controlled by the current majority and develop a long-term plan for allocating the surplus between debt reduction, tax cuts and spending for priority programs such as Medicare, agriculture, and defense.

Some of my colleagues have said that this bill dealing with debt reduction can apply for only 1 year because we do not know what the surpluses will be after next year. I would simply ask my colleagues, where was that concern last week when we were passing tax cuts and attempting to override? That was the concern some us had about those tax cuts. We do not know what the future surpluses are going to be. Therefore, we should be conservative and pay down the debt.

In contrast to the debt reduction legislation before us now, the Blue Dog proposals which the majority rejected would have provided for a meaningful, long-term commitment to use surpluses for debt reduction. We believe that debt reduction should be our first priority and using the surplus not something to settle for out of desperation when all else fails.

If the Republican leadership is sincere in their support for debt reduction, I would ask them to work with the Blue Dogs and all on our side of the aisle in our efforts to ensure that debt reduction is the first priority and using the projected surplus over the next 10 years, not the next year, and realize that there are those on this side, in fact the majority of my colleagues on this side have supported with their votes recorded that we believe deficit reduction is the most important tact.

It still is not a bad plan. Go back to the drawing board. One year should not be enough. We ought to have at least a 5-year spending cap proposal on the floor of the House, and we ought to deal with the 10-year projections in a realistic way.

I would ask my friends on the other side of the aisle to join with us in doing just that.

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

Madam Speaker, I have just a couple of comments. I want to thank my good friend the gentleman from Texas (Mr. STENHOLM) and the Blue Dogs. The very positive budget resolutions that they have put out over the years, I believe, have been very helpful. Again, I want to thank the gentleman. I have worked with him for a number of years on the Committee on the Budget.

The problem, however, is that at least the vast majority of their party has not gone along with that. As we look at during the years that Democrats were in control, not only were we not reducing the debt, we were increasing it, as a matter of fact increasing it by $200 billion and $300 billion a year, which, by the way, did not count what was going into Social Security, so it was probably almost double that, for almost 40 years off and on.

So we see again that, while the words are good, and I want to thank the gentleman and there is no doubt that his intention was very good, that was not what was being followed.

Madam Speaker, I yield 4½ minutes to the gentleman from Kentucky (Mr. FLETCHER) who has been very active on the Committee on the Budget working with us on our side on crafting this legislation.

Mr. FLETCHER. Madam Speaker, I thank the gentleman for all of his work. I have had the privilege of serving now almost 2 years on the Committee on the Budget with the gentleman from California (Mr. HERGER) and I know he has been a champion of making sure that we lock up Social Security and Medicare and not spending a penny of Social Security or Medicare on other Government programs, on more and bigger Government, which had been going on here in Washington before I arrived, at least for 40 years, where they had taken money from the Social Security trust fund and money from Medicare and spent it on more and bigger government.

Now, with fiscal discipline, we have been able to have a surplus. Yes, there is a real debate as to what do we do with this surplus. I think we need to put an emphasis on debt reduction. I am certainly glad to have the support of the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from Texas (Mr. STENHOLM) for this debt reduction. This is the third bill that I have been privileged to bring to the floor to reduce the debt. And I thank them for the votes and certainly hope that they do vote and support it today.

We do have some differences on tax fairness. I think we should eliminate taxes that are unfair on married couples. That is just not the right kind of family values this institution should establish in this country. And double taxing and causing someone to go to the undertaker and the IRS in the same month are not the kind of values that this institution should espouse.

So, yes, we have substantial differences on how we should spend not our money but the people's money; and that is what we are talking about here today.

Now, what we are doing in this bill clearly is taking and doing something new that has not been done before; and that is appropriating money to a debt reduction account, $240 billion. Now, some naysayers may say, well, this will occur anyway. But, in fact, it does not occur that way.

Now when we go to the end of the year to debate how this money is spent, we have $240 billion, and I am very hopeful the other body, the Senate, will take this up. And taking up this legislation, then if we are going to increase spending on more and bigger government, we are actually going to have to take this money now from this account and we are going to have to at least flush out the folks that want to spend more money and make it very clear that they are taking that money from future generations.

That is what this is about. Do we want to live within our means like every family does when they are around the kitchen table and decide to balance their checkbooks or do we want to say, no, I am going to spend more, maybe please some constituents that we want or whatever, but I am going to do more and more and build bigger government and I am going to mortgage it on the backs of the future generation?

That must stop. I am thankful that we are able to stop that at this time, we are able to pay down that debt, $240 billion, hopefully eliminate it by 2012. And, yes, I do think we can give some tax refunds to folks to go make tax more fair. And these two are not mutually exclusive. We can do both.

In the Blue Dog budget, they had a tax relief plan and some of the reasons we did not support that is I think CBO ended up scoring that as a tax increase. There is some question about that. So I think we have some honest debate.

But what does this bill mean to the average person? First off, every child that is born owes $20,000 now in debt. Every taxpayer pays a dime out of every dollar just to pay the interest on it. What this means is that we are going to eventually eliminate that. We would like to reduce that debt on future generations. We would like to tear up their mortgage and pay it off. We would like to make sure we can increase revenues by reducing the debt that we owe and the interest on that publicly held debt. It means it will keep the economy going, more people will be able to afford a home, interest rates will be lower, people will be able to afford more on their children's education, and they might even be able to take a family vacation that they have not been able to take for a while. This means that we keep the economy going, hopefully, in the direction it is going, a booming economy, so that we can provide more.

So what this means is that it is for the future generations. It would eliminate, eventually, that $20,000 debt that every child owes. Every newborn that comes into this country receives that $20,000 debt, and we are working on eliminating that.

Again, I say it is very clear, what are our priorities? Do we want more and bigger government? Well the Clinton/Gore administration, over 2 years, presented budgets that did what? Increased taxes, $82 billion 1 year and $45 billion the next or thereabouts. That is the difference in priorities. We believe it is not the Government's money, it is the people's money.

Mr. MCDERMOTT. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Tennessee (Mr. TANNER).

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

Mr. TANNER. Madam Speaker, I want to join with the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from Texas (Mr. STENHOLM) and congratulate people talking about debt reduction.

I do not know where my colleagues have been in the last 18 months or so, but if it were not for the surroundings in this room being familiar to me, I would think I was in another country in another parliamentary setting.

This is what we have been saying for 18 months and we have been told repeatedly, it is the people's money, give it back to them. We have seen hundreds of billions of dollars of tax cuts enacted by the people who come down here today and try to convince us that they want to reduce the debt. I mean, I thought I was in another country.

This is familiar and, so, I guess I am in the United States.

Let me give my colleagues some example of what I am talking about. They keep talking about 40 years. Here are facts. This is history. This is not conjecture. This is not speculation. This is not a projection. This is facts. These are the budget deficits under the Presidents.

Right here the red is President Carter. This is President Reagan. This is President Bush. Reagan starts here. All of this debt. Blue starts with Clinton. If we start 40 years, they are trying to tell people that Democrats in the House did something that is constitutionally impossible. They had a Republican President for 24 of those 28 years with a veto pen, just like President Clinton has. During 6 years of Reagan's 8-year term, they had a Republican Senate. There is no way under this Government that the House can do anything by itself.

So I appreciate what they are saying. But as the gentleman from Texas (Mr. STENHOLM) said, they are asking people to believe something that is constitutionally impossible.

Beyond that, what we are talking about is a real debt of over $3.5 trillion that we have been screaming about here for 18 months. I had the motion to ask my colleagues to just reserve half, split it with the kids of tomorrow, half of the on-budget surplus over the next 10 years, just split it with the kids.

No. We got one vote from them. The rest of it was let us take 87 percent under those projections for a tax cut now for ourselves, we will not worry about the future, notwithstanding the fact that it was only a projection.

Now, if my colleagues want to talk about debt reduction, let us not just do it this year, let us do it in connection with what we have been telling people about tax cuts and let us do it over 10 years. That is what the Blue Dogs ask them to do. If they are going to use 10-year numbers to do a tax cut, then, for heaven's sake, let us do a 10-year number for a debt reduction package. Then we have got apples to apples. Then we have got something that people can relate to, understand, appreciate, and either agree or disagree with.

But to come here now, I mean I am going to vote for it, too, why not, but this is I hope the forerunner of people who have been talking about what, I think, are irresponsible tax cuts based on projections coming and saying, let us do it the conservative way, let us do it on a 50-percent split with the kids.

As a matter of fact, they say 90 percent of a unified budget, that is only $7 billion more than the Blue Dog plan would have been this year under a 50-percent on-budget surplus. We would have put 35. They put 42 for 1 year.

□ 1645

Over 10 years we will put under the Blue Dog plan over $1.3 trillion more toward debt reduction than anything my Republican colleagues have voted for this year.

Let me just say this in closing. I appreciate the time. I hope that we can come together and quit all this finger pointing and so on. But there is no way that you can disregard 18 months and come down here and say, Well, you guys come along and join us. What we need to do is a 10-year projection, not a 1-year or 30-day, or it will not even be 30 days. October 1 is the new fiscal year. It will be 15 days.

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

If the gentleman would leave his map up, I think that is a very good prop. I would like to refer to it myself. There are only certain numbers I think that really count. That is the results that we are doing. If we look again over the 40 years that the gentleman's party was in control, the Democrats, we spent more than we brought in each of those 40 years. The fact is that for the last 4 years, we have actually not had 2 and $300 billion deficits.

Let me just read. During 1998, the Republican Congress had a balanced budget, the first one in 30 years, paid down $51 billion. In 1999, we had a balanced budget plus we paid down $87 billion. This year, the year 2000, we had a balanced budget and we paid down $224 billion. We are projecting that for next year, 2001, and that is the only budget we have control over as the gentleman from Tennessee knows, the only budget we have control over is the one we are in right now, we are projecting a $240 billion paydown of the public debt, 90 percent of the entire surplus, not after we finish spending but before we begin spending we want to dedicate.

Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. I thank the gentleman for yielding time.

Madam Speaker, I would point out as we look at the graph, as we look at the chart, it is a fact that all spending bills originate in the House, as we contemplate where we would be today if we were using the President's budget from 1995, had we not had the election of a Republican House in 1994, where would we be today? I think the answer to that is based upon the President's budget at the time; we would still be running chronic $200 billion deficits today.

I want to thank some of my colleagues on the other side of the aisle, particularly the Blue Dogs, for their efforts at deficit reduction. But I must say some of the credit also goes certainly to the gentleman from Ohio (Mr. KASICH), our budget chairman, and goes to the Republicans who in 1994 and in 1995, we were able to slow the rate of government growth, one year down to 2.7 percent. And in so doing, by slowing

that government growth rate, allow revenues to catch up with expenditures, and now we have balanced budgets. If indeed we do look at the chart, Members notice that when we begin to run those surpluses is at the point in time that the Republican House's budgets began to kick in.

I rise in support of this debt relief lock-box act because this bill uses 90 percent of next year's budget surplus to pay down the national debt. I think as we look at the Republican plan to pay off the total public debt by 2013 and the President has signed on to that plan, we are committed to doing that; as we look at that, we now begin to realize that there are more revenues coming in than we ever imagined.

The surplus is growing at a very good clip. The administration has continued to veto those measures like the marriage and death tax relief bills, so they have made it clear that they do not want to let Americans keep some of this money. They do not want to have that returned. From our side of the aisle, our response to that is, All right. Well, let's at least make certain that the government doesn't spend it. Let's make certain that it goes to paying down the debt. Because according to the General Accounting Office, the government made more than $20 billion in improper payments in fiscal 1999 through waste, fraud, and abuse. Let us at least agree that we are going to root out that waste, fraud and abuse in these Federal agencies; and let us agree that before we spend any more of this money, we will first use 90 percent of it to pay down that national debt.

I urge my colleagues to prioritize by passing this bill so that we can reach that consensus, which I think will be something we can all agree upon.

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

Mr. STENHOLM. I thank the gentleman for yielding time.

Madam Speaker, I would like to return the compliment to the gentleman from California. I truly have enjoyed attempting to work with him and several others on his side of the aisle who have attempted to be consistent. The bill today is not consistent. That is my problem. You cannot be on the floor one week arguing for gigantic tax cuts and then the next week coming in for saying debt reduction. You cannot do that in an honest sense. You can do it in a political sense, and I realize that is what we are doing today.

I happen to have been here during the Reagan-Bush years. Only one of those 12 years did the Congress, the big-spending liberal Congress that we have heard so many times referred to, only one time in those 12 years did the Congress ever spend more than Presidents Reagan and Bush asked us to spend. I say that to say, let us stop the finger pointing. There is enough blame.

I give credit to my colleagues on the other side for those things which they have attempted to do. But I have a healthy disagreement with the budget priorities they have brought. The gentleman from Kentucky a moment ago inferred in the usual sly way that the Blue Dog budget would have increased taxes. He knows that is not right. He knows that our budget proposed real tax cuts, just like he knows that last week when I stood up in support of the President's veto on the marriage tax penalty, I support eliminating the marriage tax. He knows that. My argument was that it did not take $292 billion to do it, it took $82 billion.

Let us confine our tax cuts within the confines of what we need to do to pay down the debt, which the gentleman from Tennessee was talking about a moment ago. You cannot do both. If you are going to have a $1.3 trillion tax cut, you do not have any money left for deficit reduction and still meet the needs of Social Security and Medicare and defense spending and all of the other things that we need.

My colleagues know that I support eliminating the death tax and have voted that way and hope that in this compromise in the 90–10 era that we can have a death tax repeal effective January 1, 2001, on all estates up to $4 million if we can pull up our sleeves and start working together.

Now, I do not know why we have this legislation. Well, I do. Everybody knows why it is out here today. We keep talking about 40 years. Forty years is history. I am more interested in this year and the next 10 years and the gentleman from California (Mr. HERGER) is, too. I know exactly where he comes from. But he has got a duty to do today. His leadership has decided we have to now emphasize debt reduction, so we are going to have a bill out emphasizing debt reduction so we can have press releases back home. But the real way we are going to deal with this is to get real.

Let me also make it very clear when we talk about numbers, there is not a dime of these dollars that are not the people's money. It does not take Members of Congress standing up and saying this is the people's money. We do not have any money to spend that we do not first take from the American people. It is a matter of priorities. My priority is fixing Social Security and fixing Medicare first, paying down the debt and then dealing with the priorities that were your number one priority last week. This week it is a different one.

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

Again what is important, I think history is important, what did happen, what are the actual facts. Again as we see on this chart here, for 40 years, the Congress where the Constitution sets up that the Congress, the House of Representatives specifically under Democrat control, or under anyone's control sets up a budget. They are the ones who author spending bills.

It is interesting that there is reference to tax reduction or tax fairness as though somehow that is wrong. My good friend from Texas, just to respond to that, I do not think it is wrong to correct and have tax fairness for a young married couple who is married who has several children and yet they are penalized an average of $1,400 just by the fact that they are married. I also do not think it is wrong that farmers and small businessmen in the gentleman from Texas' district as well as my rural area in northern California who work hard all their lives, who would like to leave their families, their children their farms and small businesses, they do not get anything out of it, they are dead, but that they have to sell their small farms and their small businesses simply to pay the taxes. I do not think that is wrong.

That is our priority.

Madam Speaker, I reserve the balance of my time.

Mr. MCDERMOTT. Madam Speaker, I yield 30 seconds to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Madam Speaker, I wish when my colleague makes mention of me that he would extend the courtesy of yielding for purposes of a response. I agree with the gentleman. That is precisely our point. We can deal with the death tax and meet every single one of the tear-bringing responses that he just brought again to the floor. I agree with him. We can deal with the marriage tax, not like you were proposing it last week, but like the Blue Dogs have suggested for the last 18 months. We can do it. Let us roll up our sleeves and do it, and you will find that we will reduce the debt as much or more as the bill before us today and do just exactly that.

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

I am sure that the President of the United States is very pleased to see this conversion of the Republican Party about 2 weeks before the final negotiations begin. He has said from the beginning that we are going to strengthen Social Security, we are going to strengthen Medicare, and we are going to pay off the debt and then we are going to get to the issues like the inheritance tax and the marriage tax penalty and so forth. He has made proposals. He has said, Let's put it all in one package. It is going to happen. But this is the first time, the first time, in fact this started the other day in the Oval Office or in the conference room up at the White House where suddenly the Republicans after all this tax cutting suddenly had for the first time a new proposal laid on the table by the Speaker saying we want 90 percent to go to debt reduction.

Now, it really is better late than never. I think if somebody comes into the church and accepts the gospel of debt reduction, it is better to do it now than never. And so we welcome you. We really do. We are going to be able to end this session and do what the American people need and what they have wanted all along. They have been telling us that. All the polls have been

telling us from the beginning that they recognize that simply giving money back but leaving this debt resting on their kids was not fair. They knew. We have had a good life. But they said, Let's pay down our credit card so that our kids don't have to pay it down in the future. The President has said it. He said it in the State of the Union right here in the well. And now the Republicans are with him. That is wonderful.

Mr. HERGER. Madam Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. SMITH), a member of the Committee on the Budget.

Mr. SMITH of Michigan. I thank the gentleman for yielding me this time.

Madam Speaker, we are really talking about a $70 billion surplus in excess of Social Security and Medicare. It should be 90 percent of that $70 billion, or $63 billion rather, that we are taking 90 percent of the on- and off-budget surplus, which is a start; but it means more spending.

The President has said he sees probably there is no room for using any excess to pay down the debt this year other than the debt held by the public. We have got to go further than this. Talking about paying down the debt held by the public by 2012 means that we do not solve Social Security. We do not use that money to do what is important in saving Social Security and Medicare.

Mr. SMITH of Michigan. I thank the gentleman for yielding.

Madam Speaker, this is a good start, but it should be more. We are really talking about a $70 billion surplus in excess of Social Security and Medicare. Ninety percent of that $70 billion, is $63 billion that should be dedicated to debt reduction in addition to the Medicare and Social Security surplus. Rather, we are taking 90 percent of the unified budget surplus which allows an additional $20 billion more spending. Ninety percent of the $70 billion is $63 billion or only $7 billion increased spending. The reason such tax cuts as the marriage penalty tax should be on the table, is that it takes increased spending off the table.

The President has said he sees little room for additional debt paydown in 2001. Let me quote the New York Times of September 13th: ''Mr. Clinton told Republicans he viewed paying down the debt as a priority, but said he was not sure it could be done in the 2001 fiscal budget, which is set to begin on Oct. 1. 'Whether we can do it this year or not depends upon what the various spending commitments are,' Mr. Clinton said.''

We can do better than this. Talking about paying off the debt by 2012 is misleading. It means that we do not solve the Social Security problem because it is the Social Security surplus that is being used to pay down that portion of the total debt held by the public. We need that money to do what is necessary to save Social Security and Medicare.

□ 1700

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

Madam Speaker, we have a historic opportunity before us today. We can make debt reduction the priority instead of the afterthought. This Congress can throw away the old ways of paying debt only after the spending is done.

We are also reaffirming our commitment to saving every penny of the Social Security and Medicare trust funds. Ending the raid on these trust funds is the right thing to do. All in all this bill will pay down an unprecedented $240 billion in public debt in just 1 year.

Madam Speaker, I urge my colleagues to vote for this measure for our children, for our grandchildren, for our seniors, and for the best interests of our Nation.

Madam Speaker, and just responding quickly to my friend on the other side of the aisle on the gospel of debt reduction, I would like to refer to the board, a graph up here which shows that for 40 years under Democrat control, we deficit-spent every year; and I think what is important is that for the last year, for the last 4 years, we have not only not deficit-spend, but the proof of the pudding is in the eating.

And I say to my good friend, the gentleman from Washington (Mr. MCDERMOTT), in 1998 we paid down $51 billion. In 1999, we paid down $87 billion. In fiscal year 2000, $224 billion; and this year, we are asking to pay down $240 billion. Again the proof of the pudding is in the eating.

We have done it before, and let us do it now and let us commit to it.

Mr. ARCHER. Madam Speaker, this bill is very straightforward and simple, and I would like to congratulate the gentleman from Kentucky, Congressman FLETCHER, for all his work on this bill. This bill would direct approximately 90% of the total budget surplus toward debt relief in Fiscal year 2001. It includes Congressman HERGER's Social Security and Medicare lockbox legislation, and it adds an additional $42 billion from the on-budget surplus in FY 2001 for additional debt reduction.

No question, we would have preferred that some of these funds would have gone to end the marriage tax penalty for 25 million married couples and to repeal the death tax to protect small businesses and family farms, but President Clinton blocked these bipartisan efforts.

So now, the next best use for these funds is to pay down the debt. Federal Reserve Chairman Alan Greenspan has said debt relief is the best way to keep our economy strong. Of course, Chairman Greenspan also has said that the worst possible use of these surplus funds is for more spending.

We don't want debt relief to be the crumbs on the table after the Washington spending binge, we want debt relief to be the meat and potatoes that grows our economy instead of big government.

That's why this bill represents a compromise. President Clinton showed that he did not want to use the taxpayer-generated surplus for tax relief with his vetoes. Buy by the same token, Republicans in Congress do not feel that the lion's share of the surplus should be used for more spending. So why don't we compromise and use the funds to pay down the public debt?

I hope and am confident we will have bipartisan support for this bill today, since every Member of the Ways and Means Committee voted for this bill last week. If there are any objections, and I hope there will be none, but if there are, I would expect them to focus on the level of debt relief included in this bill. Again, since the House passed this exact same approach to debt relief in July by a vote of 422–1, I cannot envision any objections as to how this bill achieves debt relief.

This bill is the latest highlight of a Republican record on debt relief that is unmatched in history.

Since Republicans gained control of Congress, we have paid down $351 billion in debt—$351 billion. Now, we propose to continue this effort by paying down an additional $240 billion of debt for FY 2001. Combined, that would mean that by the end of FY 2001, we would have paid down well over a half a trillion dollars in the public debt.

Half a trillion dollars in debt relief is a remarkable accomplishment for which we can all be proud.

Mr. STEARNS. Mr. Speaker, I rise in strong support of H.R. 5173, the Debt Relief LockBox Reconciliation Act for FY 2001. This legislation achieves several important goals—not the least of which is to retire the nation's debt by an additional forty two billion dollars in FY 2001. It does so while providing that one hundred percent of the Social Security and Medicare surpluses are fully protected. Why is it so important to all Americans, including seniors that we pay down the debt? I'll be more than happy to tell you why I think it is vital that we pay down the debt since we have eliminated the nation's deficits.

Thomas Jefferson made the following statement:

> I place economy among the first and most important of republican virtues, and public debt as the greatest of the dangers to be feared.

The was in 1816. That was a credible statement then and it remains so today. If you divide the number of citizens by the outstanding public debt, what would you get? Your share, my share, each and every child's share is $20,559.

The gross debt, which is all of the federal government's outstanding debt, totals about $5.5 trillion. To answer the question I posed earlier: We must reduce the debt because it will enhance net national savings, this in turn would free up resources for investments in productivity that will lead to stronger economic growth in the future. A larger economy will help ease the burden on our nation's children, who in later life as taxpayers, will be asked to shoulder the burden of paying for retirement and health care costs of a dramatically older population.

Paying down the debt is the right thing to do and I urge my colleagues to support passage of this important legislation.

Mr. BENTSEN. Madam Speaker, I rise in support of H.R. 5173 and want to commend the Republican Leadership for abandoning their fiscally irresponsible budget and trying to salvage, albeit with less than a month left until the 106th Congress ends, something from the ruins of their failed budget that hinged on a foolhardly $2 trillion tax cut.

H.R. 5173 would reserve 90%, or $239 billion of the total projected federal budget surplus for Fiscal Year 2001, for debt reduction. As a senior member of the House Budget Committee, I have consistently argued that the

best course of action to insure the continued fiscal health of this nation, is to pay down publicly-held debt, while simultaneously safeguarding Social Security and Medicare. Under H.R. 5173, the non-Social Security, non-Medicare surplus, estimated at $42 billion, would be reserved for debt reduction and would be kept in a newly-established special account, maintained by the U.S. Department of Treasury, for use to purchase publicly-held debt at or before maturity. H.R. 5173 also amends the Republican flawed budget, H. Con. Res. 290, by creating ''points of order'' in the House and Senate, against any legislation that would use the projected $165 billion Social Security Trust Fund and $32 billion Medicare Hospital Insurance Trust Fund surpluses for anything other than paying down the debt. This measure, which leaves $29 billion available for spending increases or tax cuts, represents an enormous departure from the Republican Leadership's trillion dollars tax cut.

Paying down the debt is sound fiscal policy. First, by retiring Treasury bonds and reducing their availability, interest rates decline, including lower cost mortgages and car loans. Second, reducing the debt frees up capital for investment in more productive assets which will spur economic growth. Third, paying down the debt frees up federal resources which are otherwise consumed by interest costs. Fourth, lower interest rates, increased savings and economic growth, and freeing up resources all work together to increase our ability to extend the solvency of Social Security and Medicare. And fifth, the projected long-term budget surplus is based on assumptions which could change.

I have consistently argued that consuming the projected surpluses rather than pay down debt, leaves no room for error if the assumptions on budgetary surpluses turn out to be wrong and could lead us back on the path of increased debt, squeezing out Social Security, Medicare, defense, and other priorities. For these reasons, Madam Speaker, I rise in support of H.R. 5173, a concession by the Republican Leadership that their massive tax cutting scheme, was fiscally imprudent.

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

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the bill, H.R. 5173, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 5 o'clock and 2 minutes p.m.), the House stood in recess until 6 p.m.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULSHOF) at 6 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 5173, by the yeas and nays;

H.R. 5010, by the yeas and nays; and

H.R. 2984, de novo.

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

DEBT RELIEF LOCK-BOX RECONCILIATION ACT FOR FISCAL YEAR 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5173, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the bill, H.R. 5173, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 3, not voting 50, as follows:

[Roll No. 477]

YEAS—381

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
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.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
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)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Ney
Northup
Nussle
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pastor
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
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
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Mollohan
Nadler
Sabo

NOT VOTING—50

Blunt
Boucher
Campbell
Chenoweth-Hage
Cook
Crane
Cubin
Dooley
Dunn
Ehrlich
Emerson
Fattah

Franks (NJ)
Frost
Gordon
Hastings (WA)
Hilleary
Hinchey
Johnson, Sam
Jones (NC)
Kasich
Kingston
Klink
Lazio
Lewis (CA)
Lewis (GA)
McCollum
McIntosh
Moakley
Neal
Nethercutt
Norwood
Oberstar
Owens
Oxley
Pascrell
Pelosi
Pryce (OH)
Rogan
Saxton
Stark
Sweeney
Talent
Taylor (NC)
Thurman
Vento
Walsh
Wamp
Waxman
Wise

□ 1828

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULSHOF). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

DISTRICT OF COLUMBIA AND UNITED STATES TERRITORIES CIRCULATING QUARTER DOLLAR PROGRAM ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5010, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 5010, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 6, not voting 50, as follows:

[Roll No 478]

YEAS—377

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
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.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
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)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Ney
Northup
Nussle
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pastor
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Boehner
Goss
Miller, Gary
Paul
Royce
Schaffer

NOT VOTING—50

Blunt
Boucher
Campbell
Chenoweth-Hage
Cook
Crane
Cubin
Dooley
Dunn
Ehrlich
Emerson
Fattah
Fletcher
Franks (NJ)
Frost
Gordon
Hastings (WA)
Hilleary
Johnson, Sam
Jones (NC)
Kasich
Kingston
Klink
Lazio
Lewis (CA)
Lewis (GA)
McCollum
McIntosh
Moakley
Neal
Nethercutt
Norwood
Oberstar
Owens
Oxley
Pascrell
Pelosi
Pryce (OH)
Rogan
Saxton
Stark
Sweeney
Talent
Taylor (NC)
Thurman
Vento
Walsh
Wamp
Waxman
Wise

□ 1839

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MISSOURI RIVER BASIN PROJECT CONVEYANCE

The SPEAKER pro tempore (Mr. HULSHOF). The pending business is the question of suspending the rules and passing the bill, H.R. 2984, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 2984, as amended.

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

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. COBURN. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 4577 tomorrow. The form of the motion is as follows:

I move that the managers on the part of the House on disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to recede to Section 517 of the Senate amendment to the House bill, prohibiting the use of funds to distribute postcoital emergency contraception (the morning-after pill) to minors on the premises or in the facility of any elementary or secondary school.

The SPEAKER pro tempore. The notice will appear in the RECORD.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken tomorrow.

CLEAR CREEK COUNTY, COLORADO, PUBLIC LANDS TRANSFER ACT AMENDMENTS

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2799) to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the act.

The Clerk read as follows:

H.R. 2799

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

SECTION 1. MODIFICATION OF LAND CONVEYANCE, CLEAR CREEK COUNTY, COLORADO.

Section 5(c)(2) of the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 (Public Law 103–253; 108 Stat. 677) is amended by striking ''the date 10 years after the date of enactment of this Act'' and by inserting ''May 19, 2014''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 2799 is a simple measure that would amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993. This act transferred approximately 7,300 acres of BLM managed land to Clear Creek County.

The 7,300 acres consisted of unmanageable and scattered tracks of land held by the BLM. Clear Creek County was given the option to retain or dispose of this land and was given a deadline to complete this by May 19, 2004. All lands that had not been disposed of at that time were to be retained by the county. Since the passage of the 1993 act, Clear Creek County has had difficulty in disposing of some of the transferred land that would be impossible for the county to manage.

Instead of forcing Clear Creek County to retain lands they are incapable of properly managing, H.R. 2799 would provide 10 years additional time for the county to dispose of these lands.

Mr. Speaker, I urge my colleagues to support H.R. 2799.

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

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, as its author, I obviously support passage of this bill. I want to thank the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Resources, and our ranking member, the gentleman from California (Mr. GEORGE MILLER), for making it possible for the House to consider it today.

Mr. Speaker, I also want to thank the gentleman from Utah (Mr. HANSEN), my colleague, for his assistance with this legislation.

□ 1845

I introduced the bill last year at the request of the commissioners of Clear Creek County. The bill amends section 5 of the Clear Creek Land Transfer Act of 1993. The effect of the amendment would be to allow Clear Creek County additional time to determine the future disposition of some former Federal land that was transferred to the county under that section of the 1993 act.

The 1993 act was originally proposed by my predecessor, Representative David Skaggs. Its purpose was to clarify Federal land ownership questions in Clear Creek County while helping to complete consolidation of the Bureau of Land Management administration in eastern Colorado and assisting with protecting open space and preserving historic sites. As part of its plan to merge its eastern Colorado operations into one administrative office, the BLM has determined that it would be best to dispose of most of its surface lands in northeastern Colorado. The 1993 act helped achieve that goal by transferring some 14,000 acres of land from the Bureau of Land Management to the U.S. Forest Service to the State of Colorado to Clear Creek County and to the towns of Georgetown and Silver Plume.

Of course, the BLM could have sold all of these lands and the local governments could have applied for parcels under the Recreation and Public Purposes Act. Under current law, however, the BLM would first have had to complete detailed boundary surveys. Since lands in question included many small, d-shaped parcels, some measured literally in inches, the BLM estimated that boundary surveys would have taken at least another 15 years to complete and could have cost as much as $18 million.

The estimated market value of these lands was only $3 million, and because the administrative costs were expected to be so much higher than the value of these lands, their disposal under existing law probably could never have been completed. And this would have been the worst of all outcomes because, after reaching the conclusion that the land should be transferred, the BLM in effect stopped managing them to the extent that they could have been managed at all.

Until some means could be found to enable their transfer, these 14,000 acres were effectively abandoned property, potentially attracting all the problems which befall property left uncared for and ignored.

The 1993 act responded to that situation. Under it, about 3,500 acres of BLM land in Clear Creek County were transferred to the Arapaho National Forest. About 3,200 acres of land transferred to the State of Colorado, the county and the towns of Georgetown and Silver Plume.

Finally, about 7,300 acres were transferred to the county. The bill before us today deals only with those lands transferred to the county. The 1993 act provides that after it prepares a comprehensive land use plan, the county may resale some of the land. Other parcels will be transferred to local governments, including the county, to be retained for recreation and public purposes.

With regard to the lands that the county has authority to sell, the 1993 act in effect authorizes the county to act as the BLM sales agent. It provides the Federal Government will receive any of the net receipts from the sale of these lands by the county. Under the 1993 act, the county has 10 years within which to resolve questions related to the rights of way, mining claims and trespass situations on the lands covered by that section of the act, and then to decide which parcels to transfer and which to retain.

Among other things, the county is working with the Colorado Division of Wildlife on a proposal that will result in some 2,000 acres being transferred to the division of wildlife and management as big horn sheep habitat. While the county has completed the conveyance of some of these lands, they still have about 6,000 acres to dispose of. The county commissioners have informed me that the process is taking longer than they anticipated and that a 10-year extension of time would be helpful to them to complete the process.

The bill that the House is considering today responds to that request by providing that extension. I urge its adoption, and I attach a letter from the commissioners of Clear Creek County explaining the request for this legislation.

COUNTY OF CLEAR CREEK,
Georgetown, CO, August 3, 1999.

Re County of Clear Creek, Colorado Public Lands Transfer Act of 1993.

Congressman MARK UDALL,
Westminister, CO.

DEAR CONGRESSMAN UDALL: I have been asked to provide information regarding the status of this project. As of this date, we have conveyed 118 parcels, consisting of 464 acres, of the former BLM land. This means we still have over 1,100 parcels, or 6,000 acres, to dispose of.

A considerable amount of the time on this project has involved analysis and policy development to deal with broad issues that affect most of the parcels, such as rights of way and unpatented mining claims. We have developed suitable solutions for most of these issues. As for trespass situations on specific parcels, we have resolved six of them, and there are four more that we are aware of.

It has also taken a great deal of time to develop policies and procedures for land conveyance that are equitable and cost effective. As you are aware, much of this land consists of hundreds of small fragments that are most appropriately conveyed to owners of contiguous properties, since they are too costly to manage in this configuration. Each parcel must go through the zoning process, and in many cases, the subdivision exemption process to divide them, before they be conveyed. Getting these fragments into private ownership is the biggest challenge of this project.

There are some large tracts of consolidated acreage for which we need to determine disposition. If we retain any of the land (for Recreation (and Public Purpose, as stipulated by the Transfer Act), it would be these tracts, since they would be affordable to manage. However, this has not been decided yet, because we are also looking into conveyance of these tracts to land trusts or conservation groups.

The Colorado Division of Wildlife has asked to purchase approximately 2,000 acres for Bighorn Sheep habitat. They are currently trying to put together funding for this purchase, and we are told that this could take several years.

If you need more information or have any questions, please call me at (303) 679–2434.

Sincerely,

MARK SPARGUE,
Project Manager, County Lands Department.

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

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

The SPEAKER pro tempore (Mr. HULSHOF). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2799.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include extraneous material therein on H.R. 2799.

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

There was no objection.

INTERCOUNTRY ADOPTION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2909), to provide for implementation by the United States of the Hague Convention on Protection of Children and Cooperation and Respect of Intercountry Adoption, and for other purposes, with a Senate amendment thereto and concur in the Senate amendment, with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment and the House amendment to the Senate amendment as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intercountry Adoption Act of 2000''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.

TITLE I—UNITED STATES CENTRAL AUTHORITY

Sec. 101. Designation of central authority.
Sec. 102. Responsibilities of the Secretary of State.
Sec. 103. Responsibilities of the Attorney General.
Sec. 104. Annual report on intercountry adoptions.

TITLE II—PROVISIONS RELATING TO ACCREDITATION AND APPROVAL

Sec. 201. Accreditation or approval required in order to provide adoption services in cases subject to the Convention.
Sec. 202. Process for accreditation and approval; role of accrediting entities.
Sec. 203. Standards and procedures for providing accreditation or approval.
Sec. 204. Secretarial oversight of accreditation and approval.
Sec. 205. State plan requirement.

TITLE III—RECOGNITION OF CONVENTION ADOPTIONS IN THE UNITED STATES

Sec. 301. Adoptions of children immigrating to the United States.
Sec. 302. Immigration and Nationality Act amendments relating to children adopted from Convention countries.
Sec. 303. Adoptions of children emigrating from the United States.

TITLE IV—ADMINISTRATION AND ENFORCEMENT

Sec. 401. Access to Convention records.
Sec. 402. Documents of other Convention countries.
Sec. 403. Authorization of appropriations; collection of fees.
Sec. 404. Enforcement.

TITLE V—GENERAL PROVISIONS

Sec. 501. Recognition of Convention adoptions.
Sec. 502. Special rules for certain cases.
Sec. 503. Relationship to other laws.
Sec. 504. No private right of action.
Sec. 505. Effective dates; transition rule.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress recognizes—

(1) the international character of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (done at The Hague on May 29, 1993), and

(2) the need for uniform interpretation and implementation of the Convention in the United States and abroad,

and therefore finds that enactment of a Federal law governing adoptions and prospective adoptions subject to the Convention involving United States residents is essential.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide for implementation by the United States of the Convention;

(2) to protect the rights of, and prevent abuses against, children, birth families, and adoptive parents involved in adoptions (or prospective adoptions) subject to the Convention, and to ensure that such adoptions are in the children's best interests; and

(3) to improve the ability of the Federal Government to assist United States citizens seeking to adopt children from abroad and residents of other countries party to the Convention seeking to adopt children from the United States.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) ACCREDITED AGENCY.—The term ''accredited agency'' means an agency accredited under title II to provide adoption services in the United States in cases subject to the Convention.

(2) ACCREDITING ENTITY.—The term ''accrediting entity'' means an entity designated under section 202(a) to accredit agencies and approve persons under title II.

(3) ADOPTION SERVICE.—The term ''adoption service'' means—

(A) identifying a child for adoption and arranging an adoption;

(B) securing necessary consent to termination of parental rights and to adoption;

(C) performing a background study on a child or a home study on a prospective adoptive parent, and reporting on such a study;

(D) making determinations of the best interests of a child and the appropriateness of adoptive placement for the child;

(E) post-placement monitoring of a case until final adoption; and

(F) where made necessary by disruption before final adoption, assuming custody and providing child care or any other social service pending an alternative placement.

The term ''providing'', with respect to an adoption service, includes facilitating the provision of the service.

(4) AGENCY.—The term ''agency'' means any person other than an individual.

(5) APPROVED PERSON.—The term ''approved person'' means a person approved under title II to provide adoption services in the United States in cases subject to the Convention.

(6) ATTORNEY GENERAL.—Except as used in section 404, the term ''Attorney General'' means the Attorney General, acting through the Commissioner of Immigration and Naturalization.

(7) CENTRAL AUTHORITY.—The term ''central authority'' means the entity designated as such by any Convention country under Article 6(1) of the Convention.

(8) CENTRAL AUTHORITY FUNCTION.—The term ''central authority function'' means any duty required to be carried out by a central authority under the Convention.

(9) CONVENTION.—The term ''Convention'' means the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(10) CONVENTION ADOPTION.—The term ''Convention adoption'' means an adoption of a child resident in a foreign country party to the Convention by a United States citizen, or an adoption of a child resident in the United States by an individual residing in another Convention country.

(11) CONVENTION RECORD.—The term ''Convention record'' means any item, collection, or grouping of information contained in an electronic or physical document, an electronic collection of data, a photograph, an audio or video tape, or any other information storage medium of any type whatever that contains information about a specific past, current, or prospective Convention adoption (regardless of whether the adoption was made final) that has been preserved in accordance with section 401(a) by the Secretary of State or the Attorney General.

(12) CONVENTION COUNTRY.—The term ''Convention country'' means a country party to the Convention.

(13) OTHER CONVENTION COUNTRY.—The term ''other Convention country'' means a Convention country other than the United States.

(14) PERSON.—The term ''person'' shall have the meaning provided in section 1 of title 1, United States Code, and shall not include any agency of government or tribal government entity.

(15) PERSON WITH AN OWNERSHIP OR CONTROL INTEREST.—The term ''person with an ownership or control interest'' has the meaning given such term in section 1124(a)(3) of the Social Security Act (42 U.S.C. 1320a–3).

(16) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(17) STATE.—The term ''State'' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands.

TITLE I—UNITED STATES CENTRAL AUTHORITY

SEC. 101. DESIGNATION OF CENTRAL AUTHORITY.

(a) IN GENERAL.—For purposes of the Convention and this Act—

(1) the Department of State shall serve as the central authority of the United States; and

(2) the Secretary shall serve as the head of the central authority of the United States.

(b) PERFORMANCE OF CENTRAL AUTHORITY FUNCTIONS.—

(1) Except as otherwise provided in this Act, the Secretary shall be responsible for the performance of all central authority functions for the United States under the Convention and this Act.

(2) All personnel of the Department of State performing core central authority functions in a professional capacity in the Office of Children's Issues shall have a strong background in consular affairs, personal experience in international adoptions, or professional experience in international adoptions or child services.

(c) AUTHORITY TO ISSUE REGULATIONS.—Except as otherwise provided in this Act, the Secretary may prescribe such regulations as may be necessary to carry out central authority functions on behalf of the United States.

SEC. 102. RESPONSIBILITIES OF THE SECRETARY OF STATE.

(a) LIAISON RESPONSIBILITIES.—The Secretary shall have responsibility for—

(1) liaison with the central authorities of other Convention countries; and

(2) the coordination of activities under the Convention by persons subject to the jurisdiction of the United States.

(b) INFORMATION EXCHANGE.—The Secretary shall be responsible for—

(1) providing the central authorities of other Convention countries with information concerning—

(A) accredited agencies and approved persons, agencies and persons whose accreditation or approval has been suspended or canceled, and agencies and persons who have been temporarily or permanently debarred from accreditation or approval;

(B) Federal and State laws relevant to implementing the Convention; and

(C) any other matters necessary and appropriate for implementation of the Convention;

(2) not later than the date of the entry into force of the Convention for the United States (pursuant to Article 46(2)(a) of the Convention) and at least once during each subsequent calendar year, providing to the central authority of all other Convention countries a notice requesting the central authority of each such country to specify any requirements of such country regarding adoption, including restrictions on the eligibility of persons to adopt, with respect to which information on the prospective adoptive parent or parents in the United States would be relevant;

(3) making responses to notices under paragraph (2) available to—

(A) accredited agencies and approved persons; and

(B) other persons or entities performing home studies under section 201(b)(1);

(4) ensuring the provision of a background report (home study) on prospective adoptive parent or parents (pursuant to the requirements of section 203(b)(1)(A)(ii)), through the central authority of each child's country of origin, to the court having jurisdiction over the adoption (or, in the case of a child emigrating to the United States for the purpose of adoption, to the competent authority in the child's country of origin with responsibility for approving the child's emigration) in adequate time to be considered prior to the granting of such adoption or approval;

(5) providing Federal agencies, State courts, and accredited agencies and approved persons with an identification of Convention countries and persons authorized to perform functions under the Convention in each such country; and

(6) facilitating the transmittal of other appropriate information to, and among, central authorities, Federal and State agencies (including State courts), and accredited agencies and approved persons.

(c) ACCREDITATION AND APPROVAL RESPONSIBILITIES.—The Secretary shall carry out the functions prescribed by the Convention with respect to the accreditation of agencies and the approval of persons to provide adoption services in the United States in cases subject to the Convention as provided in title II. Such functions may not be delegated to any other Federal agency.

(d) ADDITIONAL RESPONSIBILITIES.—The Secretary—

(1) shall monitor individual Convention adoption cases involving United States citizens; and

(2) may facilitate interactions between such citizens and officials of other Convention countries on matters relating to the Convention in any case in which an accredited agency or approved person is unwilling or unable to provide such facilitation.

(e) ESTABLISHMENT OF REGISTRY.—The Secretary and the Attorney General shall jointly establish a case registry of all adoptions involving immigration of children into the United States and emigration of children from the United States, regardless of whether the adoption occurs under the Convention. Such registry shall permit tracking of pending cases and retrieval of information on both pending and closed cases.

(f) METHODS OF PERFORMING RESPONSIBILITIES.—The Secretary may—

(1) authorize public or private entities to perform appropriate central authority functions for which the Secretary is responsible, pursuant to regulations or under agreements published in the Federal Register; and

(2) carry out central authority functions through grants to, or contracts with, any individual or public or private entity, except as may be otherwise specifically provided in this Act.

SEC. 103. RESPONSIBILITIES OF THE ATTORNEY GENERAL.

In addition to such other responsibilities as are specifically conferred upon the Attorney General by this Act, the central authority functions specified in Article 14 of the Convention (relating to the filing of applications by prospective adoptive parents to the central authority of their country of residence) shall be performed by the Attorney General.

SEC. 104. ANNUAL REPORT ON INTERCOUNTRY ADOPTIONS.

(a) REPORTS REQUIRED.—Beginning one year after the date of the entry into force of the Convention for the United States and each year thereafter, the Secretary, in consultation with the Attorney General and other appropriate agencies, shall submit a report describing the activities of the central authority of the United States under this Act during the preceding year to the Committee on International Relations, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations, the Committee on Finance, and the Committee on the Judiciary of the Senate.

(b) REPORT ELEMENTS.—Each report under subsection (a) shall set forth with respect to the year concerned, the following:

(1) The number of intercountry adoptions involving immigration to the United States, regardless of whether the adoption occurred under the Convention, including the country from which each child emigrated, the State to which each child immigrated, and the country in which the adoption was finalized.

(2) The number of intercountry adoptions involving emigration from the United States, regardless of whether the adoption occurred under the Convention, including the country to which each child immigrated and the State from which each child emigrated.

(3) The number of Convention placements for adoption in the United States that were disrupted, including the country from which the child emigrated, the age of the child, the date of the placement for adoption, the reasons for the disruption, the resolution of the disruption, the agencies that handled the placement for adoption, and the plans for the child, and in addition, any information regarding disruption or dissolution of adoptions of children from other countries received pursuant to section 422(b)(14) of the Social Security Act, as amended by section 205 of this Act.

(4) The average time required for completion of a Convention adoption, set forth by country from which the child emigrated.

(5) The current list of agencies accredited and persons approved under this Act to provide adoption services.

(6) The names of the agencies and persons temporarily or permanently debarred under this Act, and the reasons for the debarment.

(7) The range of adoption fees charged in connection with Convention adoptions involving immigration to the United States and the median of such fees set forth by the country of origin.

(8) The range of fees charged for accreditation of agencies and the approval of persons in the United States engaged in providing adoption services under the Convention.

TITLE II—PROVISIONS RELATING TO ACCREDITATION AND APPROVAL

SEC. 201. ACCREDITATION OR APPROVAL REQUIRED IN ORDER TO PROVIDE ADOPTION SERVICES IN CASES SUBJECT TO THE CONVENTION.

(a) IN GENERAL.—Except as otherwise provided in this title, no person may offer or provide adoption services in connection with a Convention adoption in the United States unless that person—

(1) is accredited or approved in accordance with this title; or

(2) is providing such services through or under the supervision and responsibility of an accredited agency or approved person.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the following:

(1) BACKGROUND STUDIES AND HOME STUDIES.—The performance of a background study on a child or a home study on a prospective adoptive parent, or any report on any such study by a social work professional or organization who is not providing any other adoption service in the case, if the background or home study is approved by an accredited agency.

(2) CHILD WELFARE SERVICES.—The provision of a child welfare service by a person who is not providing any other adoption service in the case.

(3) LEGAL SERVICES.—The provision of legal services by a person who is not providing any adoption service in the case.

(4) PROSPECTIVE ADOPTIVE PARENTS ACTING ON OWN BEHALF.—The conduct of a prospective

adoptive parent on his or her own behalf in the case, to the extent not prohibited by the law of the State in which the prospective adoptive parent resides.

SEC. 202. PROCESS FOR ACCREDITATION AND APPROVAL; ROLE OF ACCREDITING ENTITIES.

(a) DESIGNATION OF ACCREDITING ENTITIES.—

(1) IN GENERAL.—The Secretary shall enter into agreements with one or more qualified entities under which such entities will perform the duties described in subsection (b) in accordance with the Convention, this title, and the regulations prescribed under section 203, and upon entering into each such agreement shall designate the qualified entity as an accrediting entity.

(2) QUALIFIED ENTITIES.—In paragraph (1), the term ''qualified entity'' means—

(A) a nonprofit private entity that has expertise in developing and administering standards for entities providing child welfare services and that meets such other criteria as the Secretary may by regulation establish; or

(B) a public entity (other than a Federal entity), including an agency or instrumentality of State government having responsibility for licensing adoption agencies, that—

(i) has expertise in developing and administering standards for entities providing child welfare services;

(ii) accredits only agencies located in the State in which the public entity is located; and

(iii) meets such other criteria as the Secretary may by regulation establish.

(b) DUTIES OF ACCREDITING ENTITIES.—The duties described in this subsection are the following:

(1) ACCREDITATION AND APPROVAL.—Accreditation of agencies, and approval of persons, to provide adoption services in the United States in cases subject to the Convention.

(2) OVERSIGHT.—Ongoing monitoring of the compliance of accredited agencies and approved persons with applicable requirements, including review of complaints against such agencies and persons in accordance with procedures established by the accrediting entity and approved by the Secretary.

(3) ENFORCEMENT.—Taking of adverse actions (including requiring corrective action, imposing sanctions, and refusing to renew, suspending, or canceling accreditation or approval) for noncompliance with applicable requirements, and notifying the agency or person against whom adverse actions are taken of the deficiencies necessitating the adverse action.

(4) DATA, RECORDS, AND REPORTS.—Collection of data, maintenance of records, and reporting to the Secretary, the United States central authority, State courts, and other entities (including on persons and agencies granted or denied approval or accreditation), to the extent and in the manner that the Secretary requires.

(c) REMEDIES FOR ADVERSE ACTION BY ACCREDITING ENTITY.—

(1) CORRECTION OF DEFICIENCY.—An agency or person who is the subject of an adverse action by an accrediting entity may re-apply for accreditation or approval (or petition for termination of the adverse action) on demonstrating to the satisfaction of the accrediting entity that the deficiencies necessitating the adverse action have been corrected.

(2) NO OTHER ADMINISTRATIVE REVIEW.—An adverse action by an accrediting entity shall not be subject to administrative review.

(3) JUDICIAL REVIEW.—An agency or person who is the subject of an adverse action by an accrediting entity may petition the United States district court in the judicial district in which the agency is located or the person resides to set aside the adverse action. The court shall review the adverse action in accordance with section 706 of title 5, United States Code, and for purposes of such review the accrediting entity shall be considered an agency within the meaning of section 701 of such title.

(d) FEES.—The amount of fees assessed by accrediting entities for the costs of accreditation shall be subject to approval by the Secretary. Such fees may not exceed the costs of accreditation. In reviewing the level of such fees, the Secretary shall consider the relative size of, the geographic location of, and the number of Convention adoption cases managed by the agencies or persons subject to accreditation or approval by the accrediting entity.

SEC. 203. STANDARDS AND PROCEDURES FOR PROVIDING ACCREDITATION OR APPROVAL.

(a) IN GENERAL.—

(1) PROMULGATION OF REGULATIONS.—The Secretary, shall, by regulation, prescribe the standards and procedures to be used by accrediting entities for the accreditation of agencies and the approval of persons to provide adoption services in the United States in cases subject to the Convention.

(2) CONSIDERATION OF VIEWS.—In developing such regulations, the Secretary shall consider any standards or procedures developed or proposed by, and the views of, individuals and entities with interest and expertise in international adoptions and family social services, including public and private entities with experience in licensing and accrediting adoption agencies.

(3) APPLICABILITY OF NOTICE AND COMMENT RULES.—Subsections (b), (c), and (d) of section 553 of title 5, United States Code, shall apply in the development and issuance of regulations under this section.

(b) MINIMUM REQUIREMENTS.—

(1) ACCREDITATION.—The standards prescribed under subsection (a) shall include the requirement that accreditation of an agency may not be provided or continued under this title unless the agency meets the following requirements:

(A) SPECIFIC REQUIREMENTS.—

(i) The agency provides prospective adoptive parents of a child in a prospective Convention adoption a copy of the medical records of the child (which, to the fullest extent practicable, shall include an English-language translation of such records) on a date which is not later than the earlier of the date that is 2 weeks before (I) the adoption, or (II) the date on which the prospective parents travel to a foreign country to complete all procedures in such country relating to the adoption.

(ii) The agency ensures that a thorough background report (home study) on the prospective adoptive parent or parents has been completed in accordance with the Convention and with applicable Federal and State requirements and transmitted to the Attorney General with respect to each Convention adoption. Each such report shall include a criminal background check and a full and complete statement of all facts relevant to the eligibility of the prospective adopting parent or parents to adopt a child under any requirements specified by the central authority of the child's country of origin under section 102(b)(3), including, in the case of a child emigrating to the United States for the purpose of adoption, the requirements of the child's country of origin applicable to adoptions taking place in such country. For purposes of this clause, the term ''background report (home study)'' includes any supplemental statement submitted by the agency to the Attorney General for the purpose of providing information relevant to any requirements specified by the child's country of origin.

(iii) The agency provides prospective adoptive parents with a training program that includes counseling and guidance for the purpose of promoting a successful intercountry adoption before such parents travel to adopt the child or the child is placed with such parents for adoption.

(iv) The agency employs personnel providing intercountry adoption services on a fee for service basis rather than on a contingent fee basis.

(v) The agency discloses fully its policies and practices, the disruption rates of its placements for intercountry adoption, and all fees charged by such agency for intercountry adoption.

(B) CAPACITY TO PROVIDE ADOPTION SERVICES.—The agency has, directly or through arrangements with other persons, a sufficient number of appropriately trained and qualified personnel, sufficient financial resources, appropriate organizational structure, and appropriate procedures to enable the agency to provide, in accordance with this Act, all adoption services in cases subject to the Convention.

(C) USE OF SOCIAL SERVICE PROFESSIONALS.—The agency has established procedures designed to ensure that social service functions requiring the application of clinical skills and judgment are performed only by professionals with appropriate qualifications and credentials.

(D) RECORDS, REPORTS, AND INFORMATION MATTERS.—The agency is capable of—

(i) maintaining such records and making such reports as may be required by the Secretary, the United States central authority, and the accrediting entity that accredits the agency;

(ii) cooperating with reviews, inspections, and audits;

(iii) safeguarding sensitive individual information; and

(iv) complying with other requirements concerning information management necessary to ensure compliance with the Convention, this Act, and any other applicable law.

(E) LIABILITY INSURANCE.—The agency agrees to have in force adequate liability insurance for professional negligence and any other insurance that the Secretary considers appropriate.

(F) COMPLIANCE WITH APPLICABLE RULES.—The agency has established adequate measures to comply (and to ensure compliance of their agents and clients) with the Convention, this Act, and any other applicable law.

(G) NONPROFIT ORGANIZATION WITH STATE LICENSE TO PROVIDE ADOPTION SERVICES.—The agency is a private nonprofit organization licensed to provide adoption services in at least one State.

(2) APPROVAL.—The standards prescribed under subsection (a) shall include the requirement that a person shall not be approved under this title unless the person is a private for-profit entity that meets the requirements of subparagraphs (A) through (F) of paragraph (1) of this subsection.

(3) RENEWAL OF ACCREDITATION OR APPROVAL.—The standards prescribed under subsection (a) shall provide that the accreditation of an agency or approval of a person under this title shall be for a period of not less than 3 years and not more than 5 years, and may be renewed on a showing that the agency or person meets the requirements applicable to original accreditation or approval under this title.

(c) TEMPORARY REGISTRATION OF COMMUNITY BASED AGENCIES.—

(1) ONE-YEAR REGISTRATION PERIOD FOR MEDIUM COMMUNITY BASED AGENCIES.—For a 1-year period after the entry into force of the Convention and notwithstanding subsection (b), the Secretary may provide, in regulations issued pursuant to subsection (a), that an agency may register with the Secretary and be accredited to provide adoption services in the United States in cases subject to the Convention during such period if the agency has provided adoption services in fewer than 100 intercountry adoptions in the preceding calendar year and meets the criteria described in paragraph (3).

(2) TWO-YEAR REGISTRATION PERIOD FOR SMALL COMMUNITY-BASED AGENCIES.—For a 2-year period after the entry into force of the Convention and notwithstanding subsection (b), the Secretary may provide, in regulations issued pursuant to subsection (a), that an agency may register with the Secretary and be accredited to provide adoption services in the United States in cases subject to the Convention during such period if the agency has provided adoption services in fewer than 50 intercountry adoptions in the preceding calendar year and meets the criteria described in paragraph (3).

(3) CRITERIA FOR REGISTRATION.—Agencies registered under this subsection shall meet the following criteria:

(A) The agency is licensed in the State in which it is located and is a nonprofit agency.

(B) The agency has been providing adoption services in connection with intercountry adoptions for at least 3 years.

(C) The agency has demonstrated that it will be able to provide the United States Government with all information related to the elements described in section 104(b) and provides such information.

(D) The agency has initiated the process of becoming accredited under the provisions of this Act and is actively taking steps to become an accredited agency.

(E) The agency has not been found to be involved in any improper conduct relating to intercountry adoptions.

SEC. 204. SECRETARIAL OVERSIGHT OF ACCREDITATION AND APPROVAL.

(a) OVERSIGHT OF ACCREDITING ENTITIES.—The Secretary shall—

(1) monitor the performance by each accrediting entity of its duties under section 202 and its compliance with the requirements of the Convention, this Act, other applicable laws, and implementing regulations under this Act; and

(2) suspend or cancel the designation of an accrediting entity found to be substantially out of compliance with the Convention, this Act, other applicable laws, or implementing regulations under this Act.

(b) SUSPENSION OR CANCELLATION OF ACCREDITATION OR APPROVAL.—

(1) SECRETARY'S AUTHORITY.—The Secretary shall suspend or cancel the accreditation or approval granted by an accrediting entity to an agency or person pursuant to section 202 when the Secretary finds that—

(A) the agency or person is substantially out of compliance with applicable requirements; and

(B) the accrediting entity has failed or refused, after consultation with the Secretary, to take appropriate enforcement action.

(2) CORRECTION OF DEFICIENCY.—At any time when the Secretary is satisfied that the deficiencies on the basis of which an adverse action is taken under paragraph (1) have been corrected, the Secretary shall—

(A) notify the accrediting entity that the deficiencies have been corrected; and

(B)(i) in the case of a suspension, terminate the suspension; or

(ii) in the case of a cancellation, notify the agency or person that the agency or person may re-apply to the accrediting entity for accreditation or approval.

(c) DEBARMENT.—

(1) SECRETARY'S AUTHORITY.—On the initiative of the Secretary, or on request of an accrediting entity, the Secretary may temporarily or permanently debar an agency from accreditation or a person from approval under this title, but only if—

(A) there is substantial evidence that the agency or person is out of compliance with applicable requirements; and

(B) there has been a pattern of serious, willful, or grossly negligent failures to comply or other aggravating circumstances indicating that continued accreditation or approval would not be in the best interests of the children and families concerned.

(2) PERIOD OF DEBARMENT.—The Secretary's debarment order shall state whether the debarment is temporary or permanent. If the debarment is temporary, the Secretary shall specify a date, not earlier than 3 years after the date of the order, on or after which the agency or person may apply to the Secretary for withdrawal of the debarment.

(3) EFFECT OF DEBARMENT.—An accrediting entity may take into account the circumstances of the debarment of an agency or person that has been debarred pursuant to this subsection in considering any subsequent application of the agency or person, or of any other entity in which the agency or person has an ownership or control interest, for accreditation or approval under this title.

(d) JUDICIAL REVIEW.—A person (other than a prospective adoptive parent), an agency, or an accrediting entity who is the subject of a final action of suspension, cancellation, or debarment by the Secretary under this title may petition the United States District Court for the District of Columbia or the United States district court in the judicial district in which the person resides or the agency or accrediting entity is located to set aside the action. The court shall review the action in accordance with section 706 of title 5, United States Code.

(e) FAILURE TO ENSURE A FULL AND COMPLETE HOME STUDY.—

(1) IN GENERAL.—Willful, grossly negligent, or repeated failure to ensure the completion and transmission of a background report (home study) that fully complies with the requirements of section 203(b)(1)(A)(ii) shall constitute substantial noncompliance with applicable requirements.

(2) REGULATIONS.—Regulations promulgated under section 203 shall provide for—

(A) frequent and careful monitoring of compliance by agencies and approved persons with the requirements of section 203(b)(A)(ii); and

(B) consultation between the Secretary and the accrediting entity where an agency or person has engaged in substantial noncompliance with the requirements of section 203(b)(A)(ii), unless the accrediting entity has taken appropriate corrective action and the noncompliance has not recurred.

(3) REPEATED FAILURES TO COMPLY.—Repeated serious, willful, or grossly negligent failures to comply with the requirements of section 203(b)(1)(A)(ii) by an agency or person after consultation between Secretary and the accrediting entity with respect to previous noncompliance by such agency or person shall constitute a pattern of serious, willful, or grossly negligent failures to comply under subsection (c)(1)(B).

(4) FAILURE TO COMPLY WITH CERTAIN REQUIREMENTS.—A failure to comply with the requirements of section 203(b)(1)(A)(ii) shall constitute a serious failure to comply under subsection (c)(1)(B) unless it is shown by clear and convincing evidence that such noncompliance had neither the purpose nor the effect of determining the outcome of a decision or proceeding by a court or other competent authority in the United States or the child's country of origin.

SEC. 205. STATE PLAN REQUIREMENT.

Section 422(b) of the Social Security Act (42 U.S.C. 622(b)) is amended—

(1) in paragraph (11), by striking ''and'' at the end;

(2) in paragraph (12), by striking ''children.'' and inserting ''children;''; and

(3) by adding at the end the following new paragraphs:

''(13) contain a description of the activities that the State has undertaken for children adopted from other countries, including the provision of adoption and post-adoption services; and

''(14) provide that the State shall collect and report information on children who are adopted from other countries and who enter into State custody as a result of the disruption of a placement for adoption or the dissolution of an adoption, including the number of children, the agencies who handled the placement or adoption, the plans for the child, and the reasons for the disruption or dissolution.''.

TITLE III—RECOGNITION OF CONVENTION ADOPTIONS IN THE UNITED STATES

SEC. 301. ADOPTIONS OF CHILDREN IMMIGRATING TO THE UNITED STATES.

(a) LEGAL EFFECT OF CERTIFICATES ISSUED BY THE SECRETARY OF STATE.—

(1) ISSUANCE OF CERTIFICATES BY THE SECRETARY OF STATE.—The Secretary of State shall, with respect to each Convention adoption, issue a certificate to the adoptive citizen parent domiciled in the United States that the adoption has been granted or, in the case of a prospective adoptive citizen parent, that legal custody of the child has been granted to the citizen parent for purposes of emigration and adoption, pursuant to the Convention and this Act, if the Secretary of State—

(A) receives appropriate notification from the central authority of such child's country of origin; and

(B) has verified that the requirements of the Convention and this Act have been met with respect to the adoption.

(2) LEGAL EFFECT OF CERTIFICATES.—If appended to an original adoption decree, the certificate described in paragraph (1) shall be treated by Federal and State agencies, courts, and other public and private persons and entities as conclusive evidence of the facts certified therein and shall constitute the certification required by section 204(d)(2) of the Immigration and Nationality Act, as amended by this Act.

(b) LEGAL EFFECT OF CONVENTION ADOPTION FINALIZED IN ANOTHER CONVENTION COUNTRY.—A final adoption in another Convention country, certified by the Secretary of State pursuant to subsection (a) of this section or section 303(c), shall be recognized as a final valid adoption for purposes of all Federal, State, and local laws of the United States.

(c) CONDITION ON FINALIZATION OF CONVENTION ADOPTION BY STATE COURT.—In the case of a child who has entered the United States from another Convention country for the purpose of adoption, an order declaring the adoption final shall not be entered unless the Secretary of State has issued the certificate provided for in subsection (a) with respect to the adoption.

SEC. 302. IMMIGRATION AND NATIONALITY ACT AMENDMENTS RELATING TO CHILDREN ADOPTED FROM CONVENTION COUNTRIES.

(a) DEFINITION OF CHILD.—Section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; or''; and

(3) by adding after subparagraph (F) the following new subparagraph:

''(G) a child, under the age of sixteen at the time a petition is filed on the child's behalf to accord a classification as an immediate relative under section 201(b), who has been adopted in a foreign state that is a party to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption done at The Hague on May 29, 1993, or who is emigrating from such a foreign state to be adopted in the United States, by a United States citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age—

''(i) if—

''(I) the Attorney General is satisfied that proper care will be furnished the child if admitted to the United States;

''(II) the child's natural parents (or parent, in the case of a child who has one sole or surviving parent because of the death or disappearance of, abandonment or desertion by, the other parent), or other persons or institutions that retain legal custody of the child, have freely given their written irrevocable consent to the termination of their legal relationship with the child, and to the child's emigration and adoption;

''(III) in the case of a child having two living natural parents, the natural parents are incapable of providing proper care for the child;

''(IV) the Attorney General is satisfied that the purpose of the adoption is to form a bona fide parent-child relationship, and the parent-child relationship of the child and the biological parents has been terminated; and

''(V) in the case of a child who has not been adopted—

''(aa) the competent authority of the foreign state has approved the child's emigration to the United States for the purpose of adoption by the prospective adoptive parent or parents; and

''(bb) the prospective adoptive parent or parents has or have complied with any pre-adoption requirements of the child's proposed residence; and

''(ii) except that no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act.''.

(b) APPROVAL OF PETITIONS.—Section 204(d) of the Immigration and Nationality Act (8 U.S.C. 1154(d)) is amended—

(1) by striking ''(d)'' and inserting ''(d)(1)'';

(2) by striking ''section 101(b)(1)(F)'' and inserting ''subparagraph (F) or (G) of section 101(b)(1)''; and

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

''(2) Notwithstanding the provisions of subsections (a) and (b), no petition may be approved on behalf of a child defined in section 101(b)(1)(G) unless the Secretary of State has certified that the central authority of the child's country of origin has notified the United States central authority under the convention referred to in such section 101(b)(1)(G) that a United States citizen habitually resident in the United States has effected final adoption of the child, or has been granted custody of the child for the purpose of emigration and adoption, in accordance with such convention and the Intercountry Adoption Act of 2000.''.

(c) DEFINITION OF PARENT.—Section 101(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(2)) is amended by inserting ''and paragraph (1)(G)(i)'' after ''second proviso therein)''.

SEC. 303. ADOPTIONS OF CHILDREN EMIGRATING FROM THE UNITED STATES.

(a) DUTIES OF ACCREDITED AGENCY OR APPROVED PERSON.—In the case of a Convention adoption involving the emigration of a child residing in the United States to a foreign country, the accredited agency or approved person providing adoption services, or the prospective adoptive parent or parents acting on their own behalf (if permitted by the laws of such other Convention country in which they reside and the laws of the State in which the child resides), shall do the following:

(1) Ensure that, in accordance with the Convention—

(A) a background study on the child is completed;

(B) the accredited agency or approved person—

(i) has made reasonable efforts to actively recruit and make a diligent search for prospective adoptive parents to adopt the child in the United States; and

(ii) despite such efforts, has not been able to place the child for adoption in the United States in a timely manner; and

(C) a determination is made that placement with the prospective adoptive parent or parents is in the best interests of the child.

(2) Furnish to the State court with jurisdiction over the case—

(A) documentation of the matters described in paragraph (1);

(B) a background report (home study) on the prospective adoptive parent or parents (including a criminal background check) prepared in accordance with the laws of the receiving country; and

(C) a declaration by the central authority (or other competent authority) of such other Convention country—

(i) that the child will be permitted to enter and reside permanently, or on the same basis as the adopting parent, in the receiving country; and

(ii) that the central authority (or other competent authority) of such other Convention country consents to the adoption, if such consent is necessary under the laws of such country for the adoption to become final.

(3) Furnish to the United States central authority—

(A) official copies of State court orders certifying the final adoption or grant of custody for the purpose of adoption;

(B) the information and documents described in paragraph (2), to the extent required by the United States central authority; and

(C) any other information concerning the case required by the United States central authority to perform the functions specified in subsection (c) or otherwise to carry out the duties of the United States central authority under the Convention.

(b) CONDITIONS ON STATE COURT ORDERS.—An order declaring an adoption to be final or granting custody for the purpose of adoption in a case described in subsection (a) shall not be entered unless the court—

(1) has received and verified to the extent the court may find necessary—

(A) the material described in subsection (a)(2); and

(B) satisfactory evidence that the requirements of Articles 4 and 15 through 21 of the Convention have been met; and

(2) has determined that the adoptive placement is in the best interests of the child.

(c) DUTIES OF THE SECRETARY OF STATE.—In a case described in subsection (a), the Secretary, on receipt and verification as necessary of the material and information described in subsection (a)(3), shall issue, as applicable, an official certification that the child has been adopted or a declaration that custody for purposes of adoption has been granted, in accordance with the Convention and this Act.

(d) FILING WITH REGISTRY REGARDING NON-CONVENTION ADOPTIONS.—Accredited agencies, approved persons, and other persons, including governmental authorities, providing adoption services in an intercountry adoption not subject to the Convention that involves the emigration of a child from the United States shall file information required by regulations jointly issued by the Attorney General and the Secretary of State for purposes of implementing section 102(e).

TITLE IV—ADMINISTRATION AND ENFORCEMENT

SEC. 401. ACCESS TO CONVENTION RECORDS.

(a) PRESERVATION OF CONVENTION RECORDS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General, shall issue regulations that establish procedures and requirements in accordance with the Convention and this section for the preservation of Convention records.

(2) APPLICABILITY OF NOTICE AND COMMENT RULES.—Subsections (b), (c), and (d) of section 553 of title 5, United States Code, shall apply in the development and issuance of regulations under this section.

(b) ACCESS TO CONVENTION RECORDS.—

(1) PROHIBITION.—Except as provided in paragraph (2), the Secretary or the Attorney General may disclose a Convention record, and access to such a record may be provided in whole or in part, only if such record is maintained under the authority of the Immigration and Nationality Act and disclosure of, or access to, such record is permitted or required by applicable Federal law.

(2) EXCEPTION FOR ADMINISTRATION OF THE CONVENTION.—A Convention record may be disclosed, and access to such a record may be provided, in whole or in part, among the Secretary, the Attorney General, central authorities, accredited agencies, and approved persons, only to the extent necessary to administer the Convention or this Act.

(3) PENALTIES FOR UNLAWFUL DISCLOSURE.—Unlawful disclosure of all or part of a Convention record shall be punishable in accordance with applicable Federal law.

(c) ACCESS TO NON-CONVENTION RECORDS.—Disclosure of, access to, and penalties for unlawful disclosure of, adoption records that are not Convention records, including records of adoption proceedings conducted in the United States, shall be governed by applicable State law.

SEC. 402. DOCUMENTS OF OTHER CONVENTION COUNTRIES.

Documents originating in any other Convention country and related to a Convention adoption case shall require no authentication in order to be admissible in any Federal, State, or local court in the United States, unless a specific and supported claim is made that the documents are false, have been altered, or are otherwise unreliable.

SEC. 403. AUTHORIZATION OF APPROPRIATIONS; COLLECTION OF FEES.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to agencies of the Federal Government implementing the Convention and the provisions of this Act.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

(b) ASSESSMENT OF FEES.—

(1) The Secretary may charge a fee for new or enhanced services that will be undertaken by the Department of State to meet the requirements of this Act with respect to intercountry adoptions under the Convention and comparable services with respect to other intercountry adoptions. Such fee shall be prescribed by regulation and shall not exceed the cost of such services.

(2) Fees collected under paragraph (1) shall be retained and deposited as an offsetting collection to any Department of State appropriation to recover the costs of providing such services.

(3) Fees authorized under this section shall be available for obligation only to the extent and in the amount provided in advance in appropriations Acts.

(c) RESTRICTION.—No funds collected under the authority of this section may be made available to an accrediting entity to carry out the purposes of this Act.

SEC. 404. ENFORCEMENT.

(a) CIVIL PENALTIES.—Any person who—

(1) violates section 201;

(2) makes a false or fraudulent statement, or misrepresentation, with respect to a material fact, or offers, gives, solicits, or accepts inducement by way of compensation, intended to influence or affect in the United States or a foreign country—

(A) a decision by an accrediting entity with respect to the accreditation of an agency or approval of a person under title II;

(B) the relinquishment of parental rights or the giving of parental consent relating to the adoption of a child in a case subject to the Convention; or

(C) a decision or action of any entity performing a central authority function; or

(3) engages another person as an agent, whether in the United States or in a foreign country, who in the course of that agency takes any of the actions described in paragraph (1) or (2),

shall be subject, in addition to any other penalty that may be prescribed by law, to a civil money penalty of not more than $50,000 for a first violation, and not more than $100,000 for each succeeding violation.

(b) CIVIL ENFORCEMENT.—

(1) AUTHORITY OF ATTORNEY GENERAL.—The Attorney General may bring a civil action to enforce subsection (a) against any person in any United States district court.

(2) FACTORS TO BE CONSIDERED IN IMPOSING PENALTIES.—In imposing penalties the court shall consider the gravity of the violation, the degree of culpability of the defendant, and any history of prior violations by the defendant.

(c) CRIMINAL PENALTIES.—Whoever knowingly and willfully violates paragraph (1) or (2) of subsection (a) shall be subject to a fine of not more than $250,000, imprisonment for not more than 5 years, or both.

TITLE V—GENERAL PROVISIONS

SEC. 501. RECOGNITION OF CONVENTION ADOPTIONS.

Subject to Article 24 of the Convention, adoptions concluded between two other Convention countries that meet the requirements of Article 23 of the Convention and that became final before the date of entry into force of the Convention for the United States shall be recognized thereafter in the United States and given full effect. Such recognition shall include the specific effects described in Article 26 of the Convention.

SEC. 502. SPECIAL RULES FOR CERTAIN CASES.

(a) AUTHORITY TO ESTABLISH ALTERNATIVE PROCEDURES FOR ADOPTION OF CHILDREN BY RELATIVES.—To the extent consistent with the Convention, the Secretary may establish by regulation alternative procedures for the adoption of children by individuals related to them by blood, marriage, or adoption, in cases subject to the Convention.

(b) WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, to the extent consistent with the Convention, the Secretary may, on a case-by-case basis, waive applicable requirements of this Act or regulations issued under this Act, in the interests of justice or to prevent grave physical harm to the child.

(2) NONDELEGATION.—The authority provided by paragraph (1) may not be delegated.

SEC. 503. RELATIONSHIP TO OTHER LAWS.

(a) PREEMPTION OF INCONSISTENT STATE LAW.—The Convention and this Act shall not be construed to preempt any provision of the law of any State or political subdivision thereof, or prevent a State or political subdivision thereof from enacting any provision of law with respect to the subject matter of the Convention or this Act, except to the extent that such provision of State law is inconsistent with the Convention or this Act, and then only to the extent of the inconsistency.

(b) APPLICABILITY OF THE INDIAN CHILD WELFARE ACT.—The Convention and this Act shall not be construed to affect the application of the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).

(c) RELATIONSHIP TO OTHER LAWS.—Sections 3506(c), 3507, and 3512 of title 44, United States Code, shall not apply to information collection for purposes of sections 104, 202(b)(4), and 303(d) of this Act or for use as a Convention record as defined in this Act.

SEC. 504. NO PRIVATE RIGHT OF ACTION.

The Convention and this Act shall not be construed to create a private right of action to seek administrative or judicial relief, except to the extent expressly provided in this Act.

SEC. 505. EFFECTIVE DATES; TRANSITION RULE.

(a) EFFECTIVE DATES.—

(1) PROVISIONS EFFECTIVE UPON ENACTMENT.—Sections 2, 3, 101 through 103, 202 through 205, 401(a), 403, 503, and 505(a) shall take effect on the date of the enactment of this Act.

(2) PROVISIONS EFFECTIVE UPON THE ENTRY INTO FORCE OF THE CONVENTION.—Subject to subsection (b), the provisions of this Act not specified in paragraph (1) shall take effect upon the entry into force of the Convention for the United States pursuant to Article 46(2)(a) of the Convention.

(b) TRANSITION RULE.—The Convention and this Act shall not apply—

(1) in the case of a child immigrating to the United States, if the application for advance processing of an orphan petition or petition to classify an orphan as an immediate relative for the child is filed before the effective date described in subsection (a)(2); or

(2) in the case of a child emigrating from the United States, if the prospective adoptive parents of the child initiated the adoption process in their country of residence with the filing of an appropriate application before the effective date described in subsection (a)(2).

HOUSE AMENDMENT TO SENATE AMENDMENT:

Page 36, strike lines 22 and 23 and insert ''and the natural parents has been terminated (and in carrying out both obligations under this subclause the Attorney General may consider whether there is a petition pending to confer immigrant status on one or both of such natural parents); and''.

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

Mr. DELAHUNT. Mr. Speaker, reserving the right to object, and I shall not object, I yield to the gentleman from New York (Mr. GILMAN) to describe the amendment.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. DELAHUNT) for yielding. We have reached an agreement with the Senate on H.R. 2909, the Intercountry Adoption Act. The Senate made modest amendments to this bill which the House passed on July 18, 2000, and the bill we are taking up today includes a further modification as proposed by the House Committee on the Judiciary.

This amendment has been agreed to by the relevant committees on both sides of the aisle and it is acceptable to the Senate as well. This amendment simply clarifies that the Attorney General, in carrying out obligations to satisfy herself that the purpose of a particular adoption is to form a bona fide parent/child relationship in the parent/child relationship of the child and the natural parents has been terminated, may consider whether there is a petition pending to confer immigrant status on one or both birth parents.

The pendency of such a petition may have negative evidentiary value on these issues before the Attorney General. We, therefore, think that this is a reasonable addition to the bill. Accordingly, I urge my colleagues to support this measure.

I want to thank the gentleman from Massachusetts (Mr. DELAHUNT) for his leadership on this bill.

Mr. DELAHUNT. Mr. Speaker, further reserving the right to object, I am very glad to join my good friend, the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, in urging support for this bill. I understand the other body has agreed to accept this amendment, and I want to express my appreciation to the chairman of the Subcommittee on Immigration and Claims, the gentleman from Texas (Mr. SMITH); the full chairman of the full Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE); and Senators ABRAHAM, KENNEDY and LANDRIEU for all of their efforts to help us resolve the impasse over these final amendments to this important legislation.

The Hague Convention on Intercountry Adoption is of enormous importance to adopted kids and their families, and this implementing legislation is absolutely critical to ensuring that both parents and adoptive families can participate in the intercountry adoption process with full confidence and a greater sense of security.

I want to thank the gentleman from New York (Mr. GILMAN), the ranking member; the gentleman from Connecticut (Mr. GEJDENSON); the gentlewoman from Connecticut (Mrs. JOHNSON); the gentleman from Michigan (Mr. CAMP), who has worked so hard on so many issues dealing with adoption, and the many other Members on both sides of the aisle who have worked so hard on behalf of this legislation.

Again, I want to thank Senators HELMS, BIDEN and LANDRIEU for working with us in such a bipartisan and bicameral fashion to achieve this splendid result.

Finally, Mr. Speaker, I would be remiss if I did not express my appreciation to a number of staff members without whose dedication and persistence we would not be standing here today. So let me name Kristen Gilley, who is here with us, and David Abramowitz of the Committee on International Relations; Cassie Bevan of the House Committee on Ways and Means staff; George Fishman and Peter Levinson of the Committee on the Judiciary staff; and my own legislative director, Mr. Mark Agrast.

Mr. Speaker, I am very happy to withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

There was no objection.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

WHY THE UNITED STATES DOES NOT OWE DUES TO THE UNITED NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. BARTLETT) is recognized for 5 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, I want to talk for a few minutes this evening about U.N. dues. I am not going to talk about the proposal of the U.N. to levy taxes on the countries of the world, including ours, which frightens a number of our people. Indeed, that is frightening. I am not going to talk about the proposal that

the U.N. have its own army, and I know that there are those and some of them from our country in the past and at present who genuinely feel that the world would be a safer place if the U.N. had the largest army in the world and, therefore, could keep the peace. I am frightened by that prospect, and I know a number of our people are.

I am not going to talk about U.N. resolutions which once they are made have the effect of law, which have the effect of setting our laws aside and actually sometimes have the effect of setting our Constitution aside. Of course, that should be unthinkable but it has happened and we need to talk about that, but I am not going to talk about that because I am sure that others will this evening.

I am also not going to talk about whether the U.N. is effective or not, whether it really meets the promise that we held for the U.N. when it was established a number of years ago. I am not going to talk about whether the U.N. should be expanded or not. I understand they want 10 new floors on their building. They are already a monstrous bureaucracy. I am not sure being a bigger one would make them more effective.

I am not going to talk either about whether it is in our vital national security interests to continue to be a part of the U.N. That needs to be debated. I hope it will be debated across the countries; and others, this evening, I am sure will cover that subject. I am also not going to talk about whether 25 percent dues and 31.5 percent for peacekeeping is a fair share for the United States. I do not think we have 25 percent of the vote or 31.5 percent of the vote. As a matter of fact, when one looks at our vote, the U.N. has threatened to remove our vote because we have not paid our dues; that is, our vote in the General Assembly.

Let us just look at that vote for a moment and what it would mean if we did not have a vote in the General Assembly. We have less than 1 percent of the vote cast in the General Assembly, and there are a number of countries, we could easily name 15 or 20 countries, that if we vote yes they vote no and some of those countries have less citizens than the District of Columbia, and so they can cancel our vote in the U.N. What does our vote mean in the General Assembly?

It means very little, obviously, if it can be cancelled by a half dozen countries that have no more population than the District of Columbia.

The only vote in the U.N. that has any importance for us is our vote on the Security Council of the U.N. and they cannot remove that vote for not paying dues.

What I do want to talk about is a lonely fight that I waged here for several years to keep us from paying dues that we had already paid a number of times over. What I am talking about is the enormous cost of peacekeeping operations which we have borne. Three agencies of the government have looked at these costs, the CRS, Congressional Research Service; GAO, the Government Accounting Office; and the Pentagon.

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They have all reached essentially the same conclusions, that we have spent about $19 billion on peacekeeping activities since 1992. Now, we have been credited with $1.8 billion of that against U.N. dues, so a precedent has already been made, that if we spend money on an authorized U.N. peacekeeping activity that those monies that we have spent there are in lieu of dues; that is, they could replace dues. They only did that, though, with $1.8 billion. There is about another $17 billion that is still out there that we have received no credit for.

All I wanted was a very simple thing, which was an accounting of the dues that we owe. I was not arguing whether 25 percent was too much or 31 percent of peacekeeping was too much; my only argument was that we needed to get credit for what we have spent on legitimate peacekeeping activities. I think that most Americans when they hear that argument say, well, of course, it makes sense, that if we are sending our military there, if we are using our resources there in the pursuit of a U.N. resolution, an authorized U.N. activity, that we should be given credit for the monies that we spend doing that. We have been given credit for $1.8 billion, but what about the other roughly $17 billion?

Mr. Speaker, that needs to be accounted for before we pay another dime in U.N. dues.

RACIAL PROFILING IN MODERN AMERICA

The SPEAKER pro tempore (Mr. HULSHOF). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, the Congressional Black Caucus held its annual meeting and events this past week. I rise this evening to speak about an issue that has unusual resonance, as one can see everywhere one goes where there are significant numbers of African Americans.

Vice President GORE spoke at Howard University and again Saturday evening to the Congressional Black Caucus dinner participants. At both places he briefly mentioned racial profiling. No issue, animated the mostly African American audience more than the mention of racial profiling. At Howard University, the Vice President had a moment of silence for Prince Jones, a student at Howard University who was followed by police from Maryland into Virginia, apparently stopped; he backed his car into the police car and was shot many times in the back.

The Vice President was careful to say that it was a case still under investigation; none of us had any way to know whether there was provocation for this. The students, of course, were up in arms that this model student at Howard University, a young man whose reputation was impeccable, was shot down this way.

The point I want to make here is not that the police were wrong, but that we have come to a point in the African American community where racial profiling is so widespread that nobody believes that anyone who was shot was doing anything, because there have been so many instances of black people in every class of every kind and of every profession being followed simply because they were black.

Mr. Speaker, what this amounts to is a loss of confidence in a vital part of the criminal justice system, and this at a time when African Americans have embraced the police because of crime rates in the African American community.

But look at what they see. Wholesale of police brutality incidents reported. Sentencing rules for small time drug offenses with a disproportionate racial impact so severe that in the Federal system, sentencing guidelines have been repudiated by much of the Federal judiciary. The use of the death penalty, whose racial consequences have shaken the American public, led to a moratorium in some of the States; and now we have the Justice Department reporting that even in the Federal system on death row, there are disproportionate numbers of African Americans.

Mr. Speaker, nobody wants to see the criminal justice system held up to anything but the highest praise from us all, particularly at a time when our crime rates, though going down; there was a 10 percent reduction in crime in this country since last year, are still far too high and the highest in the western world. But if we wanted to begin somewhere to restore confidence in the criminal justice system, surely we would begin with the notion that when a black person goes out on the street and walks down the street, there ought to be more than that to have him picked up or followed. That is what we have come to. There has been so much concern about the way crime escalated in the early 1990s, that though we have brought it down, we have this terrible residue.

We recognize that there are disproportionate numbers of African Americans who, in fact, have been picked up and put in jail. All the more reason to be careful about branding folks who have abided by the rules and done what they should do. Imagine how mothers of young African Americans in their 20s, I am one who has a son, finished college in 4 years, now works at ABC Sports, is doing what he is supposed to do, I do not know in New York City where he works, when he will get stopped, because, in fact, the stops there and elsewhere have been so frequent.

Frankly, I love the cops. I love the Capitol Police, I love the D.C. police

and I do not know what I would do without them; I am struggling to get more of them on the streets. We have coordinated police so that Federal police and D.C. police work together. I think it is most unfair that we have not found a way to go at this so that we can restore confidence in the police, not lose that confidence right when we need to all gather in a circle around the police, thank them for what they do and ask them to do more of what they do. They put their lives on the line.

Mr. Speaker, States and cities need to do more to arrest racial profiling and police brutality. In the next session of Congress we need bills to help the States and cities do more. I promise to be a part of that effort.

AMERICA'S ROLE IN THE UNITED NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, over a half a century has transpired since the United States of America became a member of the United Nations. Purporting to act pursuant to the treaty powers of the Constitution, the President of the United States signed, and the United States Senate ratified, the charter of the United Nations. Yet, the debate in government circles over the United Nations' charter scarcely has touched on the question of the constitutional power of the United States to enter such an agreement. Instead, the only questions addressed concerned the respective roles that the President and Congress would assume upon the implementation of that charter.

On the one hand, some proposed that once the charter of the United States was ratified, the President of the United States would act independently of Congress pursuant to his executive prerogatives to conduct the foreign affairs of the Nation. Others insisted, however, that the Congress played a major role of defining foreign policy, especially because that policy implicated the power to declare war, a subject reserved strictly to Congress by Article I, Section 8 of the U.S. Constitution.

At first, it appeared that Congress would take control of America's participation in the United Nations. But in the enactment of the United Nations' participation act on December 20, 1945, Congress laid down several rules by which America's participation would be governed. Among those rules was the requirement that before the President of the United States could deploy United States Armed Forces in service of the United Nations, he was required to submit to Congress for its specific approval the numbers and types of Armed Forces, their degree of readiness and general location, and the nature of the facilities and assistance including rights of passage to be made available to the United Nations Security Council on its call for the purpose of maintaining international peace and security.

Since the passage of the United Nations Participation Act, however, congressional control of presidential foreign policy initiatives, in cooperation with the United Nations, has been more theoretical than real. Presidents from Truman to the current President have again and again presented Congress with already-begun military actions, thus forcing Congress's hand to support United States troops or risk the accusation of having put the Nation's servicemen and service women in unnecessary danger. Instead of seeking congressional approval of the use of the United States Armed Forces in service of the United Nations, presidents from Truman to Clinton have used the United Nations Security Council as a substitute for congressional authorization of the deployment of United States Armed Forces in that service.

This transfer of power from Congress to the United Nations has not, however, been limited to the power to make war. Increasingly, Presidents are using the U.N. not only to implement foreign policy in pursuit of international peace, but also domestic policy in pursuit of international, environmental, economic, education, social welfare and human rights policy, both in derogation of the legislative prerogatives of Congress and of the 50 State legislatures, and further in derogation of the rights of the American people to constitute their own civil order.

As Cornell University government professor Jeremy Rabkin has observed, although the U.N. charter specifies that none of its provisions ''shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State,'' nothing has ever been found so ''essentially domestic'' as to exclude U.N. intrusions.

The release in July 2000 of the U.N. Human Development Report provides unmistakable evidence of the universality of the United Nations' jurisdictional claims. Boldly proclaiming that global integration is eroding national borders, the report calls for the implementation and, if necessary, the imposition of global standards of economic and social justice by international agencies and tribunals. In a special contribution endorsing this call for the globalization of domestic policymaking, United Nations Secretary General Kofi Annan wrote, ''Above all, we have committed ourselves to the idea that no individual shall have his or her human rights abused or ignored. The idea is enshrined in the charter of the United Nations. The United Nations' achievements in the area of human rights over the last 50 years are rooted in the universal acceptance of those rights enumerated in the Universal Declaration of Rights. Emerging slowly, but I believe, surely, is an international norm,'' and this is Annan's words, ''that must and will take precedence over concerns of State sovereignty.''

Although such a wholesale transfer of United States sovereignty to the United Nations as envisioned by Secretary General Annan has not yet come to pass, it will, unless Congress takes action.

Mr. Speaker, H.R. 1146, the American Sovereignty Restoration Act is my answer to this problem.

To date, Congress has attempted to curb the abuse of power of the United Nations by urging the United Nations to reform itself, threatening the nonpayment of assessments and dues allegedly owed by the United States and thereby cutting off the United Nations' major source of funds. America's problems with the United Nations will not, however, be solved by such reform measures. The threat posed by the United Nations to the sovereignty of the United States and independence is not that the United Nations is currently plagued by a bloated and irresponsible international bureaucracy. Rather, the threat arises from the United Nation's Charter which—from the beginning—was a threat to sovereignty protections in the U.S. Constitution. The American people have not, however, approved of the Charter of the United Nations which, by its nature, cannot be the supreme law of the land for it was never ''made under the Authority of the U.S.,'' as required by Article VI.

H.R. 1146—The American Sovereignty Restoration Act of 1999 is my solution to the continued abuses of the United Nations. The U.S. Congress can remedy its earlier unconstitutional action of embracing the Charter of the United Nations by enacting H.R. 1146. The U.S. Congress, by passing H.R. 1146, and the U.S. president, by signing H.R. 1146, will heed the wise counsel of our first president, George Washington, when he advised his countrymen to ''steer clear of permanent alliances with any portion of the foreign world,'' lest the nation's security and liberties be compromised by endless and overriding international commitments.

AN EXCERPT FROM HERBERT W. TITUS' CONSTITUTIONAL ANALYSIS OF THE UNITED NATIONS

In considering the recent United Nations meetings and the United States' relation to that organization and its affront to U.S. sovereignty, we would all do well to read carefully Professor Herbert W. Titus' paper on the United Nations of which I have provided this excerpt:

It is commonly assumed that the Charter of the United Nations is a treaty. It is not. Instead, the Charter of the United Nations is a constitution. As such, it is illegitimate, having created a supranational government, deriving its powers not from the consent of the governed (the people of the United States of America and peoples of other member nations) but from the consent of the peoples' government officials who have no authority to bind either the American people nor any other nation's people to any terms of the Charter of the United Nations.

By definition, a treaty is a contract between or among independent and sovereign nations, obligatory on the signatories only when made by competent governing authorities in accordance with the powers constitutionally conferred upon them. I Kent, Commentaries on American Law 163 (1826); Burdick, The Law of the American Constitution section 34 (1922) Even the United Nations Treaty Collection states that a treaty is (1)

a binding instrument creating legal rights and duties (2) concluded by states or international organizations with treaty-making power (3) governed by international law.

By contrast, a charter is a constitution creating a civil government for a unified nation or nations and establishing the authority of that government. Although the United Nations Treaty Collection defines a ''charter'' as a ''constituent treaty,'' leading international political authorities state that ''[t]he use of the word 'Charter' [in reference to the founding document of the United Nations] . . . emphasizes the constitutional nature of this instrument.'' Thus, the preamble to the Charter of the United Nations declares ''that the Peoples of the United Nations have resolved to combine their efforts to accomplish certain aims by certain means.'' The Charter of the United Nations: A Commentary 46 (B. Simma, ed.) (Oxford Univ. Press, NY: 1995) (Hereinafter U.N. Charter Commentary). Consistent with this view, leading international legal authorities declare that the law of the Charter of the United Nations which governs the authority of the United Nations General Assembly and the United Nations Security Council is ''similar . . . to national constitutional law,'' proclaiming that ''because of its status as a constitution for the world community,'' the Charter of the United Nations must be construed broadly, making way for ''implied powers'' to carry out the United Nations' ''comprehensive scope of duties, especially the maintenance of international peace and security and its orientation towards international public welfare.'' Id. at 27

The United Nations Treaty Collection confirms the appropriateness of this ''constitutional interpretive'' approach to the Charter of the United Nations with its statement that the charter may be traced ''back to the Magna Carta (the Great Charter) of 1215,'' a national constitutional document. As a constitutional document, the Magna Carta not only bound the original signatories, the English barons and the king, but all subsequent English rulers, including Parliament, conferring upon all Englishmen certain rights that five hundred years later were claimed and exercised by the English people who had colonized America.

A charter, then, is a covenant of the people and the civil rulers of a nation in perpetuity. Sources of Our Liberties 1–10 (R. Perry, ed.) (American Bar Foundation: 1978) As Article 1 of Magna Carta, puts it:

We have granted moreover to all free men of our kingdom for us and our heirs forever all liberties written below, to be had and holden by themselves and their heirs from us and our heirs.

In like manner, the Charter of the United Nations is considered to be a permanent ''constitution for the universal society,'' and consequently, to be construed in accordance with its broad and unchanging ends but in such a way as to meet changing times and changing relations among the nations and peoples of the world. U.N. Charter Commentary at 28–44.

According to the American political and legal tradition and the universal principles of constitution making, a perpetual civil covenant or constitution, obligatory on the people and their rulers throughout the generations, must, first, be proposed in the name of the people and, thereafter, ratified by the people's representatives elected and assembled for the sole purpose of passing on the terms of a proposed covenant. See 4 The Founders' Constitution 647–58 (P. Kurland and R. Lerner, eds.) (Univ. Chicago. Press: 1985). Thus, the preamble of the Constitution of the United States of America begins with ''We the People of the United States'' and Article VII provides for ratification by state conventions composed of representatives of the people elected solely for that purpose. Sources of Our Liberties 408, 416, 418–21 (R. Perry, ed.) (ABA Foundation, Chicago: 1978)

Taking advantage of the universal appeal of the American constitutional tradition, the preamble of the Charter of the United Nations opens with ''We the peoples of the United Nations.'' But, unlike the Constitution of the United States of America, the Charter of the United Nations does not call for ratification by conventions of the elected representatives of the people of the signatory nations. Rather, Article 110 of the Charter of the United Nations provides for ratification ''by the signatory states in accordance with their respective constitutional processes.'' Such a ratification process would have been politically and legally appropriate if the charter were a mere treaty. But the Charter of the United Nations is not a treaty; it is a constitution.

First of all, Charter of the United Nations, executed as an agreement in the name of the people, legally and politically displaced previously binding agreements upon the signatory nations. Article 103 provides that ''[i]n the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.'' Because the 1787 Constitution of the United States of America would displace the previously adopted Articles of Confederation under which the United States was being governed, the drafters recognized that only if the elected representatives of the people at a constitutional convention ratified the proposed constitution, could it be lawfully adopted as a constitution. Otherwise, the Constitution of the United States of America would be, legally and politically, a treaty which could be altered by any state's legislature as it saw fit. The Founders' Constitution, supra, at 648–52.

Second, an agreement made in the name of the people creates a perpetual union, subject to dissolution only upon proof of breach of covenant by the governing authorities whereupon the people are entitled to reconstitute a new government on such terms and for such duration as the people see fit. By contrast, an agreement made in the name of nations creates only a contractual obligation, subject to change when any signatory nation decides that the obligation is no longer advantageous or suitable. Thus, a treaty may be altered by valid statute enacted by a signatory nation, but a constitution may be altered only by a special amendatory process provided for in that document. Id. at 652.

Article V of the Constitution of the United States of America spells out that amendment process, providing two methods for adopting constitutional changes, neither of which requires unanimous consent of the states of the Union. Had the Constitution of the United States of America been a treaty, such unanimous consent would have been required. Similarly, the Charter of the United Nations may be amended without the unanimous consent of its member states. According to Article 108 of the Charter of the United Nations, amendments may be proposed by a vote of two-thirds of the United Nations General Assembly and may become effective upon ratification by a vote of two-thirds of the members of the United Nations, including all the permanent members of the United Nations Security Council. According to Article 109 of the Charter of the United Nations, a special conference of members of the United Nations may be called ''for the purpose of reviewing the present Charter'' and any changes proposed by the conference may ''take effect when ratified by two-thirds of the Members of the United Nations including all the permanent members of the Security Council.'' Once an amendment to the Charter of the United Nations is adopted then that amendment ''shall come into force for all Members of the United Nations,'' even those nations who did not ratify the amendment, just as an amendment to the Constitution of the United States of America is effective in all of the states, even though the legislature of a state or a convention of a state refused to ratify. Such an amendment process is totally foreign to a treaty. See Id., at 575–84.

Third, the authority to enter into an agreement made in the name of the people cannot be politically or legally limited by any preexisting constitution, treaty, alliance, or instructions. An agreement made in the name of a nation, however, may not contradict the authority granted to the governing powers and, thus, is so limited. For example, the people ratified the Constitution of the United States of America notwithstanding the fact that the constitutional proposal had been made in disregard to specific instructions to amend the Articles of Confederation, not to displace them. See Sources of Our Liberties 399–403 (R. Perry ed.) (American Bar Foundation: 1972). As George Mason observed at the Constitutional Convention in 1787, ''Legislatures have no power to ratify'' a plan changing the form of government, only ''the people'' have such power. 4 The Founders' Constitution, supra, at 651.

As a direct consequence of this original power of the people to constitute a new government, the Congress under the new constitution was authorized to admit new states to join the original 13 states without submitting the admission of each state to the 13 original states. In like manner, the Charter of the United Nations, forged in the name of the ''peoples'' of those nations, established a new international government with independent powers to admit to membership whichever nations the United Nations governing authorities chose without submitting such admissions to each individual member nation for ratification. See Charter of the United Nations, Article 4, Section 2. No treaty could legitimately confer upon the United Nations General Assembly such powers and remain within the legal and political definition of a treaty.

By invoking the name of the ''peoples of the United Nations,'' then, the Charter of the United Nations envisioned a new constitution creating a new civil order capable of not only imposing obligations upon the subscribing nations, but also imposing obligations directly upon the peoples of those nations. In his special contribution to the United Nations Human Development Report 2000, United Nations Secretary-General Annan made this claim crystal clear:

Even though we are an organization of Member States, the rights and ideals the United Nations exists to protect are those of the peoples. No government has the right to hide behind national sovereignty in order to violate the human rights or fundamental freedoms of its peoples. Human Development Report 2000 31 (July 2000) [Emphasis added.]

While no previous United Nations' secretary general has been so bold, Annan's proclamation of universal jurisdiction over ''human rights and fundamental freedoms'' simply reflects the preamble of the Charter of the United Nations which contemplated a future in which the United Nations operates in perpetuity ''to save succeeding generations from the scourge of ware . . . to reaffirm faith in fundamental human rights . . . to establish conditions under which justice . . . can be maintained, and to promote social progress and between standards of life in

larger freedom.'' Such lofty goals and objectives are comparable to those found in the preamble to the Constitution of the United States of America: ''to . . . establish Justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the Blessings of liberty to ourselves and our posterity . . .''

There is, however, one difference that must not be overlooked. The Constitution of the United States of America is a legitimate constitution, having been submitted directly to the people for ratification by their representatives elected and assembled solely for the purpose of passing on the terms of that document. The Charter of the United Nations, on the other hand, is an illegitimate constitution, having only been submitted to the Untied States Senate for ratification as a treaty. Thus, the Charter of the United Nations, not being a treaty, cannot be made the supreme law of our land by compliance with Article II, Section 2 of Constitution of the United States of America. Therefore, the Charter of the United Nations is neither politically nor legally binding upon the United States of America or upon its people.

Even considering the Charter of the United Nations as a treaty does not save it. The Charter of the United Nations would still be constitutionally illegitimate and void, because it transgresses the Constitution of the United States of America in three major respects:

(1) It unconstitutionally delegates the legislative power of Congress to initiate war and the executive power of the president to conduct war to the United Nation, a foreign entity;

(2) It unconstitutionally transfers the exclusive power to originate revenue-raising measures from the United States House of Representatives to the United Nations General Assembly; and

(3) It unconstitutionally robs the states of powers reserved to them by the Tenth Amendment of the Constitution of the United States of America.

It is time for this Congress to return to these time-honored American principles of liberty; not to put their hope in the promise of some international organization like the United Nations which would replace the Constitution of the United States of America with its Universal Declaration of Human Rights, thereby compromising American liberties in favor of government-imposed programs designed to enhance the economic and social well-being of peoples all around the world.

RESTORE FUNDING FOR INTERNATIONAL FAMILY PLANNING PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Mr. Speaker, in the past few weeks, thousands of doctors from the frontline in the global fight to save women's lives were here in our Nation's Capital as part of the International Federation of Gynecologists and Obstetricians conference. Many of these doctors have launched a petition drive urging the President and all of us to end the onerous gag rule that impedes their ability to treat their patients.

For these doctors, the death of some 600,000 women each year from pregnancy-related causes is not just a statistic. It represents their neighbors, their friends, their relatives, and their patients. It represents the fact that one out of every 48 pregnant women in their communities will not survive childbirth because of preventable complications. For these doctors, the fact that U.S. funding for international family planning and related reproductive health programs has declined 30 percent since 1995 has very real consequences.

Last week, we heard from Dr. Friday Okonofua, a physician that heads the Action Health Research Center in Nigeria, about his fight to save women and children's lives. In Nigeria, 50,000 women die annually from pregnancy and childbirth complication, 20,000 of these deaths from unsafe abortions.

□ 1915

This accounts for almost 10 percent of maternal deaths worldwide.

We also heard from Dr. Godfrey Mbaruka, an ob-gyn in Tanzania. When he started working in rural Tanzania 14 years ago, he worked in a hospital where there were only two beds for delivery. Many women in his clinic would deliver babies on the floor. He saw that women were dying in conditions that could have easily been prevented, dying from bleeding during and after delivery, and from convulsions during labor and from anemia.

He spoke about the simple changes that additional resources allowed him to make, such as training and basic supplies including contraceptives, that helped reduce maternal mortality in his clinic by 50 percent.

However, this hospital could not sustain this improvement. Resources for reproductive health care started to fall in rural Tanzania, just at the time when an influx of refugees, some 500,000, of which 70 percent are women and children, further drained their resources.

Then we heard from Dr. Enyantu Ifenne, a pediatrician from Nigeria, who spoke at the White House on World Health Day about the differences family planning makes in the lives of women in Nigeria.

She spoke about an adolescent girl, Jemala, who was married at 12 and pregnant at 13. Jemala did not have access to desperately needed reproductive health care. She was in labor for 4 days and suffered life-altering damage.

Jemala is not alone. Complications of pregnancy in childbirth are some of the leading causes of disability for women in developing countries.

These are just a few stories, but there are countless others from Colombia to Kenya, from Nigeria to Nepal. Although these countries are very different from one another, what unites them is the fact that in each one women are dying needlessly because of the lack of access to effective family planning programs.

Last November, Congress enacted the onerous global gag rule, which sought to stifle doctors and health providers from advocating for or against, with their own money, abortion reforms in their countries. The ob-gyns here in New York last week put it best when they said, ''We are at a loss to understand how it is that the U.S. is now exporting as a matter of foreign policy a position that may expose more women to unnecessary health risks.''

These doctors are calling on the United States to end the global gag rule because they cannot understand, as they said in their own words ''being subjected to such a policy that not only would never be tolerated within the United States, but would be unconstitutional if applied to citizens of America.''

Last week, we heard from Maria Isabel Plata, the executive director of Profamilia in Colombia, about how difficult it is to explain the gag rule to women in her country. In Colombia, unsafe abortion is the second leading cause of maternal mortality; and abortion is illegal, even in cases to save the life of the mother. Yet local organizations are afraid to talk to their policymakers about the impact of these laws on women's health.

Ms. Plata told us that women in her country now view the United States as a Nation that believes in two types of women: first, those who have human rights, those who can freely debate laws and policies in their own country; and, second, Colombian women who do not have those same basic human rights.

Mr. Speaker, for those who would question the value of U.S. dollars going overseas for family planning, for those of you who support the onerous global gag rule, I'd like you to consider the women of rural Tanzania; the adolescent girls from Nigeria; and all of the women around the world.

On behalf of the doctors on the front-line for women and children's health around the world, let's restore funding for international family planning programs without unconstitutional gag rules.

RELIGIOUS PERSECUTION OCCURRING IN TURKMENISTAN

The SPEAKER pro tempore (Mr. HULSHOF). Under a previous order of the House, the gentleman from Pennsylvania (Mr. PITTS) is recognized for 5 minutes.

Mr. PITTS. Mr. Speaker, as a member of the Helsinki Commission, and also as the Cochair of the Religious Prisoners Congressional Task Force, I rise today to speak on behalf of a young man who has had his human rights violated, a young man with a wife and five young children, a man who, because of the peaceful practice of his religious beliefs, is in prison in Turkmenistan.

In December of 1998, security officials arrested and imprisoned Mr. Shageldy Atakov, pursued trumped-up charges against him, and on March 19, 1999, Mr. Atakov was sentenced to 2 years in prison. Why? Simply because he decided to change his religion from Muslim to Christian.

Despite the fact that the government of Turkmenistan is a signatory to the Helsinki Accords and other international agreements, officials have blatantly violated Mr. Atakov's and other individuals' rights to freedom of conscience, freedom of speech, and the freedom of assembly.

Before KNB officials, that is the new name for the KGB, arrested Mr. Atakov, they, along with local religious community leaders, told him if he converted back to his previous religion, he would receive a car, a house and a good job, a great offer in a country like Turkmenistan where people make approximately $40 per month.

However, these community leaders and security officials made it clear that if Mr. Atakov refused this offer, they would ''find'' charges against him and ensure that he was imprisoned. Over a 2-month period, various officials visited Mr. Atakov to repeat this offer and threats. In one of the visits, secret police officials said he would be imprisoned and ''we will quickly force you into silence.''

The KNB secret police have tried to silence Mr. Atakov in prison. Reports show that in July of 1999 and March of 2000 Mr. Atakov was forced into the special punishment cell in which he was severely beaten by guards, denied water, and fed only every other day. His family saw him at the end of the 10 days in 1999, and they reported that he was barely alive.

In July of 1999, it was reported that President Niyazov gave Mr. Atakov presidential amnesty, as allowed under Section 228 of the criminal code; but for some strange reason, security officials did not release him. Instead, they put him in the punishment cell described above.

In fact, because of the pressure from the prosecutor, who said the previous sentence was too lenient, a new trial was held in August of 1999; and Mr. Atakov was sentenced to 4 years in prison and fined $12,000. That is an amount equivalent to about 25 years of salary for the average Turk citizen.

Since February of this year, KNB officials forced his family into internal exile, the principal has kicked his children out of school, his wife has been told she will remain in exile until she renounces her faith, Mr. Atakov's brother was arrested and tortured in April of 1999, and other family members have lost their jobs and suffered as well.

In December of 1999, during a raid on a Russian family living in Turkmenistan, KNB officials told them, ''First we will deport all of you foreign missionaries, then we'll strangle the remaining Christians in the country.''

All of this government attention to one man and his family simply because of religious beliefs.

This injustice is an outrage. The tactics of the KNB show that the KGB forces and methods of operations did not disappear with the demise of the Soviet Union, but are still alive and well. The arrest and subsequent imprisonment of Mr. Atakov are not isolated events, but are a result of the KNB secret police policy in Turkmenistan.

In 1997, the legislature adopted severe restrictions on religion, imposing compulsory re-registration of all religious communities. According to the legislation, a religious community must have at least 500 members before it can obtain registration. Without this legal status, all religious groups are considered illegal and their activities therefore are punishable under the law.

Since June of 1997, the secret police have detained, interrogated and physically assaulted many religious believers. In addition, these officials have raided churches, interrupted worship services, searched homes and confiscated over 6,700 pieces of literature. In each instance, the KNB warned citizens that the Christian faith in particular is forbidden in Turkmenistan.

Religious believers throughout Turkmenistan suffer if they practice their religion but do not belong to either of the two ''registered'' religions. One is the Islamic faith, the other is the Russian Orthodox.

Mr. Speaker, I recently received reports that Mr. Atakov's health has deteriorated rapidly and he may be at the point of death. I urge the government of Turkmenistan to allow an international organization, such as the Red Cross, to visit Mr. Atakov, assess his health, and provide any medical assistance he might need. Even, I might say, the old ruthless Soviet regime allowed prisoners medical health.

I urge the government of Turkmenistan to live up to its commitments under the Helsinki Accords and other international agreements to uphold and to protect freedom of speech, assembly and belief.

Further, I urge the government of Turkmenistan to release Mr. Atakov under their own president's amnesty granted to him last year.

Finally, I urge the government to stop harassing and persecuting people of faith and recognize their important and rich contribution to their nation.

ALLOWING REFERENCE TO RETIRING MEMBER OF OTHER BODY DURING MORNING HOUR DEBATES TOMORROW

Mr. PITTS. Mr. Speaker, I ask unanimous consent that Members be permitted to refer to a retiring Member of the other body in tributes during morning hour debate tomorrow.

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

There was no objection.

RECOGNIZING IMPORTANCE OF SELECTIVE SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. KUYKENDALL) is recognized for 5 minutes.

Mr. KUYKENDALL. Mr. Speaker, for many of us about my age, when you turned 18 you went off and registered for the draft. I happen to have come of age during the Vietnam War, so it was very controversial. But last Thursday, I introduced House Concurrent Resolution 402, which recognizes the importance of the Selective Service System on the occasion of its 60th anniversary of a peacetime military registration effort.

It was first passed on September 16, 1940. I believe that willingness and tradition of America's citizens to defend not only their homeland, but also the very precept of freedom throughout the world, is the cornerstone of what makes America the greatest Nation on Earth.

The Selective Service System serves as a reminder to many in the world that America's young men stand ready to continue in the tradition of protecting democracy. As a result of the Vietnam era draft, some feel we should abolish it. Others feel we should not fund it during times of peace. And with all due respect to those Members, I disagree with them.

But the bill that I introduced is not anything to do with those two controversial subjects. The bill seeks to honor America's Selective Service System and recognize the historical role it played in America's history, especially during the past 60 years.

But before that last 60 years, what was the history of the draft in America? It began in the Civil War, and during that time, we conscripted people, and the way you got out of it was you provided a replacement. You had to go find someone to stand in your stead. It ended after the Civil War.

Again, when America went to war in World War I, we passed the Selective Service Act of 1917, and it provided for a general conscription. We even had a clause in that one, for the first time, that talked about exemptions for conscientious objectors. By the time the war ended, we had inducted 2.8 million men.

Then, during World War II, we bring ourselves to the time that we end up recognizing the anniversary of, that the Selective Training and Service Act of 1940 established the first peacetime, I stress peacetime, conscription; and it was in response to all the tension in the world at that time. You could imagine, we had had Germany recently invade Poland; the Japanese were on the march in the Pacific.

The service obligation was originally 12 months. It was quickly changed to 18 months in 1941. By the end of that war, we had conscripted over 10 million men, and the world had been made peaceful again.

Following that, in 1948, we continued conscription; and we continued registration, and we said anyone between the ages of 18 and 26 be available for service as we then entered that era of the Cold War.

In 1948, we replaced the old draft with the Universal Military Training and Service Act. A few years after that, we replaced it again with the Reserve Forces Act of 1955. At that time you were required 6 years' service between your active and reserve time.

Then came Vietnam. In 1967, we passed the Military Selective Service Act. That war had such controversy and had such venom throughout our Nation that we ended up with the discontinuation of the draft in 1973. Inductions were stopped, they were not renewed by Congress, and we favored an all-voluntary military force. However, registration was still required.

By 1975, we even suspended registration, so men who were only a few years younger than myself found themselves in an era of not even having to register. However, 5 short years later, Congress reinstated draft registration requirements for men between the ages of 18 and 26.

Our modern Selective Service System that we have today must be authorized by Congress to induct people and the President must order a return to the draft. The system today is for registration. We merely maintain the rolls. It is a lottery. It still would be used by drawing your name out of a hat based on your date of birth, and young men would be drafted with certain age groups.

Finally, local draft boards that are representative of the demographics and ethnic makeup of your community are those who can draft you. Many people, myself included, have served as a member of these local draft boards. We have done so in a standby cadre status because we do not draft anyone today.

Since Vietnam, we have been very fortunate concerning combat casualties, especially given the deadly nature of weapons employed on today's battlefields. However, should America find itself at war with a capable and determined foe, casualty rates will likely increase significantly and a mechanism that provides replacements in a timely manner will be necessary. The Selective Service System is that mechanism.

I urge all that have the opportunity to counsel America's young men, to register with Selective Service. It is an important responsibility of men between the age of 18 and 26.

The proponents of this amendment would have us believe that maintaining a Selective Service System is a waste of taxpayer resources. The cost of rebuilding the Selective Service System from scratch, in both dollars and time, far outweigh the costs associated with funding the current system.

Mr. Speaker, I ask my colleagues to defeat this amendment. Rarely do we have unanimous support from the administration, Joint Chiefs, service secretaries, and veteran service organizations across the country for a program. They all agree that we need the Selective Service System should America ever require its capabilities. Vote no on this amendment.

Mr. Speaker, House Concurrent Resolution 402 recognizes the 60th anniversary of the Selective Service System and the critical role it has played in protecting democracy. I urge its passage.

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SOVEREIGN ENTITIES

The SPEAKER pro tempore (Mr. HULSHOF). Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, the President warns of the potential of a new age of civil wars. He is one of the progressive new center-left academics turned leader and a proponent of the view that he and his family of progressive thinkers can find the cause of wars and intervene with a cure.

It has been demonstrated time after time that the United States can be drawn into war after war, national conflicts within borders and across borders. American troops die and suffer for the policy formulations we are never informed of and without the specific congressional declaration and war powers that the Congress alone retains.

Since the United Nations was founded in 1945, America has not won a war but lost each and every conflict but one, depending on your view of the Persian Gulf War.

The Millennium Report recently issued by U.N. Secretary General Annan calls for ''a strengthened Corps of Commanders in New York ready to organize and intervene with peacekeeping operations within a week or two.''

There is little that I fear so much as U.S. troops being committed to such an international force that can intervene without requiring specific congressional approval.

Should this concept ever conclude where it is intended, a standing army with a stronger corps of commanders, we will see the development of a threat greater than ever in our recent past. Already we have seen the power of a few enormous multinational corporations grow to a size that exceeds all but the largest nations. Fifty-one corporations are presently larger than the bottom 100 nations.

We have seen the jurisdictional prerogatives of NATO enlarged and both our own CIA and NATO find in their mandates to now include protecting these same corporations' trade routes and corporate markets. How did they find that new information there? Globalization has created new sovereigns out of these paper entities. The United Nations would create a new standing army to protect these new sovereigns' interests.

There is much too much hope placed on globalization and the interdependence upon nations. The rhetoric only hides the reality of who really benefits and what the real consequences are here at home. Wages in America are stagnant, and in the last 3 years there have been periods of decline.

Maybe wages are going up slightly in some countries, but this too can be explained by other than globalization's trade benefits: the present world economy is driven by speculation, not productivity; mergers and acquisitions, not growth and new entrepreneurship; workers shifting from one well-paying job to three less well-paid service jobs; wealth increased for the few investors, owners and profiteers while the standard of living drops again and again as every new dollar buys less goods for every family.

We are today proud of an economic boom that nobody would dare suggest can be sustained. When the inevitable downturn arrives, wages will be scuttled. Wages worldwide will return to the pre-speculative period. But the largest corporations will not feel the pain, as each merger, each acquisition grants to the parent firm unlimited opportunities to downsize further and eliminate more jobs.

Is there any question about what entities are really sovereign today?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. COBURN) is recognized for 5 minutes.

(Mr. COBURN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

KEY PRINCIPLES AND KEY ACCOMPLISHMENTS IN EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. GOODLING) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOODLING. Mr. Speaker, I chair the positive education caucus in the Congress of the United States. This positive education caucus believes that it is easy to be critical but much more difficult to find solutions. That positive caucus is called the Committee on Education and the Workforce of the United States House of Representatives.

So I am pleased to join several of my colleagues in reviewing two things with the American people and with all who are watching: first, the seven key Republican principles on education; and second, the key education accomplishments we have made over the last 5 years.

Since we became a majority party in November of 1994, I have fought to include seven key principles in all education legislation that is passed through the Committee on Education and Workforce and the House.

Now, why did we do that? Why did we come up with these seven principles? Well, I sat here for 20 years in the minority where I was told over and over again, and I watched it happen, that all

we need to do is come up with one more program or another billion dollars or cover another 100,000 or half million children and we will solve all those problems. And for 20 years I watched one more program, one more billion dollars.

Nothing happened positively in relationship to closing the achievement gap between those who are fortunate enough to have someone at home who is their first and most important teacher and those that are not.

Well, these key seven principles are quality, better teaching, local control, accountability, dollars to the classroom, basic academics, parent involvement, and above all, responsibility. And so, we have said that in quality we seek quality effectiveness and results in all Federal education programs.

No one paid much attention about the quality during those 20 years. No one really paid much attention to the studies that were done. Because the studies would have told them that we had some real problems with Head Start, we had some real problems with Title I. We could have corrected those early on, but we did not.

So we seek quality, we seek better teaching. Nothing matters more in the classroom than having a competent, well-trained teacher who teaches the subject in which he or she was trained to instruct.

Local control. House Republicans believe in cutting Federal education regulations and providing more flexibility to States and local school districts for, in exchange, accountability. As we deregulate Federal education programs and provide more flexibility, we want to ensure that Federal education programs produce real accountable results.

In dollars to the classroom, we believe in spending more dollars directly in that classroom. Basic academics. We believe in emphasizing basic academics and proven education strategy, not just fads or self-esteem approaches. And parental involvement and responsibility is extremely important.

Those public charter schools that are working primarily are working because the parent is the enforcer. The parent agrees that they will enforce the homework regulation. The parent agrees that they will enforce the dress code. The parent agrees that they will enforce the discipline code.

Well, what does that do? That attracts the best teachers and the best administrators and the best supervisors to that kind of setting. Because every good educator wants to be able to teach, and that is what happens when the parents are enforcing what is required in all of those schools.

Mr. Speaker, I yield to the gentleman from California (Mr. HORN) who was much involved in education before he came here.

Mr. HORN. Mr. Speaker, when I first came here to Congress 8 years ago, I made improving our public schools a top priority.

When the Republicans came to power in 1974–1975, I knew that, under the leadership of the gentleman from Pennsylvania (Mr. GOODLING), we would have quality, better teaching, local control, and accountability.

I am pleased to report that significant progress has been made on all of these goals. The first step in improving our schools is to make sure that children enter the classroom ready to learn. This is especially true for children from disadvantaged families who often do not have the same family resources as middle-class children.

Republicans have been leading the way over the past few years with Head Start. As this graph shows, funding for this program has been increased 106 percent in the past 5 years. That has really helped thousands of children throughout America. We can see right here in this Head Start funding increases under the Republican Congress when we start from $3 to $7 essentially. And it was quite a spread over a decade, and we can take great accomplishment in that.

There is a lot more such as that.

Mr. GOODLING. Mr. Speaker, reclaiming my time, and in that increase we also insisted that quality was the name of the game.

For the last two reauthorizations, we were finally able to say, hey, if they get new money, do something about improving the quality of the program.

Mr. HORN. Mr. Speaker, if the gentleman will continue to yield, and I think that is happening throughout the country.

Mr. GOODLING. Mr. Speaker, it has.

Mr. HORN. Mr. Speaker, Head Start should do what its name says it does, give a real head start to children growing up in disadvantaged families.

The Head Start amendments of 1998 ensure that local agencies are accountable for successfully preparing children to enter school and for making sure that they are ready to read. New education standards, teacher training measures, and quality standards have been included, as the chairman says. Head start now strikes the appropriate balance between quality and expansion.

The increased funding for quality ensures that the program has the time and the means to develop the capacity to provide higher quality services, creating a better future for the children and the families that it serves.

A major goal of Republican education policy has been to send more dollars to the classroom while maintaining local flexibility and accountability.

Mr. Speaker, we can all agree that a motivated, qualified teacher is a key factor in student achievement. Unfortunately, some of our teachers are underqualified, overwhelmed, or simply burnt out. This is understandable given the challenges they face. As a former professor, I can certainly see those challenges.

That is why I am so pleased with the Teacher Empowerment Act which the gentleman from Pennsylvania (Chairman GOODLING) has nursed through his committee and the floor. This act is designed to provide teachers with the resources that they need while maintaining local flexibility. Funds are included to reduce class size, but this does not come at the expense of teacher quality.

This legislation provides $2 billion annually for teacher training, which focuses on the high need areas of science and mathematics. We are way behind in that. This will help tremendously. However, under this legislation, local school districts have more choice in the teacher training programs that they utilize, allowing them to meet the unique needs of their students much more effectively.

Although Washington has an important obligation to the schoolchildren of this country, national programs administered from here are not a viable option.

A better approach is to provide the funds necessary to meet the students' needs and to let State and local level school officials spend those funds in the way that works best for their particular students. This principle is reflected in the Ed Flex bill that became law last year, in brief, education flexibility.

Too many things had been mandated by the Federal Government and they never kept their word on the money. Now they are. Under this legislation, local school districts are given increased flexibility in how they can spend Federal money.

□ 1945

It is those local school board members, principals, and teachers who know the unique strengths and needs of their students and their communities. They know that the most effective ways to use Federal funds is to do it at home and not in Washington. In exchange for this increased flexibility, school districts must demonstrate measurable academic achievement, and I think that is where we are all united in that.

Another significant piece of legislation passed by this Congress is H.R. 4055, the IDEA Full Funding Act, or known as the Individuals with Disabilities Education Act. This Congress for the first time fully funded this law, which aids children in every town and city in our country. Under this law, States were required to provide a free and appropriate education to every child, including those with disabilities. The Federal Government committed to paying 40 percent of the cost of special education, but it never met the payment. The Federal Government has paid only about 13 percent instead of the 40 percent of the cost of special education specified in the disabilities law.

Special education is expensive. The Federal Government mandated that special students who have disabilities should be taught at local schools. Right now, school districts must pay for the mandate, already straining

their local budget. For the first time, H.R. 4055 authorizes funding to reach the Federal Government's goal of 40 percent. Those funds will help States and local school districts. Receiving full Federal funding for special education would free up local funds to help all students. Once this funding discrepancy is cleared up, school districts could use 27 percent of the funds now going to special ed on hiring more teachers, buying new computers or repairing classrooms, things that benefit all students without harming special education.

We passed this bill in June with overwhelming support. I am pleased with the broad bipartisan support that these pieces of legislation have received. We have demonstrated the ability to put aside partisan differences and work together to find common sense solutions to this country's educational challenges. Let us continue to do so. The future of our children and our Nation depend on it.

I want to again praise the gentleman from Pennsylvania (Mr. GOODLING) for the leadership he has provided once we were freed up from the bureaucracies of Washington and we put the focus on those local individuals that know a lot more about the education in their area than we do 3,000 miles away. He deserves great appreciation from the whole House for bringing all these pieces together and providing flexibility, quality, and accountability.

Mr. GOODLING. I thank the gentleman for his participation and recognize the gentleman from the committee from the great State of Georgia (Mr. ISAKSON).

Mr. ISAKSON. I thank the chairman for his introduction of me tonight and I thank the Speaker for allowing me to take a few minutes to talk about what has been a true renaissance in the approach to education at the Federal level and due in large measure to the leadership of the gentleman from Pennsylvania (Mr. GOODLING) and the approach that he has taken.

I want to address three specific areas of the reform and enhancement that has been done over the last 2 years by the House Committee on Education and the Workforce and try and delineate specifically why accountability and why flexibility, more parental involvement are so important in the improvement of education and how the laws that have been enacted by this House in education will go a long way towards bringing about true improvement and in particular the closure of the gap between those that perform so well and those that underperform.

Thirty years ago, the United States Congress decided to get in the business of assisting public education and entered that in what was known as the title I program to begin funding programs for our most disadvantaged students. Unfortunately, in 30 years, we have realized little or no improvement and, in fact, in some cases a decline. But during those 30 years, we have seen the Federal Government enter into many other programs in public education.

So this year, the committee took a different approach. Why redo over and over again what for 30 years has not worked? Instead, let us do some new things. Number one, the straight A's bill. Under the leadership of the chairman, we passed in the House the straight A's bill which takes on this approach: instead of Washington being the CEO of your local school district, it ought to be the investor in your local school district. A CEO gives orders. An investor looks for results, which is the gentleman from Pennsylvania's approach to accountability. Under the straight A's bill, we allow a State to enter into a contract with the U.S. Department of Education. That contract is a 5-year agreement, and the premise of that contract is that State will lower the gap between the best students and the lowest-performing students.

In return for that agreement, that State receives a great deal of flexibility in the use of Federal funds directed towards the area it believes is best to address the problems of its lowest performing students. The straight A's bill demands accountability, it demands a contract, and it demands a return on the investment which our taxpayers deserve to have. The straight A's bill, in my opinion, is the inception this year of what will spread across this country in terms of the Federal Government's involvement.

A lot of people do not realize this about Federal involvement in public education. It is mountains of paperwork, but it is small molehills of money. I was chairman of the State board of education in Georgia before being elected to the Congress. Seven percent of Georgia's funds for public education come from the Federal Government. Ninety-three percent come from the State government and the local government. Yet more often than not, the paperwork comes from the Federal Government. In fact, I used to use an analogy. In Georgia, the average kindergarten kid is 36 inches tall when they enter kindergarten and that teacher fills out 42 inches of paperwork before that child leaves kindergarten. All to say, we spent the money the way Washington said we should.

Instead, straight A's takes the approach, we want the accountability of results. We want to make an investment in our children's future. We trust the local boards, and we trust the State system to make the right decision in the use of those funds.

Secondly, for just a minute in the spirit of flexibility, which was addressed so well by the gentleman from California (Mr. HORN), I want to talk about transferability. For those States that elect not to participate in straight A's, but would like the flexibility in Federal funds to make a meaningful difference, we approved the ability for Federal funds to be transferred in a way that was directed best by the local board of education towards the improvement of students.

Transferability just simply takes this premise, and I will use my State of Georgia. In rural Georgia, in an area where many migrant workers speaking many different languages, their primary language other than English, enter and pass through the public schools and that is the major crisis in the achievement gap, does it not make sense for that local system to be able to move money to the speakers of other languages to bring about better literacy of those immigrants so as to address the ability of them to improve their achievement compared to those who speak English as their primary language?

And is it not in the metropolitan Atlanta area where you have a disparity of affluent and inner city systems for their needs to be markedly different and for the money to be transferred in such a way to address the need of the specific constituency in that school system?

But being the responsible leader that the gentleman from Pennsylvania is, he also remembered that the way the Federal Government and the reason it entered public education was for title I and for our most disadvantaged kids. So the one restriction in transferability was, you could not transfer any money out of title I, but you could transfer Federal money into title I. When you take a school or a school system that in some cases can approach three-quarters free and reduced lunch, three-quarters level of poverty students, then it may be that every other dollar in Federal money designed for other programs that comes should be transferred into title I to even further enhance the Federal Government's investment in schools.

Flexibility and transferability are absolutely essential. Many times in Georgia when we approved the State budget, when it came to the Federal portion, we could not approve a single change of a comma, a semicolon or even the tense of a sentence all because the Federal Government with the money sent the regulations and the rules and the restrictions on its use to the extent that in some cases you turned it down because you could not use it where you really needed it.

Lastly for just a second, I want to talk about technology. There is a graph which I would like for the staff to put up so the people of this country can see. You hear a lot of times that Republicans do not make an investment in education. You hear a lot of times that our interest is not in education. The gentleman from Pennsylvania's leadership has demonstrated that that is not true. But if you look at that graph, that shows the investment in technology made by the Congress of the United States and its increase from 1993 to the fiscal year 2001 budget. It is a 1,761 percent increase in Federal funding in 8 years, an increase in what

I believe will be the solution to some of America's greatest problems in the delivery of quality public education.

First of all, under the chairman's leadership, we decided that it is wrong to say the Federal Department of Education controls 40 percent of the technology money and directs it when it is going to be used at the local level. So we said, 95 percent goes to the local level. The U.S. Department of Education controls 5. Secondly, we had a myriad of technology programs all designed for a narrow focus on technology, all well intended but just enough money to start something, not enough money to finish it. So we rolled all those programs into one $760 million grant program, a competitive grant program to develop the best practices for the delivery of education through the use of technology, the Internet, and the World Wide Web.

By way of example, this past June I attended the National Education Computing Conference in Atlanta where public schools from around the country that have received technology grants in Federal programs are beginning to demonstrate how technology can be used to solve what we believe to be the insoluble. Just two quick examples. First, it is difficult in rural America to get advanced placement teachers for our brightest children but by use of the Internet and the World Wide Web, the increases in broad-band delivery and the merger of audio, telephony, and digital all to the school, we can now take the Nation's best AP teachers and get them in the Nation's poorest most rural systems via the Internet and its use to bring advanced placement education to any American child regardless of the resources of their system.

The Institute for a Sustainable Future in Massachusetts had a grant that was awarded to a Cobb County school system, my home, where they have embedded in the curriculum K–12 many basic principles in terms of sustaining our future economically and environmentally and real-life practices through the use of technology to demonstrate those models to teachers throughout that school system. What we will do with this $760 million over the next few years is find the best practices that work in classrooms, distribute them around the country and use the modern marvel, the Internet, to break through barriers we thought were insoluble.

In essence, I close, Mr. Speaker, by saying really three things. My dad always wanted me to make straight A's, and I think I did one year in third grade; and that was about the only year I made straight A's. But my dad always gave me the flexibility to try harder, and I did the best I could, and he challenged me. He challenged me to do my best. Through the gentleman from Pennsylvania's leadership, we are now for the first time in 30 years allowing local school systems to do their best. We are trusting them to say, if you will sign a contract that says you will lower the gap and close the gap, then we will give you the flexibility to use the money to do that intended purpose. A rising tide lifts all boats, and we owe it to every child in America regardless of their circumstance, regardless of their poverty, to be uplifted, and flexibility does that. Transferability allows us to direct funds and target them in an area that has a specific need. Never to the expense of title I, but even to its enhancement should the local system decide to do that.

Finally, there is no one in this country that knows more than those of us here in this Congress how technology has revolutionized the production of the American worker and expanded our great recovery economically in this country. It will do the same in public education. And because of your leadership and because this Republican Congress made a 1,761 percent increased investment over 8 years in the use of technology, then our children will be better off, our school systems will have more flexibility, more responsibility and more accountability, and our children will be better educated.

The last 2 years for me, my first 2 years in Congress, have been very rewarding because what I came from with frustration, and that was public education that was constrained by Federal bureaucracy, has now been unleashed through your leadership to respond as it thought it was intending to 30 years ago; and the end result is going to be improved achievement, closing of the gap between our best and our poorest students, and a renaissance in public education in the United States of America. I thank the gentleman for the opportunity to speak tonight.

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Mr. GOODLING. Mr. Speaker, I thank the gentleman from Georgia (Mr. ISAKSON) for his participation. The President gave a long list when he spoke to us here in this very Chamber, many things that we agreed with. We, however, did not agree with his approach, because it was a one-size-fits-all Washington, D.C. approach.

And so we said we are going to stick to our seven principles, because we want to make sure that no child is left behind, and so as I indicated, and as my colleagues have indicated, we have had many successes. We have a long way to go. If my colleagues look on the next chart that we have, my colleagues will see some of those successes that were mentioned and some others that were not: Individuals with Disabilities Education Act, Amendments of 1997, Individuals with Disabilities Education Act, Full Funding Resolution, Full Funding Act, Reading Excellence Act, Charter School Expansion Act in 1998, Head Start Amendments of 1998, Prohibiting New Federal Tests.

As I indicated, the President over and over again, it is a great idea, but, first of all, we have to determine what the new higher standards are. Then after we know what they are, we have to determine whether the teachers are equipped to teach to the new higher standards. After the teacher is equipped to teach the new higher standards, then we test the teacher to see whether they are equipped. Then she or he teaches for a year, then we test the child.

Prior to that, of course, I am afraid what we do is primarily is tell 50 percent of the children one more time I am not doing very well.

Dollars to the Classroom Act, believing that that is where the money can best be used. Education Flexibility Partnership Act. I fought and fought and fought for that as I sat in the minority, and finally I got a bone thrown to me. I think the gentleman from Michigan (Mr. KILDEE) probably helped me more than anybody else, and they said well, we will give you six States; that is a little trial here. It looked like maybe there was some value to that, so then the next time we said we will give you 12 States.

We can thank Texas and we can thank Maryland and a few other States, but particularly those two, and particularly Texas, because they said okay, we will take the responsibility to prove to you that we can improve the academic achievement of all of our students, if you give us an opportunity to commingle funds.

As you know, even though the funds may have been worthless, may have been so small with so many programs, if they ever commingled one penny, the auditor was there, they did not care whether there was a quality program, whether it was working or not, the only thing they wanted to make sure is you did not commingle any pennies. And we said, well, why not all 50 States?

In Texas, at the present time, of course, they can show that their Hispanic and their black population is achieving at a greater level overall on their tests than the overall average of all of the students, because they took seriously that challenge that we gave them: we will give you the flexibility, you have to accept the accountability, and you have to show that every child can improve academically.

We improved the Vocational Technical Educational Act by making sure we are in the 21st century, a very, very difficult century; and I sympathize with Voc Ed teachers because I always say when they go to bed at midnight they think they have a great lesson planned, and when they woke up the next morning, technology increased so dramatically that they are back in the Dark Ages again. And they have to plan all over again. It is not easy. I do understand that.

The Teacher Empowerment Act is mentioned, we want quality teachers. We want to give them the opportunity to be quality teachers. If they cannot get the kind of in-service that they need that is being supplied, they can go out on their own with vouchers and get

that kind of improvement that they need to make sure that they are up to snuff and up to the 21st century in their teaching.

Student Results Act, again, saying that we want to see results, and the gentleman from California (Mr. HORN) I see I touched a nerve somewhere.

Mr. HORN. The gentleman has touched a nerve, because this is wonderful; and this means better prepared students for colleges. And we have a governor who is really committed to college. Governor Bush, who is running for the Presidency, said every child has a chance to go to college and make it; and I agree with him completely, having been a university president for 18 years.

And what the gentleman's committee and what this Congress have done has been to get a Pell grant up further than it ever has been for students in need, money called the Pell grant, and college work study and all of the loans and so forth, but looking at the ones for the grants, any student can go to college and get a degree. And we thank the gentleman for that.

Mr. GOODLING. As I indicated, there is nothing that substitutes for a quality teacher in a classroom. My first 4 years in a one-room school, thank God for Ms. Yost, because she was an outstanding teacher and she taught all subjects, and she did all of the other work that goes into running a one-room school and she was just outstanding, but there is no substitute for that quality teacher.

We have the Academic Achievement for All Act, the Education Savings Accounts to make sure that parents are in a position to help the child go on to some form of higher education. We have the Impact Aid Reauthorization Act, and in some districts that is extremely important because they are impacted by Federal installations in that particular area who have children who come to their public schools without, of course, the people paying taxes for that purpose.

Literacy Involves Families Together Act is, of course, one that I hold near and dear. It took us so long to understand it. If you do not deal with the entire family, you cannot break the cycle. I do not know how it took us so long to understand that. And, of course, that is what we were doing in Head Start, we were just dealing with the child. Well, of course, somebody, some adult in that family has to be the child's first and most important teacher; and, of course, that is the whole idea of our Literacy Involves Families Together Act, to make sure that we are giving the parent the tools that they need and at the same time helping the child become reading for school.

I am very proud of the Child Nutrition Act. We made real changes that I think gives youngsters an opportunity who do not have that opportunity to have a balanced meal, because it is pretty difficult to sit there and try to listen to what the professor is saying about mathematics or Latin or English or whatever on a very empty rumbling stomach.

And I see another colleague from the committee, who another college professor who knows a little bit about math and science, much more than I do, as a matter of fact, the gentleman from Michigan, (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I appreciate the gentleman from Pennsylvania for yielding to me, and I saw the gentleman on C–SPAN and rushed straight down here because I think this is one of the more important, if not the most important, discussion we will have in Special Orders this week or, perhaps, this month.

First of all, I want to commend the gentleman for what you have done. When we look at that list, it is the gentleman's initiative that developed it and carried it as far as it has come. And there are some outstanding things on there, and I will comment on a few of those later on.

It is also with some regret that I looked at the list and realized that most of this should be passed into law; a good deal is, but not all of it. And the part that is not passed into law is primarily because of game playing or threatened game playing by the minorities to attach meaningless or killer amendments or other strange amendments to this in both the House and the Senate, and that has prevented further action on it.

My experience, as the gentleman mentioned a moment ago, is in science; I received a doctorate in nuclear physics. I have taught for 22 years at the college and university level, but during that time I became heavily involved with elementary school science and to a certain extent the secondarily school science, including teaching some summer institutes sponsored by the National Science Foundation.

I would just like to make a few comments on some of the issues. First of all, the nonscience areas, when the report ''A Nation At Risk'' first came out over a decade and a half ago, I was struck by one thing. A Nation At Risk they talked about everything that was going wrong and what should be done; and in my mind they left out the most important factor and that was the parents. Because in my experience and in working in schools at all levels, the most important single factor in the success of the student is an interested and involved parent. And if you do not have that, you have got a long ways to go to resolve it.

And one thing I especially appreciate about the gentleman from Pennsylvania, about the list there, is the bill that we just passed in the House last week, which the gentleman has fought arduously for for some time, the Literacy Involves Family Together Act, or LIFT Act. I think that is extremely important, because it is not only trying to instill literacy in children, but it is saying if the parents are illiterate, the children are not likely to learn how to read; and, therefore, we have to teach the parents how to read and become literate if we want the children to become literate.

I think that is a very important act. I hope it gets enacted and takes effect, because I think this is a real step towards improving literacy in this country. I have worked on literacy projects in my home district with adults, but the ideal is to have the children and the adults working together, and that is precisely what this act does, and I commend the gentleman for it.

We have, as I said, many successes as the Republican Party, but let me comment on what is needed beyond an interested and involved parent, that is the most important. But the second and very, very close to it is a competent teacher. I think the teachers in this Nation have had unfair criticism. Everyone blames the teachers for the failings of the schools; and in my book, that is not the place to start.

In my working with the schools, most of the teachers are very dedicated, very anxious to do a good job; but they are hampered by lack of money in some cases, lack of facilities in other cases, lack of support from administrators aboard and other cases, and above all, frequently a lack of training. As the gentleman mentioned earlier, frequently teachers are trained to teach well, but times have changed and they need more training. They need professional development.

I am pleased that the Federal Government has been able to help in that score by providing some funds for professional development, but much more needs to be done; and I think the schools have to step up to bat on that one too and provide more funding for professional development, either through summers or through in-service.

Secondly, in terms of training, we need better training in the colleges and universities. I think the biggest problem there in terms of my experience has been the fact that the academic departments which teach the academic subjects do not communicate well with the schools of education and vice versa. Not only that, much to my regret when I was at both Berkeley and at Calvin College, there was a considerable amount of disdain of the academicians of the school of education professors and vice versa; and with that atmosphere, it was impossible to develop good cooperation.

I am pleased to see that being changed. For example, Arizona State University has done a tremendous job in the physics department to break down that barrier, and they have a superb program going. Just last week I met with a professor from the University of Washington, he has done the same with high school teachers and is training high school teachers working with educators on that. So the barriers are breaking down, but they have to break down much faster if we are going to meet the needs of our Nation.

I hope that we can do all we can to help improve the initial training of teachers and also improve the professional development of teachers. In my experience, as I say, teachers are eager to do a good job. They are eager to be properly trained, and they are very frustrated if they do not get the support of their board, of their administration, and, in fact, of their Nation from the work that we do here.

My final comments are about science and math education, which I have spent a lot of time in during my professional career and also here in the Congress. Most people do not realize that the economy of this Nation and, particularly the economic growth of this wonderful boom we are having now, is primarily due to advancement in science and technology; Alan Greenspan will be the first one to say that.

The estimates are that at least a third of our economic development now comes from information technology developments, and very likely another third of the economic growth comes from other developments in science and technology. Yet we are not producing students out of our schools who can take advantage of that. That is where the jobs are, but we are not graduating students in enough science, math, technology, and engineering to take advantage of it.

I visited Silicon Valley a few months ago. In that area alone, they have 100,000 job openings for scientific, engineering, technical people, unfilled jobs because they literally cannot find the people to take the jobs.

We have every year before the Congress requests to grant H1–B visas, to grant visas to foreigners to come in and work as scientists, engineers, technologists, mathematicians, computer specialists; and we this current year are allowing 155,000 of them to come in as immigrants because we are not producing enough. The request for next year is 350,000; we may grant 200,000.

Another indication of trouble in this Nation, if you go to graduate schools of science and engineering, over half of the graduate students are from other countries. Our students are not competing; they cannot compete with the students from other nations.

□ 2015

They are not getting the grounding in math and science that they need. Another indication, the TIMMS Study and other studies comparing us to other developed countries, the United States is either at the bottom or near the bottom in every ranking of our high school graduates compared to those from other developed countries. We need to improve, and I think it is very, very important that we improve science and math education in our schools.

Now this should not be at the expense of other subjects. I know that the chairman of the committee has spent a lot of time on improving reading in this Nation. That is absolutely essential. One has to be able to read. That is number one. But these days one has to be able to understand science and math as well. So it is reading, writing, arithmetic, the three R's, but do not forget that S on there, and that is science.

The three Rs include science.

Mr. GOODLING. Three Rs and an S.

Mr. EHLERS. So we have some initiatives before the Congress on this issue. I have sponsored three bills. There are similar bills in the Senate, and they are being worked on. There may or may not be enough time this year to get them through, but I hope we can continue to pursue that because it is badly needed. If I had my druthers, I would start at pre-school; but I am willing to start at least in first grade or kindergarten. An interesting result of doing it properly, and that relates to the chairman's emphasis on reading. If science is taught early and properly, it improves success with reading, because the learning of science and mathematics develops parts of the brain that otherwise lie fallow, and those parts of the brain are very important in developing the visual skills that are necessary to develop good reading skills.

So it all goes together: Science, math, reading, that is what we need in the elementary schools. We have to develop programs that will do that. We have to develop teachers who will teach that well; and I hope with that we will be ready for the revolution in the next century, in fact the next decade, of where the jobs are actually going to be and we will produce Americans who will have those jobs and not have to import individuals from foreign nations to take those jobs.

Mr. GOODLING. When we had the literacy bill on the floor, I made the statement that we have pretty close to 100 million people who are performing either on the first or second level of literacy. The first level gets them nowhere in the 21st century. The second level, it will be very, very difficult, and that is why it is so important. It was so sad that we lost as many years as we lost, Head Start, well meaning all of those programs, well meaning but no one was out there to make sure there was quality, so we ended up many times with people who were heading the programs who really needed the programs themselves, and that is a tragedy.

In one largest school district in this country, 55 percent of all their Title I money was used to hire teachers aides. One says, that may not be bad if they are well educated. Fifty percent of them did not even have a GED, did not have a high school diploma, did not even have a GED; but worse than that they were teaching and they were teaching unsupervised. So we can see how those children who needed the very best teacher, a disadvantaged child, did not have a chance because, of course, as I indicated, there were close to 100 million, 40 to 44 million demonstrate the lowest basic literacy skills, and 50 million adults have skills on the next higher level. As the gentleman mentioned, we are going to bring in probably another 200,000 a year for the next 3 years from some other country to fill our $40,000, $50,000, $60,000 jobs. What happens to all of these people? So that is why we said we are going to adopt these seven principles. We are going to make very, very sure that we are just not going to have another program and another program and another billion dollars thrown at the program. We are going to make sure that there are quality programs.

Now someone will say well, this is not our job on the Federal level. Functional illiteracy and illiteracy surely is. We cannot survive. We cannot survive as a leading nation if, as a matter of fact, we cannot do something about this. That is why I said from the beginning we not only can be critical but we have to come up and see whether as a matter of fact we cannot find some solutions to the problem.

So I just want to repeat again what those seven principles are that have been driving our committee since the Republicans have taken over, and those principles are quality.

When we unveiled my portrait recently, I told them that when Chairman Perkins was here, he had a whistle in his speech. Now when we are marking up legislation in that room and the wind blows, those windows just whistle. We always say that is the old man either happy or unhappy with what we are doing, and I said I hope that as a matter of fact my lips move on that portrait every time they are marking up legislation and the lips say quality, not quantity; results, not process. My colleagues have heard that over and over and over again, and I just hope those lips will say it. Maybe somebody can put a tape or something there behind the picture and do it.

But, again, we believe that if we are really going to make a difference these are the seven key principles, quality, better teaching, local control, accountability, dollars to the classroom, basic academics and parental involvement and, as I said, responsibility.

Again, I want to repeat, in a public charter school that is successful, that last word on here is the key, parental responsibility. If we go two blocks from the Capitol, we will see that it is the parent who gets the child there; it is the parent who takes the child home; it is the parent who enforces the discipline code; it is the parent who enforces the dress code; it is the parent who enforces the homework code; it is that parent assuming the responsibility. They want their children to succeed and they are willing to make those sacrifices and so there is a waiting list a mile long. As I said earlier, who is attracted to a setting like that? The very best teacher, the very best administrator. We have to get in center city America and real rural America the very best teachers. That is where they are needed. That is where those role models are needed or we cannot turn this around.

So hopefully with these seven key principles as our guiding light and our guiding force, we can turn things around and not talk about one more program or one more billion dollars or one more this or one more that. Quality, quality, quality; results not process.

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

Mr. GOODLING. I yield to the gentleman from Michigan.

Mr. EHLERS. Mr. Speaker, I just want to follow up with a postscript to that very fine statement. During the recent presidential campaign, I have become very annoyed reading in the papers time after time that George Bush has latched on to education; that it has never been a Republican issue, it is always a Democratic issue; he has latched on to it in trying to win. That is just utter nonsense.

Look at the gentleman's record here in the Congress and what he has accomplished in his career here, and look at what the committee has done the last few years with the Republicans in charge of it. It has done so much better when we look at the funding and recognize that the Republicans have provided more funding from the Federal Government than the Democrats have during the time we have been in charge here. If we want to find out who is really for education and who has really done a better job and not just thrown money at it but required things such as accountability and quality, if we look at who has really contributed to the improvement of education in this country it is the Republicans. I hope the news media wakes up to that and stops saying George Bush is just doing this to win the election. That is the nonsense.

Look at what he did in Texas. The Democrats ran that State for many years; and George Bush came along. In the short time that he has been there, he has raised the scores, especially of minority students, more than they have been raised in many years under Democratic control. So I just wanted to add that.

I hate to be that partisan about it but that is the facts and we have to set the news media straight on it. We have to set the record straight, make sure people understand we are committed to education. We are committed to doing it right, but we are going to do it right. We are going to be accountable. We are going to have quality. We are going to have results. We are not just going to hand out money and say, here, do what you like.

Mr. GOODLING. Well, I latched on to GW; he did not latch on to me. And I latched on to him primarily because of his ability to lead a Democrat house and a Democrat senate in the State of Texas to bring about the best education reform probably anywhere. I was just reading over the weekend that Oklahoma is crying the blues because they lost teacher after teacher, Kansas did and several other States, because they are going where there are higher salaries and where there is a better opportunity, and, of course, one of the places they were going was Texas because with his leadership and his house and his senate they raised those teacher salaries but demanded excellence and quality at the same time.

So, again, here are seven key principles. We think that they have been the important principles to move us ahead and to make sure that no child is left behind.

PRESCRIPTION DRUGS FOR ALL

The SPEAKER pro tempore (Mr. HULSHOF). Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, this evening, as I have so many times, I would like to talk about the need for a Medicare prescription drug program. I have to say that I will be partisan this evening. I know some of my Democratic colleagues will be joining me, because I believe very strongly that the only reason that we do not have a Medicare prescription drug plan is because of the opposition of the Republican leadership.

I have to say that I have been very disturbed to see that the Republican presidential candidate, George W. Bush, Governor Bush, has now come up with a proposal to deal with the problem that seniors face with prescription drugs, but it is really no different than the same plan that we have been hearing over and over again by the Republican leadership in this House that does not provide a prescription drug benefit under Medicare but rather simply tries to provide some sort of government subsidy, primarily for low-income people, that I believe will never succeed because essentially it is not practical. It is not under the rubric of Medicare because the Republicans traditionally and now have opposed Medicare and do not want to see it expanded to include a prescription drug benefit.

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

Mr. PALLONE. I yield to the gentleman from Texas.

Mr. DOGGETT. In short, we have been there and done that in this House, have not we? We have already had a vote on that very proposal which was really a plan not to help the seniors of this country but to help the insurance companies to reach out and touch someone, but in this case it was to touch and subsidize insurance companies and assist them but to leave out the vast majority of what we might call the working-class or middle-class seniors that worked to build this into the greatest country in the world, but they just have been left out of the Republican plan. Is not that correct?

Mr. PALLONE. Absolutely. And the thing that disturbs me most about it, and I know that the gentleman is very knowledgeable about this, is that the fact of the matter is that every time the Republicans have come up with a proposal to deal with the prescription drug issue it has always been defensive. In the case of the House of Representatives, because the Democrats were out there with our proposal to bring prescription drugs under the rubric of Medicare and we had a proposal out there that was a very good one, and they tried to avoid it by coming up with this plan that essentially did not help anybody.

Mr. DOGGETT. Is not it true, in fact, that what they did was to have a focus group or they got some high-powered, expensive political consultant to tell them what going by any meeting of the American Association of Retired Persons or retired teachers or many of our retired veterans could have told them for free, and that is that the Republicans are perceived here in the House and around the country as having done absolutely nothing to help seniors when it comes to the outrageous price of prescription drugs? They have sat on their hands. They have been here in charge now for right at 6 years, and they have done absolutely nothing. So after they got that input from this high-powered consultant, it only took a few days and then they were out in our Committee on Ways and Means with a proposal to subsidize insurance companies and make it appear that they were finally getting around to doing something.

Mr. PALLONE. The irony of it is that the insurance companies testified before your Committee on Ways and Means and before my Committee on Commerce and said that they would not sell the policies. They were not interested in it.

Mr. DOGGETT. I believe that their famous comment on that of one of the insurance folks was that it would be like insurance for haircuts being proposed.

Mr. PALLONE. Exactly.

Mr. DOGGETT. And even though they were going to get a general subsidy, they did not know whether they could ever provide the policies.

□ 2030

I believe though Texas, unfortunately, has been way behind on doing anything to assist our seniors, there have been some States that have tried this approach that the Republicans have advanced, and what has been their experience?

Mr. PALLONE. Well, Mr. Speaker, we have the perfect example in Nevada which, I believe around March or so of this year, passed a plan that is almost exactly the same as what the Republicans in the House proposed. The insurance industry told the Nevada legislature it was not going to work and there was not a single insurance company that wanted to sell a policy that would meet the specifications of what the Nevada legislature passed. So it has been a total failure in Nevada.

Basically, what the House Republicans are saying is that they want to adopt a State example that has failed.

Mr. TURNER. Mr. Speaker, if the gentleman will yield, I think one of the central issues that distinguishes the Democratic plan for prescription drugs for seniors and the Republican plan is that the Republican plan does not tell the senior citizens what they are going to get in terms of coverage, it does not tell them how much it is going to cost, and it certainly does not tell them how long the coverage is going to be there.

I had the experience in my district just recently going around talking about the issue of prescription drug coverage for seniors under Medicare, and I was met by seniors who were quite upset. They had signed up for this Medicare+Choice plan that is sponsored by the HMOs that a lot of my seniors were lured into because the HMO option for traditional Medicare said, well, we will offer you a little prescription drug coverage.

So all of my seniors that needed prescription drug coverage were very interested in those plans. A whole lot of them signed up. Now, we have 5,000 seniors in my district alone who have received notices that their HMO Medicare+Choice plan is being canceled as of December 31.

So I think the history of HMO coverage for Medicare is very clear. We cannot depend on it. We do not know if it is really going to be there. Over 200,000 seniors they tell me across this country have gotten similar notices that as of December 31, they will no longer have their Medicare+Choice plan in effect, and as I said, most of them signed up because it offered them some kind of little prescription drug coverage.

So what we know about the Republican approach is that the seniors today, when they look at that plan, they do not know what they are going to get, they do not know how much it is going to cost, and they do not know how long it will be there for them.

The Democratic plan, on the other hand, is a plan that offers seniors the drugs they need from the pharmacist that they trust. Our plan covers all drugs; our plan tells the seniors exactly what it is going to cost. If they want to sign up, keep in mind, the Democratic plan under Medicare is optional. If a senior says I do not want this coverage, they do not have to sign up. But when they sign up, they know that initially it will cost $25 a month; those costs are projected to increase as the coverage increases up to about 40 some odd dollars and it will cover one-half of the first $5,000 in prescription drug costs. Over that, it will cover all of it.

We know that low-income seniors will be able to have that premium paid for by the government. But that plan is a very clear plan that gives seniors a defined benefit at a cost that is understandable with coverage that they understand.

So I say the Republican HMO plan simply offers confusion and uncertainty to seniors, and that is a big difference. Because one thing I have learned the older I get, what we look for is security, and the Democratic prescription drug plan offers security for seniors, and the Republican plan does not.

So I think that when it comes right down to looking at the two plans, we clearly have the plan that seniors are going to choose. I think if we do that, we will be doing the right thing for our seniors. We will have a plan that is workable, one that seniors understand, and one they can count on. After all, Medicare, since 1965, has been a plan that seniors can count on. All of these other private insurance plans like our Republican colleagues advocate, they are here today, they are gone tomorrow. Only Medicare has been there for seniors since it was first put into law in 1965, signed by, I might say to the gentleman from Texas (Mr. DOGGETT), a great President, Lyndon Johnson from Texas.

So I think we need to stay on that course and make sure that we take care of the security that our seniors need.

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

Mr. PALLONE. Certainly.

Mr. DOGGETT. Since the name of the great Lone Star State has been invoked here, I have to tell my colleagues about an experience that I had, and my colleague may have made the same kind of inquiry in New Jersey, about what was happening to seniors in the capital of the Lone Star State of Texas.

Now, we have pretty high regard, particularly in some parts of the State, I know over in East Texas where my colleague is from, for our dogs. There some people have dogs that are pet dogs and then there are other people that have bird dogs and some have hunting dogs and they think pretty highly of them, but it seems to me that we ought not to think so highly of them that if the dog got arthritis, the dog could get the prescription drugs cheaper than one of our retirees, one of our retired teachers or a senior who had a small business in the community and had given back to the community through the years.

Mr. Speaker, I found when I did a study on arthritis medicine, for example, there in Austin, Texas, the capital of the Lone Star State, that it was going to cost almost, it was 150, almost 200 percent more for the very same type of medication that could be given to a dog or given to a senior, and there was that kind of price discrimination. If all we do is just subsidize insurance companies with all of the uncertainty that my colleague from Texas has talked about, there is nothing to keep the seniors from getting treated literally worse than dogs in Texas and I expect in some other parts of the country. They still are going to be gouged; they are still going to have higher and higher co-pays, even if some insurance company will write the policy.

So I am really concerned that this Republican plan will leave our seniors around Texas and undoubtedly around the country literally being treated worse than dogs when it comes to the price that they have to pay for their prescription drugs.

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

Mr. PALLONE. I certainly will.

Mr. TURNER. Mr. Speaker, I think the point the gentleman made is one that we need to have the people of this country understand, because in Texas, if one can go across to Mexico, and a lot of folks do, they buy their prescription drugs at about half the price that they pay in Texas. As the gentleman pointed out, one can go to the veterinarian to take care of their dogs and pay less for their medicine than they can get at their local pharmacy.

The truth of the matter is, the most vulnerable people in our society today are paying the highest prices for prescription drugs of anyone, and that is just not right.

I think that is another benefit of our Democratic plan for prescription drugs, because we put the power, the buying power of the senior citizens of this country together to be able to bargain with the big pharmaceutical companies. And when the buying power of all of our seniors are united rather than divided as they are today; right now, a senior citizen without prescription drug coverage is on their own when they walk into the local pharmacist. I have talked to many a one of them who tell me they went up there, they turned in their prescription, they came back a few hours later to pick it up and they had to say, no, I am sorry, I cannot afford that medicine.

So we are going to put, under the Democratic plan, the buying power of all of the seniors in this country together so that they will have the necessary clout to be able to bargain with those pharmaceutical giants for fairness in prices. If we do that, I suspect we will not have to talk about, as we have done for about 2 years here on the floor of this House, about the problem of price discrimination between the price of drugs in Mexico and Canada and anywhere else in the world, and what our seniors in this country are having to pay.

Mr. PALLONE. Mr. Speaker, reclaiming my time, let me tell my colleagues that the gentleman's example with the dog is certainly true in New Jersey. I actually have a cat; it is actually my wife's cat that I inherited, and she had, I guess it was a thyroid problem, and in New Jersey, I guess one can get the prescription drugs at the veterinarian or one can get it from the local pharmacy. So I had to refill the prescription and I went to the local pharmacy to purchase the medicine for our cat. I was told by the pharmacist that the same drug would be twice as much if it

was for a human. So there is absolutely no question that we have a huge discrepancy between a cat and a senior citizen or a dog.

The other thing that is so interesting and I think so really sad is that when Governor Bush proposed his prescription drug plan and was asked by one of the reporters on the day when it was proposed, because I have the article here, The New York Times that was from September 6 of this year, he actually was critical of the Democratic plan, because of the negotiation power that the gentleman from Texas (Mr. TURNER) talked about. He said it was like price control. It is just ridiculous. That is not what it is.

The Democrats are not establishing price controls; they are simply saying that we want the government, it is not even the government, but in different regions of the country that a benefit provider would be set up, basically a group that would be able to go out and purchase the medication at a cheaper price because they represent so many people and they have the buying power to negotiate a better price, just like the HMOs do now or some other large employers do now. And Governor Bush, when he was asked about that, and I will just give my colleagues the quote from the New York Times here. He said that much like the drug industry, he criticized Mr. Gore's plan as a step towards price control. ''By making government agents the largest purchaser of prescription drugs in America,'' he said, ''by making Washington the Nation's pharmacist, the Gore plan puts us well on the way to price control for drugs.''

Well, why should not a regional provider be able to go out and negotiate a better price for all of these seniors? Why should they have to pay twice the price? It does not make any sense.

I could not believe that he actually had the nerve to criticize the very provision in our bill that would reduce the price in a competitive way, sort of the American way, competition. You negotiate a better price.

Mr. TURNER. Mr. Speaker, if the gentleman will yield, I think we all understand that the free market system is not working today for our senior citizens. Every country in the world has some kind of price control over prescription drugs, because they understand that the big drug manufacturers with their patent protections have a monopoly. So they have accepted the fact that we cannot have a free market if those who are providing the prescription drugs have a monopoly.

Now, we have always tried, and I think rightly so, to preserve the free market, and all we are doing here is asking to allow our seniors to be able to have their position at the bargaining table as a group. We already do that for our veterans in this country. They get lower prices, those who go and get their prescription medicines through the VA, because we have that kind of arrangement for our veterans. All we are trying to do is expand it to be sure our senior citizens have the same deal.

As I say, we have to make a choice in this debate. There is no question in my mind that there is a fundamental choice here. One either has to take on the pharmaceutical industry, or one has to stand to protect them, because the only impediment, the only barrier to passing a prescription drug benefit under traditional Medicare is the opposition of the pharmaceutical industry.

And if we do not take on the pharmaceutical industry, if we side with them, if we try to protect their bottom line, then we are going to have a hard time supporting a plan that is going to bring prices down for our seniors and make prescription drugs affordable for them. I just think in a country where we have granted patent protection to our pharmaceutical manufacturers to encourage them to invest in research, to come up with a lot of new and wonderful medicines, that the least the pharmaceutical industry owes back to the American people is fairness in pricing.

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

Mr. PALLONE. Surely.

Mr. DOGGETT. Mr. Speaker, I think that is just such a critical point. The pharmaceutical industry has been masquerading under something called Citizens for Better Medicare. It sounded like from the news report that the gentleman from New Jersey read that the Republican candidate had been watching too many of their ads. Because they put out ads under the pretense of being for better Medicare, but the truth is that their group is really ''Citizens for Leaving Us Alone to Let Us Charge Whatever We Want to Charge.''

My colleague from Texas referenced the fact that some people along the borders of America are going south or they are going north to go right across the boundary and get prescription drugs at significantly less cost, because they are sold at less cost in Mexico and in Canada. Some of those prescription drugs are made right here in the United States, and they are made and sold by our manufacturers in the pharmaceutical industry for less in Mexico and Canada than they are sold to our seniors here. They give them maybe as good a deal in Mexico or Canada as they will give a dog here in the United States. And to be sure, the prices that our uninsured seniors are having to pay are the highest I think in the entire world.

My colleague referred to the experience of some of the other countries around the world, but I do not believe anyone gets gouged as much as a senior in Texas or New Jersey or any other part of this country, and unless we come to grips with that problem and bring in the negotiating power so that it is not one retired police officer, or one retired nurse or teacher who is out there trying to take on these pharmaceutical giants that can afford to spend hundreds of thousands of dollars in campaign contributions, millions of dollars in lobby expenses, millions of dollars in these television ads, giving misinformation to everyone, we pit one senior against those pharmaceutical giants, they do not have a prayer.

□ 2045

The only hope we have through this Democratic plan is to come in and add a little balance in the system so it can be evened out a bit.

Mr. PALLONE. The reason why the prices are so much more here is exactly based on what our colleague from Texas said, and that is that since there are price controls and negotiating power for citizens in other countries, the only place left on the planet where there are not the price controls and the negotiating power is here in the United States. So the drug companies make up the difference here. They cannot make the money in these other countries, so they jack up their prices here to make up for the fact they cannot do it abroad. So that is just unfair to the average American.

Mr. TURNER. It is amazing to me how hard the pharmaceutical industry is fighting to preserve the status quo. The gentleman from Texas (Mr. DOGGETT) mentioned Citizens for Better Medicare. The first time I ran into that group I thought this must be a group of seniors trying to improve Medicare.

We got to looking into it, and we found out just what the gentleman from Texas (Mr. DOGGETT) said, and that is it is an arm of the pharmaceutical industry. In fact, studies showed in the first 6 months of this year, the so-called Citizens for Better Medicare spent $65 million in advertising to try to persuade the Congress and the American people to preserve the status quo. They ran TV ads with a character on it, a lady named Flo, and she began to talk about how she did not want government in her medicine chest.

Then we had letters mailed out to our seniors. I had a gentleman in Wal-Mart, a friend of mine, I have known him for years, John Perkins, walked up to me in the parking lot and said, ''Here Jim, I have got a letter that said to write you, and now that I have caught you, it will save me writing a letter.''

I said, ''Well, fine, John, what do you have?''

He said, ''Well, here is this letter.''

It kind of looked like a telegram. And down at the bottom it said Citizens for Better Medicare.

I read it. I said, ''John, this letter is telling you to write me and tell me to vote against the very bill that I am sponsoring, trying to help our seniors have some prescription drug coverage.''

He said, ''Oh, just forget about the letter.''

Well, all of those direct-mail pieces, all of that television advertisement, they even ran ads in our major newspapers, full-page adds. I think the one

they ran in the Washington Post cost something like $80,000 or $85,000 for one ad for one day. It is just amazing to me how much money the pharmaceutical industry is pouring in to try to defeat our efforts to provide a meaningful prescription drug benefit under the Medicare program.

They have got a lot to protect, I know that. They are the most profitable industry in the country today. I read that they spent $148.5 million on lobbying expenses in the last Congress. The top drug manufacturers, the top 12, paid their executives $545.5 million in salaries last year, and $2.1 billion in stock options last year to those same executives. They are a very profitable industry.

As the gentleman well pointed out, the truth is every other country in the world provides prescription drugs for their seniors at about half, on average, the price that our seniors in this country pay. That has just got to stop. I think it is our responsibility. When the free market system has broken down, when it is not working, and particularly when it is not working for the most vulnerable people in our society, this Congress has a responsibility to do something about it. I think our plan is the right plan to provide some security for our seniors.

Mr. PALLONE. Let me just mention another aspect of this that I think is important, and that is that what Governor Bush is now saying is, well, maybe we cannot cover all the seniors; but, if we cannot, then at least let us try to cover the low-income seniors, because the bottom line is that he does not have a Medicare plan.

I mean, what he has proposed and what the Republican leadership proposed here is not Medicare. I would argue that it ultimately would lead to the destruction and dismantling of Medicare. The reason for that, and the issue I want to bring up, is the fact that now the Republicans are saying, okay, we will at least try to help the low-income people and see if we can provide them with a prescription drug benefit. Because if you look at the Bush plan, there are about 25 million seniors under Medicare that would get absolutely no help and have no option for prescription drug benefits because two-thirds of seniors have income above the 175 percent poverty level. In other words, under the Bush plan, as a single individual you would have to be making less than $14,600 a year. Otherwise, you would not get any subsidy whatsoever.

The problem that I have with just targeting the low-income seniors is that it breaks the whole principle that Lyndon Johnson put forward with Medicare. When President Johnson established Medicare, the idea was you were going to get Medicare, regardless of income. It was primarily to benefit middle-income people, of course. But everyone received the Medicare benefit, regardless of income.

I am very fearful of the fact if you say okay, let us just deal with the low-income and let us not deal with the average senior, that you set a very bad precedent, because you suggest that somehow Medicare perhaps should be almost like welfare, just for low-income people. If you start that precedent, you could see that for other aspects of Medicare as well.

I should also hasten to point out that only a fraction of low-income seniors would get any coverage either, because basically what Governor Bush does is he says this is going to primarily be administered through the States. It would be up to the States to establish a prescription drug program for low-income seniors.

We know that the record is very unclear about States. Some States have some prescription drug programs. Most do not. Those that do have it for low-income people tend to have only coverage for certain aspects.

Mr. DOGGETT. If the gentleman would yield on that, first I think is the very, very important point you made about welfare. When President Johnson was leading that struggle 30 years ago, these same Republican voices were being raised in this room, maybe not the same individuals, but the same philosophy; and they said just extend the welfare program and take care of those most in need.

They were opposed to Medicare. In fact, you remember it was only a short while ago that Bob Dole was bragging about how he was one of a few people to stand up and oppose Medicare and Speaker Newt Gingrich was in this very room, and he was boasting of the need to let Medicare wither on the vine. They do not really believe in Medicare, and this is a way to start the concept that we just need a welfare plan for those most in need.

I think Medicare and Social Security have been two of the best programs this Congress has ever devised under Democratic leadership, over Republican opposition, and over continued Republican efforts to undermine those programs. I believe if we go with a welfare program for prescription drugs, that is really what the focus will be.

The second very important point the gentleman makes is just turning this over to the States is not a very good answer. Texas could have done this, but Texas has not, unfortunately, met the needs of its seniors on prescription drugs. It has not done anything. And when Texas had the opportunity after Democratic leadership in promoting the children's health insurance program to provide health insurance to meet the needs of children in our State, and we have in Texas more uninsured children than any State in the country, I think, except possibly one, we are right at the top, and we, unfortunately, at the State level, there were delays, no effort was made to expedite the program; and Texas has foregone hundreds of millions of dollars that could have helped get children there with insurance for prescriptions and other things.

With that kind of example, it does not inspire confidence that seniors who want help now would be able to get that help, even the few poor seniors who would be covered under this Republican scheme, that they would get help in a timely manner to meet their needs.

Mr. PALLONE. If I could use an example on the opposite side of the country in my home State of New Jersey, we have a program for certain low-income seniors to provide prescription drugs. It is financed through our casino revenue fund from Atlantic City casinos. I had numerous senior forums throughout the August recess. My district, a lot of the towns I represent, I would say they are very middle income, not necessarily poor, not necessarily rich; and I remember particularly one day being at the Neptune Senior Center, which is a town which is very diverse, poor people, wealthy people, and mostly middle-class people. There were probably 100 seniors in the room.

There were maybe five or six that were covered by a prescription drug program under Medicaid, and they were complaining about how they could not get certain prescription drugs because they were not listed under Medicaid; and there were maybe another 10 or 15 out of the 100 covered under the State prescription drug program, financed with casino revenue funds, and they were fairly happy with their program. But there were collectively, between the Medicaid and the state-funded program, out of the 100 people, I doubt there were more than 20 that were receiving any coverage. The other 80 people in the room had no prescription drug coverage.

This is not a problem that is faced primarily by low-income people. This is a problem that everyone faces. It is primarily middle-income people that are complaining to me now and saying, look, I cannot afford the drugs; I do not have the benefit.

Mr. TURNER. If the gentleman will yield further, I think the point the gentleman made really goes to the heart of it. Whether or not you need some help in being able to pay for prescription drugs just does not depend upon your income; it depends on how sick you are. That is one of the beautiful things about our Medicare program that was established in 1965; everybody over 65 is eligible. I think it has been a program that has received broad public support because it is available to every senior.

If we go to a system where we try to take care of prescription drugs by putting together another welfare program, all we are going to do is send money out to the States. They will struggle trying to figure out how to put a program together, and I do not think they can do it nearly as quickly as we could put a prescription drug benefit under Medicare, and it would turn out to be wholly inadequate; and it will turn out to be different all across the country.

One of the other fundamental issues that one has to come to grips with in

this debate is whether or not you believe that as a senior citizen you should have the same benefit and the same coverage under Medicare, no matter where you live in this country. I can tell you, representing a rural district in east Texas where those 5,000 seniors just got notices a few weeks ago that their Medicare-plus Choice plans are going to be canceled, I can tell you that those seniors are no longer going to have any help with prescription drugs, because you could not count on those HMOs that came in there and offered those plans and are now turning and running away from them; and those seniors I think are all going to probably go back into regular Medicare. They have no other choice. But at least under regular Medicare we know that we get the same benefit no matter where you are in this country.

I think when we look at the Republican proposal of trying to rely on the States to set up welfare programs for low-income seniors, what we are going to find is that where you live will depend on what kind of benefits are provided for you, and there will be nothing for those middle-income seniors that are the ones I am hearing from too in my district who are struggling trying to pay those ever-increasing prices of prescription drugs.

So I think that traditional Medicare, if we believe in it, if we think it is important for every senior, no matter where they live in this country, to have the same coverage and the same protection and the same benefits, then I think we need to add a prescription drug benefit to traditional Medicare. That is our plan, and I think it is the only plan that provides seniors with the security that they need.

Under our plan, keep in mind, you do not have to go order it by mail. You can go to your local pharmacist, and you do not have to determine whether your insurance company has it listed on the formula, because under our plan you will get the medicine that your doctor prescribes at your local pharmacy.

That is the kind of security that the seniors need. They need to know what it is going to cost, they need to know what they are getting, and they need to know it is going to be there for them without any question. That is the Democratic plan, and I think it is the best plan for our seniors.

□ 2100

Mr. PALLONE. Mr. Speaker, I would also point out, because I know that the Republicans keep talking about choice and sort of give the impression that the problem with what the Democrats are proposing is that it is one-size-fits all, in other words, it is under the rubric of Medicare and, therefore, it is going to be national and somehow it is bad because it is national and it is one-size-fits all. Nothing could be further from the truth.

I would argue that the way the Democrats have set up this plan under Medicare, they have more choice, real choice than they have under the Republican plan. And I will say why. First of all, just like Medicare in general, this is voluntary. If they do not want to sign up for what would be Part D and pay the premium of so much a month the way my colleague described and the way the Democrats have put it forward, they do not have to do it.

But, more importantly, if they could have the Democratic plan in effect, those who are in HMOs, those who are in employer retirement plans where they are getting a prescription drug benefit can keep those plans and the Federal Government would be helping them and helping those plans to continue to provide the prescription drug coverage. Let me explain why.

Let us say that I am in an HMO and I would like to keep the HMO. Well, the reason why so many of the HMOs are now dropping seniors is because they cannot afford to cover the seniors or in many cases provide the prescription drug benefit. Well, under the Democratic plan, the HMOs will get the money to provide the prescription drug benefit, they will actually be paid by the Federal Government to provide the benefit because it is a basic benefit that everyone is entitled to under Medicare.

So, if anything, there should be more choices available. I would suggest that both in New Jersey and Texas we will see more HMOs willing to provide a prescription drug benefit and cover seniors than we have now because now they will be getting reimbursed for most of the cost of the prescription drug benefit plan. So if they want to keep their HMO and they like an HMO, they are probably more likely to keep it under the Democratic proposal.

The same thing with employer-based plans. Some people may not want to opt for the traditional Medicare coverage, which would include the prescription drug benefit, because maybe they, through their retirement, get prescription drugs as part of their employer-based health care plan. Well, we would reimburse that, as well, and they could keep their employer-based plan.

So all we are saying is that everyone gets the benefit and the Federal Government will provide the money to pay for the benefit regardless of what program they are in, whether it is their veterans or their employer-based plan or their HMO. But there is always going to be the guarantee, the floor, that if any of those fail and they do not have the option of any of those things they can get it through their traditional Medicare plan.

Mr. TURNER. Mr. Speaker, that sounds like a good competitive program, because they have got traditional Medicare there to keep the private HMO industry honest.

What would happen to us if we did not have traditional Medicare in my rural east Texas district today? With all of those HMOs pulling out, with 15 of my 19 counties having no Medicare+Choice HMO option, my seniors would be left with nothing if they did not have traditional Medicare.

I submit to my colleagues, there are those in this House who do not like traditional Medicare for one reason or another. But the truth is, if we are going to have a system of health care for seniors, if we are going to keep the HMOs honest in terms of what they offer and the prices they are demanding to offer it, we need to keep traditional Medicare in place.

I will also submit to my colleagues, if we are unable to provide a prescription drug benefit under traditional Medicare, those who advocate getting rid of traditional Medicare will carry the day. Because when faced with the choice of choosing a private HMO plan with prescription drug coverage and a Medicare plan without it, many of our seniors will be forced to exercise the choice of choosing the private HMO plan.

So it is essential for those who really believe in privatizing Medicare and turning it over to the insurance companies, they had better think a little bit. Because if they ever expect it to work, they had better keep a viable traditional Medicare program in place as the safety net to ensure that every senior will always have the option of having coverage for their health care and their prescription drugs.

Mr. DOGGETT. Mr. Speaker, that is so very vital. We have talked about the fact that too many of our seniors are forced to choose between groceries and prescriptions and to make very challenging decisions. For some it is literally a matter of life and death.

I had a woman from Austin, Texas, write me recently about an experience that is really of great concern to her family. She says that her brother recently underwent a kidney transplant and he is about to turn 65, at which time he will be forced to go on Medicare and give up the insurance that he previously has had. But he is now going to have to have these anti-rejection drugs after having had the transplant, and she expresses the concern that they just do not know where they will find the money because the cost of these anti-rejection drugs is really prohibitive, they cannot get any coverage on Medicare and at this point, though they are not wealthy people, they do not qualify for any kind of welfare program. And these kind of folks I gather would just be excluded from the insurance subsidy plan that the Republicans are advancing.

Mr. PALLONE. Mr. Speaker, I think that is what our colleague the gentleman from Texas (Mr. TURNER) was pointing out, which is that even though the Republicans may argue, well, let us just do this for low-income people, what they are forgetting is that middle-income people, depending on their circumstances as such, they could be completely wiped out with the cost of these drugs. So the notion that somehow this is not something we have

to do just for the average person is nonsense because they could be wiped out in a minute because of the cost of these drugs.

I also say that what we are finding today is that a lot of the more expensive drugs the HMOs or some of the insurance companies characterize as not medically necessary, in other words, they will say this is experimental or this is something that is not exactly approved at this point, and it is those very things that are very expensive that end up not being covered.

When we say in our Medicare prescription drug plan that they are going to have access to whatever is medically necessary, we put that language in there because we want to make clear that if their physician or the pharmacist says that this is medically necessary, it will be covered.

I know that my colleague, the gentleman from Texas (Mr. TURNER), has made a big point of that that one of the problems with the Republican plans is that not only is it primarily for low-income people but they never know exactly what they are going to get. And it is very easy to exclude things under the rubric of saying they are not medically necessary or they are experimental or those kinds of things, which is why it is important to establish in the plan what kind of drugs they are going to get and to make it clear.

Mr. TURNER. Mr. Speaker, I had a similar experience to the gentleman from Texas (Mr. DOGGETT). I talked to a lady in August during my tour of the district when I was going around to 40 communities talking about this very issue, and she came up to me and she said that her HMO had just canceled her and she wanted to know from me what I could do to help her.

It would almost bring tears to your eyes. She was a kidney transplant patient. From January until August, her prescription bills totaled $17,000. That had been covered by her HMO. As of December 31, she has no coverage, like 5,000 other seniors in my district.

Now, most of my seniors I talk to have prescription drug bills of $300, $400, $500. Many of them are paying their entire Social Security check just to cover their prescription drugs. This lady has $17,000 just from January through August.

I could not tell her what she was going to do. I had no answer for her. I told her about what we are fighting for in Congress, why we believe that we need a prescription drug benefit under traditional Medicare.

I talked to a fellow at a bank down in Liberty County. He told me that he and his wife spend $1,400 a month on prescription drugs. Now, I did not have the heart to ask him how long could he keep doing that.

But these stories are real stories from real people who have real problems. And I think that the reason we come here week after week talking about this problem is because we want to try to provide some help for those seniors who need it. And the way to do it is through the Democratic plan where we can provide seniors with a clear plan with a defined benefit, we can tell them what they are going to get, that is, they are going to get the prescription their doctor prescribes from the pharmacist they trust. We can tell them what the premium is and if they elect to take the coverage, how much it will cost. We can also tell them that under traditional Medicare the plan is here and it is going to be guaranteed by the United States Government and by the people who believe in traditional Medicare, not a plan that relies on the private insurance company that, by necessity we all understand, has to make a profit and, if they find out they are not making a profit, as apparently many of them did in my district, and decide to cancel their coverage for 5,000 seniors, then they are gone.

That is not the kind of security seniors in this country deserve.

Mr. PALLONE. Mr. Speaker, one of the reasons and I think both examples highlight it in my mind, one of the reasons why the Republican proposals just do not work is because they are too selective. In other words, originally when we started this evening we talked about how the Republican leadership proposes a bill that basically says we will give them some money and they go out and buy private insurance company and the insurance company says, we are not going to sell it. The reason they are not going to sell it is because they cannot make any money.

In other words, for most people, particularly seniors, probably 80 or 90 percent of them are using prescription drugs. It is a benefit. It is not a risk. It is not sold. In other words, if they are an insurance salesman or insurance company, they are not going to cover all these people that use the benefit because they cannot make any money.

I think we are also seeing the other phenomena, which is that the people that will go and try to sign up for the HMO are the people that really need the prescription drug coverage and they will tend to be the people that have the higher prescription drug bills and so the HMOs cannot even afford to provide it.

So what we are saying as Democrats is let us create this huge pool with all the people, everyone, every senior under Medicare. That create a huge pool. Some people use some drugs. Others use a lot. And by having this huge pool, the cost for everyone on the average becomes a lot less, they do not have the selective situation where people are trying to buy insurance or go into an HMO because they have high business. That is why it does not work.

I do not know if I am making it totally clear, but the beauty part of the Democratic proposal is that, by putting everybody in this big essential insurance pool, it is not as expensive and it is more realistic to cover them as opposed to what we are getting now with this selective insurance.

Mr. DOGGETT. Mr. Speaker, when we hear the story like the one that was just recounted, a person who is going to be facing $17,000 in bills with no remedy, we have to ask, well, why is this Congress not out here working on it tonight.

It was a little over a year ago that I offered in the House Committee on Ways and Means with our colleague the gentlewoman from Florida (Mrs. THURMAN) a proposal to deal with this price discrimination problem that would not have set up any government bureaucracy. In fact, that aspect of it would not have entailed any substantial cost.

Every Republican member of our committee voted against that proposal. And we have advanced it again this year. Every one of them voted against it again. Only after their public relations firm told them they had a problem did they come up with the plan the Republican presidential candidate is advancing.

The presidential elections I know are capturing most of the attention, but there is no good reason why the Congress should not be acting now. The gentleman from Illinois (Mr. HASTERT) could put this back on the agenda. It could be put on the agenda in the Senate and present the next President of the United States with a plan that was already in place that could be implemented. This Democratic plan that we have been talking about tonight, it could go into effect now.

I just mention to my colleagues the reaction that I think probably a lot of people have across this country that was embodied in another communication that I got from a constituent that lives out on Oakwood Drive in Austin. It begins: ''Shame on you pharmaceutical companies. Where is the compassion for human life? Have you just gotten so absorbed into making big profits that you can just say, we don't care if you don't have the money, roll over and die, see if we care?''

And this person does not face the $17,000 problem. She says, ''When you have a heart problem and you need three kinds of medication every day and just one prescription costs $120 each month, something is wrong. When these pharmaceutical companies have luxurious jets that transport candidates to the convention as shown on the news, then something is very wrong, especially when needed medications have these kind of exorbitant prices.''

Well, I think we are here again tonight because something is very wrong and that wrong is the failure of this Congress to respond to these needs, a failure that is extended over a number of years and was just papered over with this insurance subsidy plan that does not meet the need of these kind of folks that are out there tonight facing these tough decisions.

□ 2115

Mr. PALLONE. It is such a cruel hoax, too, because as both of you have

pointed out, this is a real problem. We are getting real people coming up to us on a regular basis saying that they are suffering. How cruel it is really for the Republican leadership in this House to say, well, we are going to solve their problem by throwing a few bucks at the insurance industry when the insurance industry is telling us that they are not going to provide the benefits, anyway.

I just wondered if I could for a minute go back to this article in the New York Times that talked about what had happened in Nevada. Nevada as I said in March of this year passed a piece of legislation that was very similar to what the House Republicans had proposed in terms of providing subsidies to seniors if they could go out and buy an insurance policy that covered prescription drugs. It has been a total failure. This is a reference here in the article. This is from July 8, New York Times, of this year. It quotes Barbara Buckley, a State assemblywoman who is cochair of a task force that monitors this potential program. She says that the task force refused to authorize the release of any money until it could see the details of a drug program that met the eligibility criteria in terms of premiums, deductibles, copayment, and benefit limits. Most of those details would be decided by the successful bidder.

The problem was that no insurance company wanted to offer a program that met the standards that the legislature set in terms of specifying what the premium would be, what the copayment would be, what drugs would be proposed. It says in the article, asked why insurers did not show any interest, a retired Navy captain, a Mr. Fend, who serves on this task force, said, probably because they did not think they could make any money. If they thought they could make a reasonable amount of money, they would probably buy into the program and bid on it.

The bottom line is, it is just a hoax. The Republicans here have talked about a prescription drug program that will not work. It is really awful to think that they know it will not work, it has not worked in a State where it was proposed, yet they keep bringing it forth as if somehow they are trying to address the problem when they are not.

Mr. TURNER. The Medicare program probably never would have been passed in 1965 if the private insurance industry could have taken care of the health care needs of our seniors. That is why we passed Medicare, is because private insurance would not work. I had a letter from a lady who had been in an insurance business 19 years. In fact, I have it here with me. It was a letter that was actually handed to me at a town meeting I had in Shelby County in my district. The lady asked me if I would read this letter on the way to my next stop.

This lady writes very eloquently to say she had been in the insurance business 19 years and her letter calls for us to provide a prescription drug benefit under Medicare for our seniors. She tells the story about her mother who died last November at the age of 87. As she was going through her mother's papers, she knew, of course, her mother had been on prescription medicines, I think, for about 20 years, the last 20 years of her life. She was going through all her bills, seeing what she had spent on medicine. She came across a credit card bill that had a balance owed of $6,000, and she was just shocked. She could not believe her mother, as frugal as she was, would have run up a $6,000 credit card bill and not taken care of it.

So she wrote letters to Visa. She found out what were all these charges. It turned out all of them were for prescription medicines. Her mother had been spending about $300 a month on prescription medicines, and her Social Security check just was not enough for her to get by and take care of those medicines. The lady wrote me, she says, I think my mother understood that when she died, her home could be sold and I could pay off that $6,000 Visa bill for her. But she said my mother was a very proud woman.

No senior in this country should have to struggle like that to pay for their prescription medicines. We have seniors who are breaking their pills in half trying to take their medicine and being able to afford it. I have seniors that told me at a meeting that they routinely just take one every other day. A pharmacist was standing there. He said, ''For some medicines, that can be extremely dangerous for you to do that.''

I had seniors come up to me and tell me that they actually have to make a choice every month of whether to buy groceries or to go fill those prescriptions. In a country as prosperous as we are today and as compassionate as we like to say we are, I believe we can do something about the problem of a prescription drug crisis for our senior citizens.

We talk about this big surplus that is going to arrive here over the next 10 years. I hope it does. I am not sure it will, but I hope it does. Some as we know on the other side of the aisle have proposed that we cut taxes to the tune, I believe Governor Bush says, of $1.6 trillion when we only have an estimated, hoped-for $2 trillion budget surplus. But I think if we are as compassionate as we like to say we are that surely we could set aside 10 percent over the next 10 years of that $2 trillion surplus and provide our senior citizens with a meaningful prescription drug benefit.

I know everybody wants tax cuts. I know everybody enjoys getting their taxes lower. But the truth is there is a basic need here that should not be ignored. And I think the vast majority of the American people agree with that. That is why I think on close examination of the Democratic prescription drug plan as compared to the Republican proposal that the overwhelming majority of our seniors and of all Americans would be in favor of a prescription drug benefit under traditional Medicare as the Democrats propose in this country.

Mr. PALLONE. I want to thank the gentleman. I think we are running out of time. The last point the gentleman made is so important. I really believe that one of the reasons why Governor Bush has proposed this scaled-down prescription drug plan that really only addresses some of the problems for low-income people is because he has proposed using so much of the surplus for this grandiose tax cut plan, which primarily benefits the wealthy and corporate interests, and so he does not have enough money left to pay for a Medicare prescription drug program the way the Democrats have proposed. And so that has actually forced him in some ways to propose this more scaled-down version that will only help some low-income people. That is unfortunate, because if we have a surplus, and you and I both I know are worried about these estimates and whether the level of surplus that is being talked about will ever materialize, but there is certainly enough that we could provide the prescription drug program along the lines of what the Democrats have proposed. I would hate to see that not happen just because of Governor Bush's tax proposals and the tax proposals that the Republicans have put forward, which I think really do not help in any significant way the average American.

I just want to say we were here again tonight as Democrats because we believe strongly that this is a major issue that should be addressed in this Congress, that is, providing a prescription drug program under Medicare. We are going to continue to be here every week until this Congress adjourns demanding that this issue be addressed.

NIGHTSIDE CHAT

The SPEAKER pro tempore (Mr. PETERSON of Pennsylvania). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Until the end of Congress, I am going to be here to rebut the gentleman from New Jersey who employs the doctrine of fear. He likes to get up here in front of the microphone and speak to all of you and give these misstatements, misleading statements, inaccurate statements. Less than 5 minutes ago, I just heard the gentleman from New Jersey say, and I quote, The Republican leadership, speaking of the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, the gentleman from Texas (Mr. ARMEY), the majority leader, they used the word ''cruel,'' they throw a few bucks at the insurance companies. And then these Democrats talk about the dream team, about how everybody is

going to be caught in this wonderful net, and all of your needs, your prescription needs, your medical needs will all be met by this Democratic Congress and by this Democratic Gore plan. Have you ever heard of the proposition, You don't get nothing for free? Somewhere somebody has got to pay for it. You better figure out what the problem is. I think we can agree on the problem. The Democrats that were up here, they would like you to believe that they are the only ones that understand that there are prescription service problems out there in our society and that they are the ones with the solution and their solution is very simple.

It tracks the Canadian health care plan. It is nationalized health care. It is socialized health care. The Republicans and frankly some conservative Democrats are saying, Wait a minute. Wait a minute. Before we jump into this pool of nationalized medicine, what you tried to do with Hillary Clinton about 6 or 7 years ago, 7 or 8 years ago, let's take a look at what the ramifications are; let's study other nations that have jumped into the same pool that you want us to jump into, for example, Canada, and take a look at what the Canadian system has that is better than our system.

That is what I propose you do. Before you jump into the pool, take a look at what the unintended consequences are. Maybe there are some things in the Canadian health care system that are better than the American health care system. But I would tell you this, that in America you still get the best health care of anywhere in the world. When they like to come up here and talk about the uninsured Americans, remember that there are different categories. You may have somebody that is uninsured; but no matter where you are in America, you can never be denied emergency care at a hospital if that hospital receives government funds. And I do not know any hospital, I am sure there are a couple of them out there but not very many more that do not operate on government funds.

The fact is, the prescription drugs in this country, the prices that are being charged for them are in my opinion outrageous. There is no question that the angel here is not the pharmaceutical companies. But let me tell you, there is also something to be said about the research that these pharmaceutical companies ought to be doing so that we have better medicines.

You take a look at the kind of medicines we have today, just in the last few years. I can remember 3 years ago when you got diarrhea, you drank that junk, that pink junk, you drank it. You drank a whole thing of it to try to get rid of the diarrhea. Today you buy a little packet about this big with little pills, you pop one pill and that is it. Our country is the country that makes advancements. We have got to do something about these outrageous prices that have snuck in here. For example, I do not know why the Democrat from New Jersey, instead of up here bashing and misleading all of you by saying that the Republicans, the leadership, have planned this cruel hoax on the Americans. Really, honestly, is there anybody you have ever met in elective office that wants to go out and play a cruel hoax on the constituents they represent? Is that an exaggeration? Of course it is an exaggeration.

But the fact that we come back to is this: What do we do to bring the pharmaceutical prices into line without bringing in nationalized health care? The Democrats are very easy to stand up here in front of you, ladies and gentlemen, and stand in front of my colleagues and promise you the Moon, the magic cure, greener fields on the other side of the fence. All I am saying is before you jump on the other side of the fence, take a look at the consequences of the plan that they are proposing.

Where do you think AL GORE, the Vice President, is going to get his money from this? It comes out of that surplus. Remember, this is the first time in 30 years we have had that surplus. As I say, clearly there is a problem out there. We need to address that problem. But the Gore approach and the Democratic Congress approach or at least the liberal side of it, I have got to say, I have got to restrain myself because we have several conservative Democrats who do not agree with the liberal approach as just espoused by the gentleman from New Jersey. But the liberal Democratic approach is the Hillary Clinton approach, nationalized health care, socialized health care. I can tell a lot of you right now, 64 percent of the people in America, as I understand, have some kind of prescription care service.

You better figure out what the gentleman from New Jersey is proposing to do with the service of those of you that have prescription care in moving that to the people that do not have prescription care service. There are lots of consequences to what the Democrats, the liberal Democrats, are proposing when they offer you something for nothing.

□ 2130

There is a price to be paid, and I think it is incumbent upon the gentleman from New Jersey and his colleagues when they stand up here and trash and cut down more conservative Democrats or the conservative Republicans. I think it is incumbent on them to kind of have an openness requirement. Tell the people what the consequences are of nationalized health care. Tell people what the consequences are of a Canadian-type of system. Talk about it. Tell the people what the consequences are of research for better medicines.

Know this is why this Congress just does not jump up and sign the blank check offered by the gentleman from New Jersey. We are not going to jump up and sign a blank check, at least enough of us on both sides of the aisle are saying wait a minute, what are we doing, what are the consequences. Clearly, we all agree on the problem.

Despite what the gentleman from New Jersey says, nobody is patting the pharmaceutical companies on the back and saying be proud of yourself. They have not done a good job in some regards with medicine, but frankly it appears that there is some gouging going on out there.

But before my colleagues address that problem, take a very careful look at what the Democrat, the liberal Democrat approach is, because I can assure my colleagues in the long run, first of all, they promise it will only be 10 percent of the surplus and a much, much smaller percent of the budget and nothing will grow and grow and grow; and it is the open door for socialized medicine in this country, for a national health care, and there are a lot of people who, in my opinion, will suffer under a national health care plan.

Nobody should be forgotten and nobody should be left behind, but there are ways to address that without going into a Hillary Clinton-type of health care plan. So my discussion here tonight was not intended to be on health care, but there is nobody else that stands here to rebut these gentlemen, as they speak here unrebutted for 1 hour about the so-called quote cruel hoaxes by the Republican leadership.

Those words ought to be stricken from the RECORD. They are inaccurate. They are misleading. The gentleman from New Jersey and some of his colleagues, they know that the cruel hoax by the leadership. I did not say there is a cruel hoax by the Democratic leadership. Come on, we have more protocol on this floor. We can be more ladies and gentlemen in talking about the problem.

The people that suffer while this partisan bickering goes on back here are the senior citizens that do not have prescription care or, by the way, anybody that does not have the ability to care for themselves. But do not address it by waving the magic wand and saying look, citizens, we have got something for nothing. We are going to take care of all of your health care needs. We are going to take away your personal responsibility and the government is going to assume it.

Remember, every time, and I cannot say this strong enough, every time the government assumes one of your responsibilities, every time the government takes a burden of yours and makes it a burden of theirs, they take something with it. It comes with a price. Somewhere we are losing a freedom. Somewhere we are going to lose the ability to have choice in the future.

So in summary on this health care plan, let me say, I am discouraged by the comments that were made previous to my speaking here this evening. We do not get anywhere, and I direct my remarks at the liberal Democrats. Look, we are not going to get anywhere with a nationalized health care

plan. We are not going to get anywhere with socialized medicine.

Why do you not sit down instead of talking about how leadership has this cruel conspiracy going on by throwing a few bucks at insurance companies? Why do you not put the election-year rhetoric aside and sit down with us and help us try and figure out what a solution is.

Every day that we use that kind of rhetoric, there are people out there who are suffering because my colleagues are not willing to sit down and put their heads together to come up with a solution. And there is a solution.

I am optimistic that we can have a solution. We do have a great country, and we have made wonderful strides in health care. But clearly we have got some problems in that system, but we can fix it without having our health care provided by the United States of America, which means they are going to oversee what doctors you see. They are going to oversee what kind of prescriptions you get. They are going to oversee what kind of treatments you get. They are going to oversee how often you are going to get to see this doctor or that doctor. Socialized or national medicine is not the magic answer it appears to be.

Tonight it is very easy to buy into this, very easy to buy into this, because the Democrats, the liberal side over here, not all Democrats, I stand corrected, the liberal Democrats over here, they think you are going to get something for nothing. And they are saying, look, it is easy for us to afford it, no problem. Remember, you do not get something for nothing.

Let me switch subjects and talk about something much, much more pertinent, I think, really because of the Olympics. I hope some of you have are having the opportunity to watch it. In fact, I was over at the office before I came over this evening watching the Olympics, how exciting that is, even if it is taped NBC or whoever does that. The reality of it is look what we get to see clear across the ocean in Sydney and watch those Olympics, and I am very proud of those people.

I want to tell you I heard an advertisement, I will not tell you the name of the company the other day, but I heard an advertisement about the Olympics, and it said our young men and women that go over there to compete in the Olympics, they will come home heroes. And I thought to myself, you know, they will come over celebrities. I would like to have their autographs. I am proud of them.

But I think using the word heroes is somewhat of a delusion. I think the real word of heroes is used in a different type of setting. There are sports celebrities, and there are heroes.

I have a perfect example. I am not just up here talking without giving you an example. It is happening this week in Pueblo, Colorado. First of all, on my way over I real quickly grabbed a dictionary, and I looked up the word hero. Hero, a mythological or a legendary figure often of divine descent endowed with great strength or ability, an illustrious warrior, a man admired for his noble qualities, one that shows great courage, an object of extreme admiration and devotion with courage.

With that said, let me read an editorial from one of the leading newspapers in the State of Colorado, the Pueblo Chieftain. It is called Patriots Week. What is Patriots Week about? This is a celebration of heroes.

This week, we anticipate more than 110 Americans, more than 110 Americans who have been decorated with the Medal of Honor, which is the highest honor our country can give out, 110 of them will be in Pueblo, Colorado, to be honored by a city which was recently designated as one of the four finest communities to live in this country. Pueblo, Colorado, picked out of hundreds of communities. It was picked in the top four.

This week Pueblo is hosting 110 medal of honor winners, and they are calling their week Patriots' Week. I am going to go through my poster here in a few minutes with you and show you some of the interesting things about what this week is going to consist of.

First of all, let me read the editorial out of the Sunday Chieftain Star and Journal, my good friend Bob Rawlings, who is the publisher and editor, this is Patriots Week, the home of heroes in Pueblo, Colorado. On Tuesday, the National Medal of Honor Society convenes here for its annual convention. Pueblo is home to four medal of honor recipients, the most of any city at least in modern times.

On Thursday, larger-than-life bronze sculptures of the four Puebloans who won this will be unveiled at the Pueblo Convention Center. They are Carl Sitter, William Crawford, Drew Dix, and Jerry Murphy. Mr. Sitter and Mr. Crawford died this year, but not before they got to see their sculptures taking form. Also included is a display of all medal of honor recipients dating back to the Civil War, when the Nation's highest honor was approved by the United States Congress.

A black tie patriot dinner on Friday will bring five greats from the world of sports to Pueblo. Golfer Arnold Palmer; gold glove baseball player Brooks Robinson; NBA center David, The Admiral, Robinson; one-time boxing champion Gene Fullmer; and the NHL hockey star Pat LaFontaine will receive the Society's Patriot Award for the joy and support they have given to our military forces. Also commentator Paul Harvey and World War II cartoonist Bill Maudlin will receive special awards from the Medal of Honor Society.

Two other veterans organizations are in Pueblo this in week in conjunction with the Society's convention. Two days ago, the 50th anniversary reunion of the 578th Combat Engineering Battalion began. Later this year, the crew of the Peachy, a B–29 piloted by Puebloan Bill Haver that flew raids over Japan, will meet for its annual get-together. Mr. Haver named the plane, a replica of which is at the aircraft museum at the Memorial Airport in honor of his sister Peachy Wilcoxson, and I know Peachy. Today is Constitution Day. All of these patriots spot for the ideals embodied in the United States Constitution, and many of their comrades perished in that effort.

So let each and every one of us reflect on that remarkable document and re-dedicate ourselves to the cause of liberty and justice. Well, how exciting. In Pueblo alone, for example, I would like to just to kind of, for a moment, go over who are the four members who are from Pueblo, Colorado.

As I mentioned in my comments, unfortunately, two of our members, two of our citizens of Pueblo, passed away earlier this year. Mr. Crawford, who was in the Army, you can see right here, and Mr. Sitter, right here, but we still have surviving Drew Dix, the gentleman right here with the red dot, and Jerry Murphy, who was in the Marines in Korea.

This is the plaza that Pueblo, Colorado, has dedicated and put together through contributions from the local community. Here is a community that came together, did not come to the United States Congress and ask for money, did not expect the government to do it; they got together in their community of Pueblo, Colorado, to honor all medal of honor recipients, but specifically to put something that will be a long-lasting recognition of the four medal of honor winners from Pueblo, Colorado. That is what that little plaza is going to look like. The statues, here is one of Jerry Murphy, 8½ feet tall; that is the completed statute there honoring Jerry.

Here, so you have an idea, there is Bill Crawford before he passed away as he stands with the statue of him, which is also about 8½ feet high. This is going to be an exciting week in Pueblo.

What I thought I would do is share with my colleagues four of the stories of these medal of honor winners. I can tell you that I have had the occasion, and I consider it amongst the highest privileges of my congressional career, if I were to kind of recapture my memories of serving in the United States Congress, where I felt the most fortunate to meet somebody or the most privileged to be able to shake their hand, I would have to put it in the order of, I am Catholic, the Pope, and Mother Theresa, and right behind them, our medal of honor winners.

In fact, I was in a parade in Pueblo not very long ago, and I had the opportunity in that parade to shake the hands of two medal of honor winners who were watching the parade. You feel so much pride, because these people are such heroes. They really are what heros are, the word. They do not cause any delusion to the word hero.

They embody hero in its fullest envisions.

Let me talk about Drew Dix. I will point out Drew here. Drew right here. By the way, a special hello to his mother, a very sweet person in Pueblo, Colorado. Let me talk a little about Drew, Drew D. Dix, U.S. Army Special Forces Vietnam, citation for conspicuous gallantry in the action at the risk of his life above and beyond the call of duty.

Sergeant Dix distinguished himself by exceptional heroism by serving as a unit advisor to heavily armed Vietcong battalions attacked the providence capital of Chau Phu resulting in complete breakdown and fragmentation of defenses of the city.

Sergeant Dix with a patrol of Vietnamese soldiers was recalled to assist in the defense of the city. Learning that a nurse was trapped in a house near the center of the city, Sergeant Dix organized a relief force, successfully rescued the nurse and returned her safely to the tackle operations center; but that is not all.

Being informed that now there were other trapped civilians within the city, Sergeant Dix voluntarily led another force to rescue eight civilian employees located in a building which was under heavy mortar and small arms fire. Sergeant Dix then returned to the center of the city. Upon approaching a building, he was subjected to intense automatic rifle and machine gun fire from an unknown number of Vietcong. He personally assaulted the building, killing six of the Vietcong and rescuing two Philippinos. The following day, Sergeant Dix, still on his own volition, assembled a 20-man force, and though under intense enemy fire, cleared the Vietcong out of the hotel, the theater and other adjacent buildings within the city.

□ 2145

During this portion of the attack, Army Republic of Vietnam soldiers, inspired by the heroism and success of Sergeant Dix, rallied and commenced firing upon the Viet Cong. Sergeant Dix individually captured 20 prisoners, including a high ranking Viet Cong official. He then attacked enemy troops who had entered the residence of the deputy providence chief and was successful in rescuing the official's wife and children.

Sergeant Dix's personal heroic actions resulted in 14 confirmed Viet Cong killed in action and possibly 25 more. The capture of 20 prisoners, 15 weapons and the rescue of 14 United States and free world civilians. The heroism of Sergeant Dix was in the highest tradition and reflects great credit upon the United States Army.

Raymond Jerry Murphy, and if you ever go to Pueblo, Colorado, you will see Murphy Boulevard. I mean, these guys are real heroes. Their community loves them. Our country has deep respect for Medal of Honor winners. Excuse me. Not winners they did not win it. Medal of Honor recipients, and I stand corrected on that.

Raymond Jerry Murphy, United States Marine Corps, Korea, citation for conspicuous gallantry at the risk of his own life, above and beyond the call of duty as a platoon commander of Company A, an action against enemy aggressor forces. Although painfully wounded by fragments from an enemy mortar shell while leading his evacuation platoon in support of assault units attacking a cleverly concealed and well-entrenched hostile force occupying commanding ground, Second Lieutenant Murphy steadfastly refused medical aid and continued to lead his men up a hill through a withering barrage of hostile mortar and small arms fire; skillfully maneuvering his force from one position to the next and shouting words of encouragement. Undeterred by the increasing intense enemy fire, he immediately located casualties as they fell and made several trips up and down the fire swept hill to direct evacuation teams to the wounded, personally carrying many of the stricken Marines to safety.

When reinforcements were needed by the assaulting elements, Second Lieutenant Murphy employed part of his unit as support and during the ensuing battle personally killed two of the enemy with his own pistol.

With all of the wounded evacuated and the assaulting units beginning to disengage, he remained behind with a carbine to cover the movement of friendly forces of the hill, and although suffering intense pain from his previous wounds he seized an automatic rifle to provide more firepower when the enemy reappeared from the trenches.

After reaching the base of the hill, he organized a search party and again ascended the slope for a final check on missing Marines, locating and carrying the bodies of machine gun crew back down the hill. Wounded a second time, while conducting the entire force to the line of departure through a continuing barrage of enemy small arms artillery and mortar fire, he again refused medical assistance until assured that every one of his men, including all of the casualties, had preceded him to the main lines.

His resolute and inspiring leadership and exceptional fortitude and great personal valor reflect the highest credit upon Second Lieutenant Murphy and enhance the finest traditions of the United States Marine Corps.

William Crawford, our third Pueblo citizen, United States Army, World War II, for conspicuous gallantry at the risk of life and above and beyond the call of duty in action, with the enemy in Italy, 13 September 1943, when Company I attacked an enemy-held position on hill 424, the third platoon in which Private Crawford was a squad scout attacked as a base platoon for the company. After reaching the crest of the hill, the platoon was pinned down by intense enemy machine and small arms fire. Locating one of these guns, which was dug in on a terrace on his immediate front, Private Crawford, without orders, and on his own initiative, moved over the hill under enemy fire to a point within a few yards of the machine gun emplacement and single-handedly destroyed the machine gun and killed three of the crew with a hand grenade; thus enabling his platoon to continue its advance.

When the platoon, after reaching the crest, was once more delayed by enemy fire, Private Crawford again, in face of intense fire and on his own volition, advanced directly to the front midway between two hostile, two this time, hostile machine gun nests located on a higher terrace and placed in a small ravine. Moving first to the left, with a hand grenade he destroyed one gun emplacement and killed the crew. Then he worked his way to the right and under continuous fire from the other machine gun emplacement, he used one hand grenade and the use of his rifle and he killed one enemy and blew out the machine gun nest and forced the remainder of the enemy to flee.

Seizing the enemy machine gun that was left from the one emplacement, he fired on the withdrawing Germans and facilitating his company's advance.

These are remarkable individuals.

Carl Sitter, United States Marine Corps Korea, for conspicuous gallantry at the risk of his own life, above and beyond the call of duty as a commanding officer of Company G, in action against enemy aggressor forces, ordered to break through enemy infested territory to reinforce his battalion the morning of 29 November. Captain Sitter continuously exposed himself to enemy fire as he led his company forward, and despite 25 percent casualties suffered in the furious action, he succeeded in driving the group to its objective.

Assuming the responsibility of attempting to seize and occupy a strategic area, occupied by a hostile force of regiment strength, deeply entrenched on a snow covered hill, commanding the entire valley southeast of town, as well as the line of march of friendly troops withdrawing to the south, he reorganized his depleted units the following morning and boldly led them up that steep frozen hillside under blistering fire, encouraging and redeploying his troops as casualties occurred, and directing forward platoons as they continued the drive to the top of the ridge.

During the night when the vastly outnumbered enemy launched a sudden vicious counterattack, setting the hill ablaze with mortar, machinegun and automatic weapons fire and taking a heavy toll in troops, Captain Sitter visited each foxhole and gun position, coolly deploying and integrating reinforcing units consisting of service personnel unfamiliar with infantry tactics

into a coordinated combat team and instilling in every man the will and determination to hold his position at all costs.

With the enemy penetrating his lines, in repeated counterattacks which often required hand-to-hand combat, and on one occasion infiltrating to the command post with hand grenades, he fought gallantly with his men in repulsing and killing the fanatic attackers in each encounter. Painfully wounded in the face, wounded in the arms and wounded in the chest by bursting grenades, he staunchly refused to be evacuated, and he continued to fight on until a successful defense of the area was assured with a loss of the enemy by more than 50 percent of their troops dead or wounded or captured. His valiant leadership, superb tactics and great personal valor throughout 36 hours of bitter combat reflect the highest credit upon Captain Sitter and the U.S. Naval service.

These four gentlemen that I just described as heroes who got the Medal of Honor are from Pueblo, Colorado, but I want to remind all of my colleagues there is what we call the Medal of Honor Society, and 110 members of that society will be in Pueblo, Colorado, this week to be honored by our community and to be honored by our Nation for what they have done.

Those four stories I told are but a drop in the bucket of the stories of valor, the stories of courageous brave men and women, who stepped out above the call of duty because they believed in America. They believed in freedom and they were willing to lay their life down for it.

This weekend I had a wonderful opportunity to spend with my wife and my parents in Meeker, Colorado, and we were up at the cemetery, an old cemetery, we were in the old section of the cemetery, and I walked by a grave and it was a young man, not much on the gravestone, had the gentlemen's name, had his birth. He was 22 years old, and all it said on the gravestone was he died for his country.

As we know, we have thousands and thousands and thousands of men and women in this country who have died for their country, and we have hundreds of thousands of men and women who have fought bravely for what this country stands for, for the freedom of this country, for the benefit of all of us.

We cannot acknowledge everybody with a Medal of Honor, so we know that there are brave and courageous individuals out there who should have received the Medal of Honor, who earned the Medal of Honor but did not receive it, but we do know we still have a group of individuals who did receive the Medal of Honor, and they truly should own lock, stock and barrel the title of hero.

WHAT KIND OF VIOLENCE ARE WE EDUCATING OUR CHILDREN WITH?

Mr. MCINNIS. Mr. Speaker, I would like to move on. It is election year so in the last week and a half we all of a sudden begin to hear about a problem that, frankly, I addressed over a year ago. Not that I knew that I could foresee this problem, we had a lot of people talking about it after the Columbine High School tragedy in Colorado, and that is, what kind of violence are we educating our young people with?

We know that at tender ages, at younger ages, that is an opportunity, probably the maximum opportunity, to mold a young person, to influence a young person, to set him upon a direction in the life that they are beginning. Unfortunately, for example, the tobacco companies took full advantage of that. They marketed their products to very, very young individuals because they knew, frankly, that they could get them addicted. They knew what the disease was that they would cause. They knew the evils of tobacco, but nonetheless they knew their customer base had to constantly be renewed and the best way to renew it was to go into this fragile age, say 14, or maybe 12 to about 17, and get them hooked on the product that you wanted them to buy.

Well, we see the same kind of thing happening today in the video game industry. There is actually a market out there not for what I would consider bad entertainment but what I would consider trash. Now, look, I am not up here bashing Hollywood. I go to the movies like all the rest of you. I enjoy them. In fact, I watch Titanic any time I get an opportunity to. I have lots of favorite movies. So do you. There are a lot of neat things about Hollywood. In fact, I think films in America really speak freedom throughout the world. It is amazing on my international travels what kind of influence America has because there is American music in these countries, in China, for example, or when the American movie industry starts to creep into China, freedoms, people see what freedoms are about. So I think Hollywood has a very strong place in our society, and I think that under our First Amendment they have constitutional privilege, and 99 percent of the product that comes out of there is good product, but unfortunately 1 percent of it is being ignored by the other 99 percent.

Now I am not talking about entertainment that I do not like. Look, there are movies out there that I would not watch. There is music out there that I am not entertained by. I can assure you that my three children, who are all now in college, are not exactly entertained by the kind of music I listen to and they are not necessarily entertained by the kind of movies I like to go to. So I am not talking about music that is not entertaining to my ears or to my sight. What I am talking about is violence that is being marketed in a retail sense clear across America.

Now some people have said, well, what should government do about it? I do not think we need what is called a recreation or an entertainment czar. I do not think we need that any more than we need socialized medicine in this country. Our country prides itself on saying to the individuals, look, you have personal responsibility. The people in America still exercise a great deal of personal responsibility. So what can the government do about this? I think we in the government have an obligation for an awareness, to put out as much as we can about what we think is going on out there so that we can communicate a message to the maximum amount of our constituents.

For example, I had not been in a video arcade in a long time before last year. After Columbine, I was at the Denver International Airport and I decided to go into the video arcade, and I think out of the 27 games in that video arcade in Denver, Colorado, well over half of them were games of killing somebody; violence; games of shooting each other.

Now to the credit, Mayor Wellington Webb of Denver, Colorado, I called the city and I said, hey, I have just become aware of this. We do not have anything in the government that prohibits the City of Denver from leasing this video arcade to have this kind of merchandising of violence, but the mayor took it upon himself and within I would say half a day those games were out of that video arcade.

□ 2200

It did not take government action; it did not take a U.S. Congressman coming back here with his colleagues and passing laws to get it out of the arcade. It took the responsibility, the personal responsibility of the people of Denver, led by their mayor and the mayor's staff, and they stood up to it and they took it out in about a half a day.

Well, I think we as congress people, we have to take this message to our constituents and say hey, go visit your local video arcade, see what is going on in your neighborhood. For example, I had one of my constituents give me the magazine that his then 13-year-old boy bought off the counter. I am going to show my colleagues this magazine in a few minutes and what it markets. This magazine right here. It markets terror, it markets violence, it markets death, and it markets it in such a way that it knows that the typical 13-year-old or 14-year-old will grab this and begin to become influenced and molded by what they are reading, and what they are seeing, and pretty soon, what they are playing when they buy the video game.

For example, on this chart here, this is a video game that is advertised in this magazine. This magazine is called, Next Generation. This is the ad, a full, 2-page center-fold ad. The name of the game and the name of this ad is ''You're Going to Die.'' This is what is being marketed out there: ''You're Going to Die.''

Now, in the last week, Hollywood has gotten defensive, and I have heard some artists say well, you cannot impede on the right of free speech and an

artist's opportunity to have free thought. Come on. We have to have some peer enforcement. We have to exercise responsibility.

Mr. Speaker, I happen to agree with Hollywood; I do not think the government ought to have an entertainment czar. But I do think, and I would say to my colleagues that if we have constituents in the entertainment industry, that we have to emphasize upon them that, look, we all have a duty, a responsibility to our young people. This incident that occurred at Columbine High School, it did not occur because of this magazine, but let me tell my colleagues, there are some violent things out there, in my opinion, that have occurred as a result of this kind of game.

Let me show my colleagues. I have blown up the ad. This ad is available to our children and our constituents. Any constituent out there that has children, they can go to the store and pick up this magazine, no problem.

Now, take a look at this ad. This is the video game that we can buy. ''You're Going to Die.'' You will see right here to my left the individual, this is a person who has been shot, that red is obviously blood. Let me tell my colleagues what the game offers. It offers its player to zoom in, to zoom in on this game, right up here, one can zoom in on one's computer, and one can target specific body parts and actually see the damage done, including exit wounds. They do not have to show a lot. All you have to be is a kid with some money and you go in the video store and you buy this game. You can steal a bike or hop a train just to get around town. Even the odds by recruiting the gang members you want on your side. Talk to people the way you want, talk to them any way you want on the video game. Actual game play screens, built on top of the revolutionary Quake 2 engine, includes multiplayer gang bang death match for up to 16 thugs. Life of crime. Unbelievable.

I pulled it up tonight. I web to the web site. Needless to say, a year ago, when my constituent came to me with this after we were discussing what had occurred at the Columbine High School in Colorado, I was amazed.

I contacted the executives of one of the magazines that advertises this type of advertising and then too, I contacted the producers of this game, and I asked those executives; in fact, I disclosed their names on the House Floor, I asked those executives about their own children. Believe it or not, on the web sites, on their web sites they disclosed their background, or maybe on financial documents under public corporation disclosure, they described their families.

So I wrote them and I said, Mr. Executive, Mr. Big Corporation Executive, do you allow your children to go buy the product that you are trying to market intensely to every other child in America? I will bet any amount of money, I say to my colleagues, that not one of the executives of this company allows their own children to possess this game that they, in turn, are marketing to every other American family that has children the same age they have, young children. Not one of those executives puts that trash in their own children's hand. Do we know why? Because they know the impact of what this influence means. They know what the result will be if we continue to allow these kids to play game after game after game where one can focus in and see the damage of exit wounds, where they are encouraged to steal a bike, where they tell you to go in and gang bang death and talk smack.

When the tobacco companies first came forward and said oh, this is not addicting; when the tobacco companies first came forward and said, kids have the right to choice, this is not addictive to young kids, we are not targeting young kids, it was a lie, and it is the same thing here. Do not let this company tell us they are not trying to grab that young kid, that young boy or girl, the future leaders of our country, the future citizens, the members of our families, I say to my colleagues, we know darn well what this company is trying to do with this videotape. Stuff cash in their pockets at the expense of the right and wrong of our children.

I pulled up the web site tonight, I wanted to see if this company had changed anything since I had written to them. They have not changed much.

Let me tell my colleagues how they describe that. I pulled it off the web, it is called a story off their web site. ''Somewhere in the past that never existed lies the world of kingpin'', that is the name of this game, ''a landscape of burned out buildings and urban decay where local gangs rule the street. Begin your rise to the top, assembling your own gang of thugs. If a new member turns out to be a punk, waste him. Waste him, and make room for new blood. Moving up in the world is sure to attract the attention of kingpin. Eventually, you are going to have to take him down, but you knew that anyway.''

Mr. Speaker, that is awful. I pulled that off the web site tonight before I came over here to speak. This company has not slowed down one bit.

Mr. Speaker, I think it is unfortunate. I contacted Imagine Publishing, and Imagine Publishing, by the way, is the magazine that puts this stuff out. I asked Imagine, I talked to some of their executives about a year ago, why do you put this kind of stuff in? Well, they start to give me the freedom of speech and the First Amendment. I said, wait a second, wait a second. Why do you put this stuff in there? Would you let your own children play with it? Well, no, but that is not the point, they said. The point is that really we do not censor.

Essentially, anybody that wants to put something in one of the Imagine publications, why, this is just fine. Do they have any sense of responsibility to the community that they maybe ought to say no? I did not get any idea at all, I did not get any feeling that the Imagine Publishing Corporation cared at all about any kind of community responsibility to the young people that picked up their magazine called Next Generation right here and saw this ad and went out to buy that kind of video game.

Now, of course I contacted Interplay, as I mentioned earlier in my remarks. I contacted Interplay, and as I mentioned earlier in my remarks, I said to them, do you let your own children do it? Why do you go out to America, why do you go out to our communities and market this kind of crap? Why do you do it? Look at this garbage. Do you think it is a distortion of reality? Do you think that you, in effect, are brainwashing our young people, that violence is the answer? And to think nothing of killing and to think nothing of being proud of the exit wounds the size of the exit wound that you create in a body, and that if you want to get around town you just steal a bike or a train, and then if you have a gang member you do not get along with, waste him, you are going to do it anyway? I did not get any sense of responsibility out of that corporation called Interplay.

So my conclusion is this, I say to my colleagues. We have to shoulder a responsibility to go into our communities. We should go and look in our local arcades. Most of the video arcade dealers that I have talked to, and prior to last year I had not gone into video arcades since my kids were that big playing pinball machines, and they have changed a lot. And my bet is most of my colleagues have not gone into their own districts and stopped just at a regular video arcade store to take a look at the games that are being played. But I have done that in the last year, and I can tell my colleagues that most of the video arcade owners that I have talked to responded much the same way that the city of Denver responded saying, wow, we really were not paying attention to it. We will get the game out of there.

Mr. Speaker, I can also tell my colleagues that I went to the advertisers. I figured I was not going to get this publisher to do anything, because he wanted the cash; and, by the way, there was a she too, a she executive, and they wanted the cash in their pocket. They could care less, in my opinion, about community responsibility towards our youth and violence.

So I went to the advertisers, and I tried to encourage the advertisers not to buy advertising in this magazine. I set up meetings; it did not require Federal law, it did not require U.S. congressional action. I set up meetings with Target, with City Market, King Supers Corporation, with Wal-Mart Corporation, with J.C. Penney Corporation. Every one of those retailers was responsive and every one of those retailers has taken not large steps, but

small steps and, in some regards, some aggressive steps towards doing something about making sure that this kind of stuff, this kind of true violence is taken off of those retail shelves, is not being offered for sale by some of these retailers.

Mr. Speaker, that is what I am speaking here tonight about. I think we have an obligation.

I know that in the last week Al Gore prided himself on taking on Hollywood. I think we have to go to the grassroots. I think each one of us, each one of my colleagues, we need to go into our communities, take it by the grassroots, just like we are doing in our political campaigns in the next 5 or 6 weeks and talk to our local video arcades, talk to our local parent-teacher organizations, talk to our local churches and say, hey, here is somebody over here, we ought to ask them to take this stuff off of their shelves. We ought to go to the local Wal-Mart or local Target or local K-Mart, or the bookstore, and if they have this kind of stuff, we ought to ask them to take it off. I think we would get a pretty positive response. Because most citizens out there, unlike the executives of Interplay, and unlike the executives of Imagine, most people out there that are proprietors that have their own businesses and who are operating these businesses and have more community responsibility. After all, they are a part of the community.

So, Mr. Speaker, I think we can be successful, and I do not think we need to take the kind of action that requires Federal oversight.

ELIMINATING THE DEATH TAX

Mr. MCINNIS. Mr. Speaker, let me move on to another subject very quickly. I am going to wrap up with a letter that I got after our last discussion. In our last night side chat, we talked about the death tax. We talked about the fact that the President at that time was going to veto, and has subsequently vetoed; not only supports death as a taxable event, but that the Clinton-Gore administration actually proposed this year in their budget a $9.5 billion increase in the death tax.

Now, it was amazing how much I heard, the rhetoric, about how the death tax only hits 2 percent of the community. It hits the entire community. Because to summarize, what happens with the death tax is we take the money out of a community and we transfer that money, regardless of whose money it is, it is still money that circulates within that community, and we move it from that community to Washington, D.C. to the bureaucracy and the U.S. Federal Government for redistribution. I can assure my colleagues that not a fraction of what we send in goes back to our community.

I got a very interesting letter subsequent to that and I would like to read just parts of it.

□ 2215

Although my own personal experience seemingly pales in comparison to the families in Colorado and Idaho who lost ranches and farms in order to pay estate taxes, I can still easily relate to the frustrations that those families are experiencing. I am just one of the growing number of middle-class Americans who feel that they have literally been ''screwed'' by their own government, and I encourage you to continue in your efforts to repeal our country's death tax laws now to prevent more of us from having to experience what my own family recently experienced.

My mother fought a valiant battle against breast cancer for a few years, but passed away in 1996. Sadly, she had just turned 65 years old. She was a full-time mother and also worked hard as a nurse for many years to pay college tuition for my sister and I. Dad worked most of his life for a defense contractor as an aerospace engineer. You can see that both of my parents were not farmers or ranchers, but they worked at jobs that many ordinary Americans work at. Both of my parents were also raised in families that survived the Great Depression, and, as a result, they acquired a deep appreciation for the value of a dollar. They both worked hard and they were also great ''savers.''

They were wealthy in many ways, but they certainly were not rich. When mom and dad were in their early thirties they purchased a dream home in a typical middle-class track neighborhood on Long Island for about $16,000. They resided there for 40 years, and last year my sister and I had to sell the house, which we sold for many many times what my folks bought it for, and every penny we got from that House went to the Federal Government to pay for the death tax.

Dad passed away unexpectedly. We knew that my folks had planned all their lives for retirement, but we didn't have any idea how they really had saved all those years. They did not have an extravagant lifestyle, but they lived comfortable, as many middle-class American families do. Upon retirement, dad and mom wanted to ensure that they could continue to live the comfortable standard of living they had come to enjoy as middle-class Americans during their prime earning years. Unfortunately, neither one of my parents got to reap a dime from their IRAs, their pension account, their savings or from the proceeds of the sale of their home. Rather, as I just mentioned, my sister and I were forced to sell the home soon after my dad's passing in order to pay the death taxes on the estate that was left to us.

There aren't as many farms anymore, for many reasons. Many baby-boomers, like my sister and I, who are now just beginning to inherit the wealth of a previous generation, were born and raised in suburban cities and subdivisions. Even here in Colorado Springs, my own kids are far removed from the rural farming communities that you had referred to in Colorado and Idaho. But, nonetheless, many city folks from previous generations also worked hard all of their lives. While they do not have farms or ranches to leave to their children, they do have other kinds of assets to bequeath.

While the estates of middle-income Americans often will not qualify them to be included among the rich and famous, these estates are, nonetheless, considered sizable to most of us. Many suburban and city dwellers save so they can retire comfortably, as my parents had planned, and many, like my parents, many intended their estates to be passed to their own children and to their grandchildren, estates that had already paid the taxes on the property, and they wanted to have enough money to send their grandkids to college. But they did not intend upon their death for 55 percent of their estate to be handed over to the government because death is a taxable event. It is absolutely ludicrous and unconscionable to think that this could happen in America, but it is a reality.

I was amused by your comments in which you indicated that the current administration would most likely, once they left office, seek out the expertise of tax attorneys and accountants to advise them how to best shelter their assets on their estates to avoid paying the death taxes. How true that is. But the irony is that many of these folks probably are already sheltering their assets in various tax deferred plans so their heirs can avoid paying these taxes.

If my father would have lived for a couple more years and had gotten into the retirement routine, he probably would have tried to seek advice too. But he just never got around to it. My dad used to laugh, ''don't worry, I won't spend your inheritance on fancy sports cars and other expensive toys. There will be something for you.''

I am sure millions of Americans haven't gotten around to it either, and I know these folks would be equally distraught to know how much that they would have passed on to their children instead automatically goes to the Internal Revenue Service.

My sister nor I never felt we were owed or entitled to an inheritance. Our parents provided for us and we were raised to be independent. We also knew that both of our parents fully intended to have what they worked so hard for to be conveyed to their children, as was directed in their wills. My parents were known for their generosity to their family, their church and their community, but we never knew that they would have contributed 55 percent of their entire estate to the Federal Government.

So, you know, I know there has been a lot made about the death tax and the President says and the vice president, well, it is a tax for the rich. This is middle-class America. As I said earlier in my comments, few are a contractor, all you have to do is own a dump truck, a pickup, a bulldozer and a backhoe, and if you own it, you are subject to that death tax. It has a very punitive way of working against communities. And what bothers me the most is not, of course, the Kennedys and the Fords and the Carnagies and all those people. They have lawyers to plan to save their estate. But what bothers me the most is the small communities, where somebody who has been successful in that community and that money is working in that community, either through contributions to charity or jobs or otherwise, and that money is taken by the Internal Revenue Service and transferred to Washington, D.C. for redeployment through government programs.

It simply can be summed up in a couple or three words: It is not fair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHENOWETH-HAGE (at the request of Mr. ARMEY) for today on account of travel delays.

Mr. SAXTON (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. WAMP (at the request of Mr. ARMEY) for today on account of flight cancellation.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. NORTON) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. KUYKENDALL, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today and September 19, 20, 21, 22.

Mr. CANADY of Florida, for 5 minutes, September 20.

Mr. BLUNT, for 5 minutes, September 19.

Mr. COBURN, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On September 14, 2000:

H.R. 4040. To amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, provide for the correction of retirement coverage errors under chapters 83 and 84 of such title, and for other purposes.

On September 15, 2000:

H.R. 1729. To designate the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the ''Pamela B. Gwin Hall''.

H.R. 1901. To designate the United States border station located in Pharr, Texas, as the ''Kika de la Garza United States Border Station''.

H.R. 1959. To designate the Federal building located at 643 East Durango Boulevard in San Antonio, Texas, as the ''Adrian A. Spears Judicial Training Center''.

H.R. 4608. To designate the United States courthouse located at 220 West Depot Street in Greenville, Tennessee, as the ''James H. Quillen United States Courthouse''.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 19, 2000, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10052. A letter from the Chief, Regulatory Analysis and Development, Department of Agriculture, transmitting the Department's final rule—Plum Pox Compensation [Docket No. 00–035–1] (RIN: 0579–AB19) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10053. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule—Winter Pears Grown in Oregon and Washington; Establishment of Quality Requirements for the Beurre D'Anjou Variety of Pears; Correction [Docket No. FV00–927–1 FRC] received September 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10054. A letter from the Associate Administrator, Agriculture Marketing Service, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California and Imported Kiwifruit; Relaxation of the Minimum Materity Requirement [Doc No. FV00–920–2–FR] received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10055. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hexythiazox; Extension of Tolerance for Emergency Exemptions [OPP–301046; FRL–6744–5] (RIN: 2070–AB78) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10056. A letter from the Chairman, Council of the District of Columbia, transmitting a report of a violation of the Anti-Deficiency Act, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Appropriations.

10057. A letter from the Under Secretary, Policy, Department of Defense, transmitting the Cooperative Threat Reduction Multi-Year Program Plan Fiscal Year 2001, pursuant to Public Law 103–337, section 1314(a) (108 Stat. 2895); to the Committee on Armed Services.

10058. A letter from the Chief, Programs and Legislative Division, Office of Legislative Liaison, Department of Defense, transmitting notification of the decision to convert to contractor performance the base operating support function at the Pittsburgh International (IAP) Air Reserve Station (ARS), Pennsylvania, pursuant to Public Law 100–463, section 8061 (102 Stat. 2270–27); to the Committee on Armed Services.

10059. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to grade of lieutenant general on the retired list Lieutenant General Micheal A. Canavan, United States Army; to the Committee on Armed Services.

10060. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of general on the retired list General Peter J. Schoomaker, United States Army; to the Committee on Armed Services.

10061. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the annual report of the Office of Juvenile Justice and Delinquency Prevention for Fiscal Year 1999, pursuant to 42 U.S.C. 5617; to the Committee on Education and the Workforce.

10062. A letter from the General Counsel, Corporation for National and Community Service, transmitting the Corporation's final rule—Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations—received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10063. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [Doc. No. CA226–0250; FRL–68527] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10064. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, San Diego County Air Pollution Control District and Bay Area Air Quality Management District [Doc. No. CA 210–0247a; FRL–6850–1], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10065. A letter from the Assoc. Bur. Chief/Wireless Telecommunications, Federal Communications Commission, transmitting the Commission's final rule—Amendment to the Geographic Channel Block Layout for Commercial Aviation Air-Ground Systems in the Air-Ground Radiotelephone Service [Docket No. DA 00–1654] received September 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10066. A letter from the Associate Chief, Wireless Telecommunications, Auctions & Industry Analysis Division, Federal Communications Commission, transmitting the Commission's ''Major'' rule—Amendment of the Commission's Rules Regarding Installment Payment Financing for Personal Communications Services (PCS) Licensees [WT Docket No. 97–82] received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10067. A letter from the Deputy Secretary, U.S. Securities and Exchange Commission, transmitting the Commission's final rule—Electronic Final by Investment Advisers; Amendments to Form ADV (RIN: 3235–AD21) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10068. A letter from the Deputy Associate Administrator, United States Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [CA 226–0251; FRL–6868–9] received September 11, 2000; to the Committee on Commerce.

10069. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany [Transmittal No. DTC 083–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10070. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany [Transmittal No. DTC 055–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10071. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

10072. A letter from the Chairman, Commission for the Preservation of America's Heritage Board, transmitting the FY 2000 annual consolidated report in compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10073. A letter from the Librarian of Congress, transmitting the report of the activities of the Library of Congress, including the

Copyright Office, for the fiscal year ending September 30, 1999, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

10074. A letter from the Chairperson, Commission on Civil Rights, transmitting a report entitled, ''The Crisis of the Young African American Male In the Inner Cities'' pursuant to Public Law 103–419; to the Committee on the Judiciary.

10075. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Listed Chemicals; Final Establishment of Thresholds for Iodine and Hydrochloric Gas (Anhydrous Hydrogen Chloride) [DEA–156F] (RIN: 1117–AAA43) received August 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10076. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—National Interest Waivers for Second Preference Employment-Based Immigrant Physicians Serving in Medically Underserved Areas or at Department of Veterans Affairs Facilities [INS No. 2048–00] (RIN: 1115–AF75) received September 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10077. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report of the Bureau of Justice Assistance entitled, ''Fiscal Year 1999 Annual Report to Congress,'' pursuant to 42 U.S.C. 3789e; to the Committee on the Judiciary.

10078. A letter from the Under Secretary of Commerce for Intellectual Property and Director, Patent and Trademark Office, transmitting the Office's final rule—Changes to Implement Eighteen-Month Publication of Patent Applications (RIN: 0651–AB05) received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Stuart, FL [Airspace Docket No. 00–ASO–12] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Kearney, NE [Airspace Docket No. 00–ACE–11] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Elko, NV [Airspace Docket No. 00–AWP–5] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace; Boca Raton, FL [Airspace Docket No. 00–ASO–22] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30175; Amdt. No. 2007] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Savannah, GA [Airspace Docket No. 00–ASO–10] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Hampton, IA; Correction [Airspace Docket No. 00–ACE–7] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10086. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Realignment to Restricted Area R–6901A Fort McCoy; WI [Airspace Docket No. 00–AGL–20] (RIN: 2120–AA66) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10087. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Melbourne, FL, and Cocoa Patrick AFB, FL [Airspace Docket No. 00–ASO–27] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10088. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Soldiers Grove, WI [Airspace Docket No. 00–AGL–19] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10089. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Coffeyville, KS [Airspace Docket No. 00–ACE–15] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10090. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marquette, MI; Correction [Airspace Docket No. 00–AGL–02] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10091. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pratt, KS; Correction [Airspace Docket No. 00–ACE–14] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10092. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Melbourne, FL, and Cocoa Patrick AFB, FL [Airspace Docket No. 00–ASO–27] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10093. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Frankfort, MI [Airspace Docket No. 00–AGL–18] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10094. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Cocoa Beach, FL [Docket No. 00–ASO–31] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10095. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Simmons Army Airfield (AAF), NC, and Class E4 [Docket No. 00–ASO–30] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10096. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Dickinson, ND [Docket No. 00–AGL–17] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10097. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–45, –50, –80A, –80C2, and –80E1 Turbofan Engines [Docket No. 2000–NE–31–AD; Amendment 39–11868; AD 2000–16–12] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10098. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9, Model MD–90–30, Model 717–200, and Model MD–88 Airplanes [Docket No. 2000–NM–89–AD; Amendment 39–11847; AD 2000–15–15] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10099. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 2000–NM–02–AD; Amendment 39–11876; AD 2000–17–03] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10100. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAe 146 and Model Avro 146–RJ Series Airplanes [Docket No. 99–NM–355–AD; Amendments 39–11875; AD 2000–17–02] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10101. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 98–CE–117–AD; Amendment 39–11870; AD2000–16–13] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10102. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 and 767 Series Airplanes Equipped with General Electric CF6–80C2 Series Engines [Docket No. 2000–NM–24–AD; Amendment 39–11880; AD 2000–17–06] (RIN:2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10103. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft,

Inc. Models SA226–T, SA226–AT, SA226–T(B), SA226–TC, SA–227–TT, and SA–227–AC Airplanes [Docket No. 99–CE–62–AD; Amendment 39–11874; AD 2000–17–01] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10104. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airwothiness Directives; Eurocopter France Model EC120B Helicopters [Docket No, 2000–SW–33–AD; Amendment 39–11881; AD 2000–17–07] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10105. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives;; Eurocopter Deutshland GMBH Model BO–105A, BO105C, BO–105C–2, BO–105 CB–2, BO–105 CB–4, BO–105S CS–2, BO–105 CBS–2, BO–105 CBS–4 and BO105LS A–1 Helicopters [Dcocket No. 99–SW–66–AD: Amendment 39–11882; AD 2000–17–08] (RIN 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10106. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Appeals Regulations: Title for Members of the Board of Veterans' Appeals (RIN: 2900–AK14) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

10107. A letter from the Chief Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Comprehensive Case Resolution Pilot Notice (RIN: SRLY ELECTION NOTICE 2000–53) received August 31, 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:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4643. A bill to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians, and for other purposes (Rept. 106–855). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4847. A bill to direct the Secretary of the Interior to refund certain amounts received by the United States pursuant to the Reclamation Reform Act of 1982 (Rept. 106–856). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1694. An act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii; with an amendment (Rept. 106–857). Referred to the Committee of the Whole House on the State of the Union.

Mr. TALENT: Committee on Small Business. H.R. 4945. A bill to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process, and for other purposes (Rept. 106–858). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 3235. A bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours; with an amendment (Rept. 106–859). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 5106. A bill to make technical corrections in copyright law; with an amendment (Rept. 106–860). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 5107. A bill to make certain corrections in copyright law (Rept. 106–861). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 5173. A bill to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt; with an amendment (Rept. 106–862 Pt. 1).

Mr. STUMP: Committee on Veterans' Affairs. H.R. 5109. A bill to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, and for other purposes; with an amendment (Rept. 106–863). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on September 15, 2000]

Pursuant to clause 5 of rule X the Committee on the Judiciary discharged. H.R. 1954 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

[Submitted September 18, 2000]

Pursuant to clause 5 of rule X the Committees on the Budget and Rules discharged. H.R. 5173 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATIONS OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[The following action occurred on September 15, 2000]

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than September 19, 2000.

[Submitted September 18, 2000]

H.R. 5173. Referral to the Committees on the Budget and Rules extended for a period ending not later than September 18, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LAZIO (for himself and Mr. KUYKENDALL):

H.R. 5193. A bill to amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the FHA single family housing mortgage insurance program; to the Committee on Banking and Financial Services.

By Mr. MOORE (for himself, Mrs. MCCARTHY of New York, Mr. UDALL of New Mexico, Mr. HOUGHTON, Mr. MCCOLLUM, Mr. STUPAK, Mr. MCGOVERN, Mr. HOLT, Ms. MCCARTHY of Missouri, Mrs. LOWEY, Ms. DANNER, and Mr. HUTCHINSON):

H.R. 5194. A bill to prohibit the possession of a firearm by an individual who has committed an act of juvenile delinquency that would be a violent felony if committed by an adult; to the Committee on the Judiciary.

By Mr. EHLERS:

H.R. 5195. A bill to provide for the establishment of a position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, and for other purposes; to the Committee on Science.

By Mr. GILMAN (for himself and Mr. GEJDENSON):

H.R. 5196. A bill to promote, protect, and enhance democracy and human rights in United States foreign policy; to the Committee on International Relations.

By Mr. ANDREWS:

H.R. 5197. A bill to amend title XVIII of the Social Security Act to provide certain Medicare beneficiaries living abroad a special Medicare part B enrollment period during which the late enrollment penalty is waived and a special Medigap open enrollment period during which no underwriting is permitted; 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 Ms. DEGETTE (for herself and Mr. LATOURETTE):

H.R. 5198. A bill to protect the health and welfare of children involved in research; to the Committee on Commerce.

By Mr. HINCHEY:

H.R. 5199. A bill to provide for conveyance of a lighthouse to the City of Kingston, New York; to the Committee on Transportation and Infrastructure.

By Mr. TOOMEY (for himself and Ms. BERKLEY):

H.R. 5200. A bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians and other health care providers that are attempting to properly submit claims under the Medicare Program and to ensure that the Secretary targets truly fraudulent activity for enforcement of Medicare billing regulations, rather than inadvertent billing errors; 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. STUPAK:

H. Con. Res. 403. Concurrent resolution recognizing, appreciating, and remembering with dignity and respect the Native American men and women who have served the United States in military service; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H. Res. 579. A resolution providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 1651; considered and agreed to.

By Mr. CROWLEY (for himself, Mr. PITTS, Mr. KUCINICH, Mr. HALL of Ohio, Mr. SMITH of New Jersey, and Mr. WEINER):

H. Res. 580. A resolution expressing the sense of the House of Representatives regarding the murder of human rights lawyer Jafar Siddiq Hamzah in Medan, Indonesia; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SAXTON:

H.R. 5201. A bill for the relief of Richard Steinmetz; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 5202. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel ANNANDALE; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. TRANCREDO and Mr. LEVIN.
H.R. 207: Mr. FATTAH.
H.R. 225: Mr. MINGE.
H.R. 284: Ms. SLAUGHTER, Mr. BOEHLERT, Mr. RAMSTAD, Mr. STENHOLM, Mr. CAPUANO, Mr. BAKER, Mr. BRADY of Texas, Mr. PASTOR, Mr. PETERSON of Minnesota, Mrs. TAUSCHER, and Mr. ENGEL.
H.R. 303: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 363: Mr. WHITFIELD.
H.R. 531: Mr. GUTIERREZ.
H.R. 534: Mr. SHOWS, Mr. WELDON of Florida, Mr. TIAHRT, Mr. SHAW, and Mr. HASTINGS of Washington.
H.R. 692: Mr. DEAL of Georgia.
H.R. 742: Mr. GREEN of Texas.
H.R. 842: Mr. STUPAK, Mr. SHIMKUS, and Mr. GEPHARDT.
H.R. 876: Mr. HOSTETTLER.
H.R. 1071: Mr. STENHOLM.
H.R. 1168: Mr. MCCRERY.
H.R. 1228: Ms. KILPATRICK, Mr. FATTAH, and Mr. KILDEE.
H.R. 1239: Ms. JACKSON-LEE of Texas.
H.R. 1285: Mrs. LOWEY and Ms. PELOSI.
H.R. 1396: Mr. BERMAN.
H.R. 1671: Mr. STUPAK, Mr. MCHUGH, Mr. BAKER, and Mr. STENHOLM.
H.R. 1824: Mr. SANDLIN and Mr. BONILLA.
H.R. 1841: Mr. DOOLEY of California.
H.R. 1871: Mr. NADLER.
H.R. 1997: Mr. FOLEY and Mr. ENGEL.
H.R. 2121: Mrs. NAPOLITANO, Mr. ALLEN, Mrs. CLAYTON, Mr. GONZALEZ, and Mr. CLEMENT.
H.R. 2308: Mr. MCINNIS.
H.R. 2457: Mr. KOLBE.
H.R. 2544: Mr. REYNOLDS.
H.R. 2562: Mr. MCINTYRE.
H.R. 2620: Mr. BARTON of Texas and Mr. SCOTT.
H.R. 2710: Mr. FRANKS of New Jersey, Mr. GALLEGLY, and Mr. TANCREDO.
H.R. 2720: Mr. COSTELLO.
H.R. 3004: Mr. DOYLE, Mr. BECERRA, and Mr. WEYGAND.
H.R. 3272: Mr. UDALL of Colorado.
H.R. 3302: Mr. DEAL of Georgia, Mr. BURTON of Indiana, Mr. THUNE, Mr. HASTINGS of Washington, and Mr. DUNCAN.
H.R. 3514: Mrs. MCCARTHY of New York and Mr. BLUMENAUER.
H.R. 3580: Mr. CASTLE.
H.R. 3590: Mrs. FOWLER and Mr. OSE.
H.R. 3594: Mr. KANJORSKI.
H.R. 3610: Mr. FILNER and Mr. GONZALEZ.
H.R. 3694: Mrs. THURMAN.
H.R. 3840: Mr. BALDACCI, Mr. MCNULTY, and Mrs. KELLY.
H.R. 3850: Mr. BERRY.
H.R. 4025: Mr. MCHUGH, Mr. MILLER of Florida, Mr. SHADEGG, Mr. SIMPSON, and Ms. DANNER.
H.R. 4167: Mr. RODRIGUEZ and Mrs. MINK of Hawaii.
H.R. 4239: Mr. LAHOOD.
H.R. 4259: Mr. QUINN, Mr. NORWOOD, Mr. REYNOLDS, Mr. PASCRELL, Mr. FOLEY, Mr. SABO, Mr. DAVIS of Virginia, Mr. WELDON of Florida, Mr. WAXMAN, Mr. LAMPSON, Mr. BERMAN, Mr. STARK, Mr. MENENDEZ, Mr. RAMSTAD, Mr. RILEY, Mr. ROHRABACHER, Mr. SALMON, Mr. HALL of Texas, Mr. SMITH of Michigan, and Mr. NADLER.
H.R. 4271: Mr. EVANS.
H.R. 4272: Mr. EVANS.
H.R. 4273: Mr. EVANS.
H.R. 4274: Mr. MCDERMOTT, Mr. SMITH of Washington, Mr. MEEKS of New York, Mr. LEVIN, and Mr. MCHUGH.
H.R. 4301: Mr. ALLEN, Mr. SUNUNU, Mr. ANDREWS, Mr. BALDACCI, Mr. DINGELL, Mr. PRICE of North Carolina, and Mr. TIAHRT.
H.R. 4308: Mr. PITTS and Mr. ABERCROMBIE.
H.R. 4315: Ms. KAPTUR, Mr. SAWYER, and Mr. STRICKLAND.
H.R. 4328: Mr. GIBBONS and Mr. PETERSON of Minnesota.
H.R. 4330: Mr. REGULA.
H.R. 4352: Mr. HEFLEY, Mr. PACKARD, Mr. BRADY of Texas, Mr. THORNBERRY, Mr. CUNNINGHAM, Mr. SCHAFFER, and Mr. HANSEN.
H.R. 4356: Mr. REGULA.
H.R. 4375: Mr. GONZALEZ.
H.R. 4395: Mr. HALL of Texas.
H.R. 4483: Mrs. LOWEY.
H.R. 4536: Mr. MOORE, Mr. SANDERS, Mr. THOMPSON of Mississippi, and Mr. WEYGAND.
H.R. 4538: Ms. DANNER.
H.R. 4570: Mr. BAIRD, Mr. TERRY, Mr. FOLEY, Mr. MOORE, and Mrs. JONES of Ohio.
H.R. 4634: Ms. DANNER and Mr. JEFFERSON.
H.R. 4636: Mr. BAIRD and Mr. STUPAK.
H.R. 4640: Mr. SMITH of Washington.
H.R. 4659: Mr. STARK.
H.R. 4677: Mr. EWING.
H.R. 4713: Mr. SAM JOHNSON of Texas.
H.R. 4722: Mr. EHRLICH.
H.R. 4723: Mr. KINGSTON and Mr. JONES of North Carolina.
H.R. 4734: Mr. GONZALEZ.
H.R. 4736: Mr. GREEN of Texas and Mr. BARR of Georgia.
H.R. 4739: Mr. LIPINSKI.
H.R. 4746: Mr. REGULA and Mr. BARCIA.
H.R. 4792: Mrs. THURMAN, Mr. LEWIS of Georgia, and Mr. KUCINICH.
H.R. 4798: Mr. OWENS and Mr. REYES.
H.R. 4800: Mr. TIAHRT.
H.R. 4825: Mr. HALL of Ohio, Ms. SLAUGHTER, Mrs. FOWLER, Mr. MALONEY of Connecticut, Ms. CARSON, and Mr. BILIRAKIS.
H.R. 4841: Mr. STENHOLM, Mr. HILLIARD, and Mr. GUTKNECHT.
H.R. 4848: Mr. RAHALL, Mr. BISHOP, and Mr. BENTSEN.
H.R. 4926: Mr. MOORE, Mr. SANDLIN, Mr. OSE, Mr. KUYKENDALL, Mr. MARTINEZ, Mr. GREEN of Texas, Ms. WATERS, Mr. LEWIS of Georgia, Mr. FARR of California, Mr. BOYD, Ms. HOOLEY of Oregon, Mr. DOYLE, Mr. BALDACCI, Mr. HOLDEN, Mr. STENHOLM, Mr. CRAMER, Mr. LIPINSKI, Mrs. MORELLA, and Mr. COYNE.
H.R. 4951: Mr. SMITH of Washington.
H.R. 4966: Mr. GEORGE MILLER of California.
H.R. 4971: Mr. ADERHOLT, Mr. MCGOVERN, and Mr. GONZALEZ.
H.R. 5034: Mr. SOUDER.
H.R. 5035: Ms. SCHAKOWSKY and Mr. KUCINICH.
H.R. 5045: Mr. RYUN of Kansas, Mr. HALL of Texas, Mr. BARLETT of Maryland, Mrs. MYRICK, Mrs. CHENOWETH-HAGE, Mr. COBURN, Mr. GOODE, and Mr. LARGENT.
H.R. 5065: Mr. ROHRABACHER, Mr. METCALF, Ms. ROS-LEHTINEN, Mr. FILNER, and Mr. NADLER.
H.R. 5107: Mr. SCOTT.
H.R. 5109: Mr. UDALL of New Mexico and Mr. BAKER.
H.R. 5116: Mrs. EMERSON and Ms. PELOSI.
H.R. 5130: Mr. CAMPBELL.
H.R. 5131: Mr. HUNTER and Mr. BILBRAY.
H.R. 5136: Mr. CONYERS and Mr. SCOTT.
H.R. 5146: Mr. SANFORD, Mr. HEFLEY, and Mr. MCHUGH.
H.R. 5153: Mr. SABO, Ms. HOOLEY of Oregon, and Mr. HOLDEN.
H.R. 5173: Mr. THUNE, Mr. ROYCE, Mr. GALLEGLY, and Mr. TALENT.
H.R. 5178: Mrs. ROUKEMA, Mr. GOODLING, Mr. BARRETT of Nebraska, Mr. MCKEON, Mr. BOEHNER, Mrs. MCCARTHY of New York, Ms. SANCHEZ, Mr. KUCINICH, Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. STARK.
H.R. 5182: Mrs. MALONEY of New York.
H.J. Res. 22: Mr. KILDEE.
H.J. Res. 48: Mr. CALVERT.
H. Con. Res. 115: Mr. DEFAZIO, Mr. HOEFFEL, Mr. FRANKS of New Jersey, Mr. LOBIONDO, and Mr. MINGE.
H. Con. Res. 328: Mr. GEJDENSON.
H. Con. Res. 341: Mrs. FOWLER and Mr. MILLER of Florida.
H. Con. Res. 373: Mr. UDALL of New Mexico, Mr. FILNER, and Mr. MANZULLO.
H. Con. Res. 376: Mr. HEFLEY, Mr. MCINNIS, Mr. BUYER, Mr. LANTOS, and Mr. LIPINSKI.
H. Con. Res. 377: Mr. BEREUTER, Mr. FROST, Mr. HORN, Mr. LATOURETTE, Mr. LIPINSKI, and Mr. OBEY.
H. Con. Res. 383: Mr. DAVIS of Virginia.
H. Con. Res. 384: Mr. STUMP, Mr. EWING, Mr. WICKER, Mr. BARRETT of Nebraska, Mr. TAYLOR of Mississippi, Mrs. FOWLER, and Mr. BAKER.
H. Con. Res. 392: Mr. VISCLOSKY, Mr. KUCINICH, Mr. BOEHLERT, and Mr. REYES.
H. Con. Res. 396: Mr. MORAN of Virginia and Mr. DAVIS of Virginia.
H. Con. Res. 398: Mr. FILNER, Mr. SISISKY, Mr. HOLT, and Mr. REYES.
H. Res. 51: Mr. PACKARD, Mrs. KELLY, Ms. LOFGREN, Ms. CARSON, Mrs. THURMAN, Mr. STUPAK, and Mr. MCHUGH.
H. Res. 309: Mrs. LOWEY.
H. Res. 398: Mr. TALENT, Mr. SUNUNU, Mr. UDALL of New Mexico, Ms. KAPTUR, and Mr. BASS.
H. Res. 458: Mr. HOSTETTLER, Mr. ARCHER, Mr. BALDACCI, Mr. HOLT, Mr. BROWN of Ohio, Mr. LAHOOD, and Mr. RAMSTAD.
H. Res. 576: Ms. DANNER, Mrs. BONO, Mr. BARTLETT of Maryland, Mrs. MALONEY of New York, Mr. FRANKS of New Jersey, Mr. MCNULTY, Mr. LOBIONDO, Ms. SLAUGHTER, Mr. MINGE, and Mrs. CAPPS.

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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

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Senate

The Senate met at 12:01 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Dear God, Sovereign of our beloved Nation, this is a special day. Yesterday we celebrated Citizenship Day in America; this week is Constitution Week; and today is Prisoner-of-War, Missing-in-Action Day when we remember those who paid the supreme price of patriotism. All three of these emphases blend together as we praise You for our country which You have blessed so bountifully.

Forgive us, Lord, for taking for granted the privileges of being citizens of this land. We seldom think about our freedoms of worship, speech, assembly, and freedom to vote. Today, we praise You for our representative democracy. Thank You for the privilege of serving in Government. Help the Senators and all of us who labor with them and for them to work today with a renewed sense of awe and wonder that You have chosen them and us to be part of the political process to make this good Nation great.

May a renewed spirit of patriotism sweep across our land. Help the children to learn that an important aspect of love for You is loyalty to our country. We dedicate ourselves to right wrongs and to shape political programs that assure opportunity and justice for all Americans. So today, as we pledge allegiance to our flag, may our hearts express joy. This is our home, our native land.

Gracious Lord, as a Senate family, we grieve the death of Murray Zweben, retired Parliamentarian of the Senate. Be with his family; comfort and encourage them in this difficult time. Through our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. ROBERTS. I thank the Chair.

SCHEDULE

Mr. ROBERTS. Today, the Senate will be in a period of morning business until 2 p.m., with Senators GRAHAM and THOMAS in control of the time. Following morning business, the Senate will resume consideration of H.R. 4444, the China PNTR legislation. Under the order, there are 6 hours of final debate on the China trade bill with a vote scheduled to occur at 2:15 on Tuesday.

As a reminder, cloture was filed on the motion to proceed to S. 2045, the H–1B visa bill on Friday. That cloture vote has been scheduled to occur immediately following the vote on final passage of the China PNTR legislation. Therefore, the first votes of this week will be two back-to-back votes on Tuesday, at 2:15 p.m.

I thank my colleagues for their attention.

MEASURES PLACED ON CALENDAR

Mr. ROBERTS. Mr. President, I understand there are two bills at the desk due for their second reading.

The PRESIDENT pro tempore. The clerk will read the bills by title.

The assistant legislative clerk read as follows:

A bill (S. 3057) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

A bill (S. 3058) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

Mr. ROBERTS. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDENT pro tempore. The bills will go to the calendar.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Iowa is recognized.

WEN HO LEE

Mr. GRASSLEY. Mr. President, I am here on the floor at this particular time to ask the President of the United States who ''they'' are, and I hope the word ''they'' includes the President of the United States. I hope the President of the United States is the chief ''they.'' I hope we don't get into a position of debating what the definition of the word ''they'' is. The Constitution is pretty clear—the President of the United States has all the executive power that exists in our Government.

That is the background for my visiting with you about the Wen Ho Lee case, the President's comments last week in regard to the release of Wen Ho Lee, and how the executive branch treated this Chinese American.

This is the latest instance of President Clinton failing to take responsibility and refusing to hold himself accountable for the actions of his administration.

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

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The background of Wen Ho Lee—for those who may not have been following this over the last year—is that the Government has recently agreed to let this former nuclear scientist at Los Alamos Laboratories plead guilty to a relatively minor charge and go home with a slap on the wrist.

I think we all agree that his release is the justifiable thing to do. But it was only a short time ago that the executive branch was claiming that Wen Ho Lee was such a serious threat to American national security that he belonged in solitary confinement and in shackles with practically no ability for Mr. Lee to even contact his family. Now, after this long period of time in confinement, he gets a slap on the wrist and his freedom.

Obviously, the executive branch of Government couldn't back up its allegations with proof or this case would not have settled as it did. Despite the dire pronouncements made to the public about Wen Ho Lee, the fact is the Government didn't even have a case. It had only suspicions. Mr. Lee has, of course, paid a very high price for the suspicions of some in the executive branch.

Maybe because Lee is Asian American, there is not the outcry over the loss of civil liberties that there would be had Lee been a member of some other minority group. The same people who speak up against some minorities being mistreated because of civil liberties evidently don't seem inclined to speak up in the case of an Asian American.

Mr. Lee's treatment has caused widespread public outcry. How can this happen in America where we treasure freedom and where the rule of law has been the basis for our country's law going back to the setting up of the colonies? How could the government damage the reputation of a citizen by labeling him as a spy for the Communist Chinese, lock him away for 9 months of solitary confinement, and then just simply drop the case? Our Government has damaged its reputation by the way it handled the Lee case.

The American people are outraged. Pundits and political observers have raised legitimate questions about the abusive way in which Mr. Lee was treated by the executive branch of Government.

In the midst of this justifiable criticism, President Clinton decided that it was time for him, as President of the United States, to chime in. President Clinton happens to be the Chief Executive Officer of the country. He thinks, like the rest of us, that the executive branch of Government may have abused its power in the way it went after Mr. Lee and kept him confined for such a long period of time.

What troubles me about President Clinton's comments is that he acts as if he, as President of the United States, is just some sideline observer who doesn't have anything to do with the way the laws in this country are enforced.

As every high school student learned in their civics classes, the executive power of the Government is vested in the President of the United States, article II, section I:

> The executive power shall be vested in the President of the United States of America.

This is pretty simple language and pretty definitive. These words means the President is in charge of law enforcement. The President is in charge of protecting our national security.

So, even if the President delegated some of his power to the Attorney General, the President is responsible for what happened to Mr. Lee.

I hope the President can just once before he leaves office, and as part of his legacy, say he is responsible for what happened under his watch. I would like to have him say: I and the people I appointed are responsible for what happened to Mr. Lee.

But, no. He said in his news conference ''they'' did this—''they'' held him; ''they'' had these charges. It was always ''they,'' ''they,'' ''they.'' I happen to think President Clinton is the chief ''they.'' He is above all the rest of the ''theys.''

It happens that President Clinton seems to think the Justice Department is some agency of government outside of his control. Surely the President knows better than this. The Washington Post certainly does. This past Saturday, the Post editorial page commented on the Wen Ho Lee case:

> President Clinton asks us to see him as one more commentator troubled by the case, rather than as the head of the government that brought it.

In other words, I think the Washington Post is saying the President is, in fact, the chief ''they;'' or he is in charge of all the rest of the ''theys.'' Of course, as far as I am concerned, the Washington Post is right on this point.

The nation is waiting for real leadership, not another evasion or more misdirection. President Clinton may be an ''artful dodger,'' but this is one dodge that just won't work. The American people elected President Clinton to be in that office so he could lead, not blame subordinates.

The Constitution is crystal clear that the President has the ultimate responsibility of leadership and the ultimate power of our executive branch. It is high time for President Clinton to follow the Constitution and take responsibility for the sorry actions that took place in regard to Mr. Wen Ho Lee during this administration.

I yield the floor, and I suggest the absence of a quorum.

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

LEGISLATIVE AGENDA

Mr. THOMAS. Mr. President, I want to take a couple of minutes to talk a little bit about where we are, where we are going, and what we face this week and the few remaining weeks we have before us. There will be some more Senators to come over to the floor shortly to talk about some of the issues we have before us, particularly debt reduction, which we are committed to undertake this week, and I think is one of the most important things we can do. We will be talking, of course, about many of the things that are left to discuss.

We have done a number of things in this Congress, of course, and we have a number of things yet to do, particularly appropriations. Those appropriations need to be finished by the end of the fiscal year which is the end of September. So we have a very short time to handle these things. We have worked at it for a good long time. We seem to have had a repetition of obstructions to moving forward.

I hope we are now in a position to go ahead and fund those programs that have been authorized, that are out there for the American people, and that we do not find ourselves using this time to begin to insert into these bills all kinds of things that have already been discussed and that are intended more to create an issue than they are to find a solution.

There have been, of course, a number of very important things done this year; we need to recognize that. I guess people have different ideas about how many things and what kinds of things. There is a great difference in the view of the direction this Government should take and what is the role of the Federal Government, whether the Government ought to tells us what to do or whether, in fact, the Government's role is to establish a framework in which we make our own decisions at the local level, as opposed to being dictated to by the Washington bureaucracy.

These are some of the big issues. We passed the marriage tax relief bill here in the Congress. That would have been largely a resolution to an issue of fairness, where two single persons, each earning X amount of dollars and paying X in taxes, when they get married, making the same dollars, pay a larger amount of taxes. Unfair? Of course. Unfortunately, that bill was vetoed by the President, so we will have to take it up at another time. I do not think it will be taken up this year. Obviously, the White House is determined they will not permit tax relief of this kind.

We passed the elimination of the death tax. That is very important. Some indicated it was only for the very wealthy. Of course that is not true. We have very many people in my State of Wyoming in the agriculture business, small businesses, families that have put together—sometimes over generations—a business. That business then has to be disposed of because they have to pay 52 percent taxes. That, of

course, was also vetoed by the President.

We did get some tax relief. Very important was elimination of the Social Security earnings test, which eliminates the tax on earnings by seniors 65 to 69. Previous to that, seniors in that category lost a dollar in Social Security benefits for every $3 earned. Again, I think it is largely a fairness proposition and we are pleased that did happen.

The digital signatures bill, of course, is very important as we move into a new era in the business activities of our Nation. The digital signatures bill makes it easy for people to have legal protection in contracts of that kind.

On national security, the Iran Nonproliferation Act was very important for free trade. It dealt with free trade in the sub Sahara, Africa, and the Caribbean. It is important those things continue to be done. I come from a State where agriculture is very important. Nearly 40 percent of our agricultural products are sold for export. We find ourselves dealing with unilateral sanctions, which often limit what we can sell to those people. Then they go somewhere else for it. We made some progress in that area, certainly. I hope we will make some more.

We have done a good deal of work on affordable education; education savings accounts. We made available $500–$2,000 in tax relief for education. We need to get that forwarded.

Also, with health care, we passed a Patients' Bill of Rights that says you can appeal, but the first appeal goes to a medical professional and not to lawyers. I think that is the better way to go. The opposition, of course, has seen to it that it ultimately not pass, but it has passed here.

We passed bankruptcy reform which provided that if persons were able to repay at least a portion of their debt, that was an appropriate thing to do.

So we have made a substantial amount of progress. We have, I think, many issues we need to discuss that are terribly important. This is a place for decisions on the direction we take, which is what elections are about, and the direction that you and I as voters and as citizens believe the country ought to move. There are legitimate differences. That is really what we deal with. Unfortunately, many times we do not get down to what those real differences are but get tied up in other things.

On education, for example, I do not think there is a Senator in this place who doesn't believe education is one of the most important issues before us. Almost everyone in the country thinks that. The question is not that. The question is, What kind of educational support do we expect from the Federal Government? The amount the Government contributes from the Federal level is about 7 percent, but it is substantial. It deals with certain things such as special education. The real issue has not been that. The real issue is whether the Federal bureaucracy should tell the school districts what they ought to do with that Federal money or whether, indeed, we send it there and say they may have unique problems and need to spend their money for different things. The needs in Pinedale, WY, are different than they are in Pittsburgh, PA. We believe that. That has been the difference. I think it is a fundamental difference in government.

Social Security—no one would object to the notion we ought to strengthen Social Security. I think everyone would agree with the idea we want Social Security dollars to be safely entrenched. But there are some differences as to how we do that. There is a proposition on the floor that I support—I think it is excellent—that would give a choice to younger people. People over 55 or whatever probably would stay the same, but younger people would have an opportunity to invest or have invested in their behalf a portion of those Social Security dollars in the private sector, in equities. They could choose whether it be in stocks or whether it be in bonds or whether it be in combination. The point being, if we do not do something about Social Security by the time young people who are now beginning to pay in become eligible for benefits, there will not be any, the demographics have changed so much.

We started out with over 20 people working for every 1 drawing benefits. Now we have 3 people working for every 1 who draws benefits; it will soon be 2. We have to do something different than what we have been doing in the past. Obviously, you can raise taxes if you choose. That is not a popular idea. You can lower benefits, again not a popular idea. A third alternative is you can increase the return on those dollars that you have paid in and are in the trust account, and that is the difference.

There is not agreement on that so we have to choose which way we want to go.

I mentioned the Patients' Bill of Rights. Do you want someone in the medical community making a decision instead of your insurance company or do you want to go to court? You get to court, of course, long after the medical decision should have been made.

We ought to be doing something to pay down the debt. We talk about paying down the debt, but we do not seem to do much on that. There is a proposition that I think is great, and that is to set aside, as one would with a house mortgage, money and say we are going to pay down so much of this $5 trillion every year and it becomes part of the budget. It makes a lot of sense to me. We find opposition to that because people want to spend the money, and if there is a surplus, they think Government ought to grow and get into many other areas. That is a philosophical difference of opinion.

Tax reduction is much the same. When we have a surplus, it seems to me if after having funded the programs that have been authorized, after having done something to strengthen Medicare and having done something to begin to pay down the debt and strengthen Social Security, there is still surplus left, let that go. If we leave it here, it will be spent. It ought to go back to the people who paid in those dollars.

Again, it is a different view than those who generally on the other side of the aisle want more Government, more expenditures, and do not agree with that idea. Those are legitimate differences. We have to make a decision, and we have to move forward. We haven't much time to do many of those things.

Some of the questions before us are more parochial, more applicable to different parts of the country. I come from a State where 50 percent of the land belongs to the Federal Government, so the management of Federal lands and Federal resources have a great impact on our lives and on our economy.

Everyone wants to preserve our resources. They want to take care of the natural resources. Certainly I do. I am chairman of the Parks Subcommittee. There is nothing I care more about than preserving those resources. At the same time, if we are going to do that, we need to have an opportunity for the owners to have access and to enjoy these resources. We also need to have multiple use so we can have hunting, hiking, grazing, and mineral production.

Those are the kinds of issues with which we need to deal. The question is, How deeply do we want the Federal Government involved in making all the decisions in our lives? It is a legitimate difference.

We are ready to move forward now. Out of 13 appropriations bills, we have completed 2. We have 11 to go. We will be putting together probably one or two bills at a time. I hope we do not come to the end with a huge omnibus package. That is not good governance. I hope we can avoid that.

If, for example, we are considering the Interior appropriations bill, I hope we can get away from talking about the Patients' Bill of Rights or minimum wage. Those issues are great issues. We have already dealt with them. We have already voted on them. I think simply to bring them up as a blockage to moving forward with what we have to do is a mistake in governance. I hope we do not do that.

I expect the chairman of the Budget Committee to come to the floor shortly and talk a little more about the budget, about the surplus, about the prospects of what we are going to do with those dollars; whether we can, indeed, take 90 percent of this surplus and put it into debt reduction and still have about $27 billion or $28 billion to deal with those issues that need to be strengthened, such as Medicare and Social Security.

We have an opportunity to do those things. I am hopeful that each of us as

citizens and voters of this country will take a look at how we see the future role of the Federal Government.

We need to deal, obviously, with the military. Defense continues to be a most important item. Most people will agree we have not financially supported the military to the extent it needs to be supported for them to carry out the mission we have assigned. We have made some progress. We have put more money into the military over the last several years, more than the administration has asked for, in fact. We need to continue to do that so we can have a safe United States.

I hope we can move forward. I appreciate the opportunity to discuss a little bit of my view of where we ought to go.

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

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

The Senator is recognized.

PROVIDING PERMANENT NORMAL TRADE RELATIONS TO CHINA

Mr. BUNNING. Mr. President, last week I spoke on the floor about how strongly I feel against providing permanent normal trade relations to China. I touched on a number of subjects, including human rights, China's antagonism toward Taiwan, and the threat that it poses to our own national security.

Unfortunately, over the last 2 weeks I have watched these issues be swept under the rug as the Senate has given away its voice on our trade relations with the most populous nation on the globe.

But while I expect the Senate will pass this PNTR, I do not intend to go down without one final swing. It is too important for our Nation not to sum up why the opponents of PNTR believe it is such a dangerous mistake.

For the last decade, I have been a vocal opponent of providing most favored nation or normal trade relations to China. For me, it all boils down to putting profits over people. I think that is just plain wrong and un-American. But while we were never able to stop Congress from approving MFN, at least we had an open and public debate on the issue every year. But by passing PNTR, we will even lose this right.

For years we have been able to use the annual debate to discuss the wisdom of granting broad trade privileges to Communist China. When the students were massacred in Tiananmen Square, or when the Chinese military threatened democracy in Taiwan, or when the revelations came to light about China spreading weapons of mass destruction to terrorists, we had a chance in the House and in the Senate to shine the spotlight on Communist China.

By passing PNTR, that spotlight will grow dim and the stick we were once able to wield under the most-favored-nation-status law will now be replaced by a rubber stamp bearing the letters, ''W-T-O.''

My opponents on this issue talk as if the American economy will fail if we do not pass this bill, that it is so important we should sweep aside all of the concerns about China and all of the evidence of wrongdoing because we should not ''rock the boat.'' That is ridiculous.

I say, on something as fundamental as our national security, we should not just say we have to go along to get along. If this is as important an issue as supporters of PNTR make it out to be—that it is one of the most monumental votes in years—then we should have done it right. Instead, we have seen the deliberate process short circuited by blood oaths among Senators to oppose all amendments no matter how worthy. We have watched the supporters of PNTR move Heaven and Earth to avoid a conference with the House.

Remember, the Congress of the United States is supposed to be writing this bill, not the business community, not the U.S. Trade Representative, and especially not the Chinese.

The American people are listening. The cameras are rolling. The pressure is on to do what is right. But in this instance I think we have failed.

But before we hand over the keys of our economic engine, I think it is important that we take one last cold, hard look at who is exactly doing the driving. This is China's record.

China ships weapons of mass destruction to terrorist nations.

China operates one of the most oppressive regimes in the world, brutalizing and slaughtering its own people.

China threatens other free nations such as Taiwan and snubs its nose at the international community by occupying Tibet.

China tried to buy access to our Government through illegal campaign contributions and to influence our own elections.

There it is in black and white. But in the name of expediency and Presidential legacy, we are about to grant this nation full and open trade relations. I do not care how you spin it, that does not make any sense.

For over a decade, the supporters of free trade with China have been making the argument over and over again that China is changing, that things are getting better, and we will soon reap the benefits of free trade with China. All the facts prove them wrong.

It has been over 10 years since Tiananmen Square, and the Chinese are still slaughtering their own people. They are still selling weapons to terrorists. And they are still bullying other nations and threatening the United States. Nothing is any different with China now. In fact, it might be worse. Those who say otherwise are only fooling themselves.

While the annual debates on MFN or PNTR, or whatever you want to call it, might not have turned the tide in China, to now provide even less debate and scrutiny can only make things worse for the Chinese people.

I think the supporters are right about one thing. The final vote on this bill is going to be one of the most pivotal votes in years, one we will look back upon as a fateful moment in our history. I am afraid history is not going to be kind to Congress for passing this legislation, for abdicating our role in overseeing trade relations with China.

Mr. President, it is a sad day in Congress. I am sorry to say we are going to do the wrong thing at the wrong time.

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

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

Mr. KYL. Mr. President, first of all, I appreciate the Presiding Officer's statement with respect to PNTR. We will have a vote on that tomorrow. I share many of the Senator's sentiments with respect to the concerns of the American people about PNTR. My constituents, frankly, from the correspondence I have received, are overwhelmingly opposed to it.

I also share the concerns he expressed about some of the remaining problems we will continue to face with respect to China, not only continuing trade problems but also problems that relate to our national security. I would like to discuss some of these remaining concerns and how I have attempted to resolve those concerns which is why, at the end of the day, I am going to vote to support PNTR notwithstanding those concerns.

But I will continue to urge my colleagues that we be able to address both the continuing trade disputes that will not be resolved by China's accession into the WTO and also the national security concerns that will certainly continue to exist after China's accession into the WTO.

Mr. President, as the Senate's debate about whether to grant China permanent normal trade status comes to a close this week, and a lopsided vote in favor of granting such status is anticipated, it is imperative for the United States to continue to address numerous important issues in our country's relationship with China.

As I outlined last week, the concerns posed by China's aggressive military modernization, threats by its leaders to attack the United States or our ally Taiwan, and its irresponsible proliferation of weapons of mass destruction and ballistic missiles to rogue nations, must command attention and should

not be forgotten after passage of this trade bill. I believe the Senate missed an opportunity to address some of these important concerns last week, when an amendment offered by Senator FRED THOMPSON to impose sanctions on organizations in China that engage in the proliferation of ballistic missiles and nuclear, biological, chemical weapons failed. It is also important to take steps to counter China's military moves that threaten the U.S., such as its targeting of nuclear-tipped missiles on American cities. Here too we missed an opportunity earlier this year, when President Clinton decided to delay deployment of a national missile defense system.

With regard to Taiwan, I believe it is important that the United States support our long-standing, democratic ally. The communist regime in Beijing uses every available opportunity to undermine international support for Taiwan, and this extends to trade issues as well. Despite earlier promises to the United States that it would not block Taiwan's admission to the World Trade Organization, in recent weeks, China has nonetheless sought to do just that. I had originally intended to offer an amendment to the PNTR legislation that would have conditioned the extension of normal trade relations to China on Taiwan entry into the WTO, but agreed to withdraw the amendment after receiving assurances from President Clinton and U.S. Trade Representative Charlene Barshefsky that the U.S. would insist on this result.

I will have more to say about these national security concerns, but I would first point out that China's record on trade compliance must be closely monitored, and the United States must insist on action when China fails to comply with the very set of international trade rules it has agreed to adhere to through the WTO. The United States must also be diligent about efforts to pressure China into drastically changing its record on human rights, religious freedom, forced abortions and the harvesting of baby and adult human organs. It is unfortunate that the Senate did not pass a number of other amendments offered or debated last week that sought to deal with these issues.

Despite unacceptable behavior by the Chinese government on a range of issues, I intend to vote for PNTR for China, because of other benefits this step will bring. Trade with China has become an increasingly important issue for the United States, due to the expansive growth of its economy, and the desire of American firms to compete in the Chinese market. The United States and China has been negotiating a bilateral trade agreement for twelve years. With the passage of PNTR, and China's subsequent admittance to the WTO, this bilateral trade agreement will take effect.

China is the world's fifth largest trading market, and the United States could gain substantially from a lowering of Chinese tariffs on U.S. goods and services. Under the negotiated trade agreement, overall Chinese tariffs on American industrial goods will fall from 24.6 percent today to 9.4 percent by 2005—May 2000 report, ''The U.S. Economy and China's Admission to the WTO, Joint Economic Committee. Arizona, in particular, should benefit. According to the U.S. Department of Commerce, Arizona exported $243 million in goods and services to China in 1998, up from $67 million in 1993. Of those exports, 58 percent were in electronics and electric equipment; under the trade agreement tariffs on this type of equipment will be reduced from 13 percent to 0 percent at the time of China's accession to the WTO. Over the next five years, tariffs will be significantly reduced on beef, cotton, fruits, and vegetables, all which represent potential export opportunities for Arizona. As tariffs are reduced in China and demand for U.S. goods and services increases there, significant numbers of jobs should be created in the United States, particularly in Arizona.

It is also possible, though perhaps not yet probable, that increased trade with the United States could also have a liberalizing effect on China itself, exposing its people to free ideas and making the regime improve its dismal human rights record. PNTR for China, and the subsequent U.S.–China trade agreement, may also increase chances for economic improvements in China. Dismantling state-operated enterprises in favor of private sector investment may produce better, higher-paying jobs for its Chinese citizens.

If the United States does not grant PNTR to China and make effective the U.S.-China trade agreement that will benefit U.S. workers and businesses, I am certain other countries will step in and take opportunities away from our U.S. manufacturing and service sectors.

As I outlined briefly in the opening of my statement, however, a number of issues will continue to plague the United States' relationship with China. Trade alone does not define our relationship with China, and as I have stated repeatedly, national security and human rights issues must continue to command the attention of the Administration and the elected representatives of the American people in Congress.

China poses a special challenge for America, not merely because of its growing economy and increasingly capable military, but because the path of its evolution remains unknown. We need to be realistic in our dealings with China and take steps to defend our security when warranted.

Although China has embraced some elements of a free-market economic system, the country is still led by a repressive communist regime that still tries to maintain tight control over its people and their exposure to Western ideas. The Chinese government has also been hostile to the United States in several areas, despite the efforts of the Clinton Administration to ''engage'' its leaders.

For example, China has targeted some of its long-range nuclear-tipped missiles on American cities and has threatened to use them if the U.S. came to the aid of Taiwan. As a commentary in the state-owned People's Liberation Army Daily stated in February, ''China is neither Iraq or Yugoslavia, but a very special country . . . it is a country that has certain abilities of launching a strategic counterattack and the capacity of launching a long-distance strike. Probably it is not a wise move to be at war with a country such as China, a point which U.S. policymakers know fairly well also.'' Another editorial published in March of this year in a different state-owned paper was even more blunt, warning that, ''The United States will not sacrifice 200 million Americans for 20 million Taiwanese.''

It is important that the United States takes steps to protect ourselves through the deployment of a national missile defense system. We need to deploy such a system as soon as the technology to do so is ready, and we should pursue sea- and space-based defenses that offer tremendous advantages when combined with the ground-based system currently under development.

We also need to send clear signals to China about our intentions behind the deployment of a national missile defense system and our commitment to our long-standing ally Taiwan. For example, I'm disappointed that the Senate did not pass the Taiwan Security Enhancement Act earlier this year. This bill would have increased training for Taiwan's military officers at U.S. military schools, permitted U.S.-flag officers to visit Taiwan, and established a secure communications link between the U.S. and Taiwan militaries. It was a modest piece of legislation that should have been passed to demonstrate our support for Taiwan.

Another area where the U.S. needs to stand by Taiwan is in supporting its admission to the WTO. I though it was particularly important to address this specific issue during the Senate's consideration of the China PNTR bill in light of recent moves by China to block Taiwan's admission to the trade group.

Taiwan has been negotiating to become a member of the WTO since 1990 and has met the substantive criteria for membership. Furthermore, based on its importance to the world economy, Taiwan should be admitted to the WTO. It has the 19th largest economy and is the 14th largest trading nation in the world. Taiwan's economy is also closely linked to the U.S. It is America's 8th largest trading partner and purchases more American goods than many of our other major trading partners, like mainland China, Australia, and Italy.

On several occasions, Chinese officials had assured the United States that China would not block Taiwan's

entry to the WTO as a separate entity. According to the Wall Street Journal, earlier this month, however, Chinese President Jiang Zemin told President Clinton and a business group in New York that Taiwan could only be admitted to the WTO as a province of China. This statement by President Jiang was particularly concerning since it came on the heels of other troubling moves by China. On September 7, Chinese Foreign Ministry Spokesman Sun Yuxi said that China wanted its claim to sovereignty over Taiwan written into the terms of the WTO's rules, stating, ''The Chinese side has a consistent and clear position: Taiwan can join WTO as a separate customs territory of China.''

Furthermore, the Wall Street Journal reported in July that:

> . . . as WTO staff members draw up the so-called protocol agreements—the reams of paper that define exactly what concessions China will make in order to gain entry into the organization—China is insisting that its claim over Taiwan be recognized in the legal language . . . chief Chinese negotiator Long Yongtu said . . . such a stand ''is a matter of principle for us'' . . . That would upset a consensus within the WTO that Taiwan should be allowed to enter the club as a separate economic area—that is, not an independent country, but also not as an explicit part of China. Some WTO members have argued that Taiwan has long since fulfilled its requirements to join the club and its application has been held up only to satisfy China's demand that Taiwan shouldn't win entry to the organization first.

In order to help ensure that China lived up to its promises to the United States, and that Taiwan's entry to the WTO was not unnecessarily impeded, I filed an amendment to H.R. 4444, the bill we are currently debating. The text of H.R. 4444 stated that the extension of permanent normal trade relations to China ''shall become effective no earlier than the effective date of the accession of the People's Republic of China to the World Trade Organization.'' My amendment would have added one additional condition, stating that permanent normal trade relations with China ''shall become effective no earlier than the effective date of the accession of the People's Republic of China and Taiwan as separate customs territories to the World Trade Organization.''

Late last week, I agreed not to offer this amendment because of the strong assurances I received from President Clinton and U.S. Trade Representative Barshefsky that the United States would insist on Taiwan's entry to the WTO as a separate entity. As the President said in a letter dated September 12:

> There should be no question that my Administration is firmly committed to Taiwan's accession to the WTO, a point I reiterated in my September 8 meeting with [Chinese] President Jiang Zemin . . . Taiwan will join the WTO under the language agreed to in 1992, namely as the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (referred to as ''Chinese Taipei''). The United States will not accept any other outcome.

Based on this strong, written assurance from the President of the United States and others provided privately by Ambassador Barshefsky, I decided not to formally offer my amendment for a vote. It is important that Congress and the Administration stand together in insisting that China live up to its promises and in showing support for Taiwan. In this instance, I am pleased we could work together toward that end.

Finally, I want to discuss an area where I believe the Senate missed an opportunity to address serious concerns about China's proliferation of ballistic missiles and weapons of mass destruction—our failure to adopt the Thompson amendment.

Over the past decade, China has been the world's worst proliferator of the technology used to develop and produce nuclear and chemical weapons and ballistic missiles, narrowly edging Russia and North Korea for this dubious distinction. Beijing has sold ballistic missile technology to Iran, North Korea, Syria, Libya, and Pakistan. It has sold nuclear technology to Iran and Pakistan. And it has aided Iran's chemical weapons program and sold that nation advanced cruise missiles.

Chinese assistance has been vital to the missile and weapons of mass destruction programs in these countries. And because of this assistance, the American people and our forces and friends abroad face a much greater threat.

Sadly, the efforts of the Clinton Administration to end Beijing's proliferation have not succeeded. Since taking office in 1993, the Administration has engaged in numerous discussions with senior Chinese officials concerning their failure to live up to international nonproliferation norms. But it has failed to impose sanctions on Chinese organizations and government entities, as required by several U.S. laws. Time and time again, the Clinton Administration has either refused to follow laws requiring sanctions or has done so in a way deliberately calculated to undermine the intent of the sanctions.

For example, the Administration has not imposed the required sanctions on China for the sale of M–11 missiles to Pakistan. Despite the unanimous judgment of our intelligence agencies that this sale has taken and incriminating evidence such as photographs of M–11 missile canisters in Pakistan and training exercises by Pakistani troops with the missile, the Administration has said the evidence was not strong enough for it to impose sanctions, since it can not be sure the missile transfer actually took place.

Another example of the Administration's failure to act concerns the transfer of anti-ship cruise missiles from China to Iran. I would remind my colleagues of one example of this danger; in 1987, a similar Exocet cruise missile killed 37 sailors on the U.S.S. Stark.

Iran's possession of this missile was first disclosed in January 1996 by Vice Admiral Scott Redd, then-commander of the U.S. Fifth Fleet. Admiral Redd said the C–802 gave the Iranian military increased firepower and represented a new dimension to the threat faced by the U.S. Navy, stating, ''It used to be we just had to worry about land-based cruise missiles. Now they have the potential to have that throughout the Gulf mounted on ships.''

According to the Washington Times, in 1995, Defense Department officials recommended declaring that China had violated the Gore-McCain Iran-Iraq Arms Nonproliferation Act of 1992, which requires sanctions for the transfer to either country of ''. . . destabilizing numbers and types and advanced conventional weapons . . .'' Yet State Department officials opposed involving sanctions to avoid damaging relations with China.

In his Senate testimony in 1997, Assistant Secretary of State Einhorn acknowledged the transaction, stating, ''. . . the question of whether china transferred the C–802 anti-ship cruise missiles to Iran is not in doubt.'' He noted that, ''Such missiles increase China's maritime advantage over other Gulf states, they put commercial shipping at risk, and they pose a new threat to U.S. forces operating in the region.'' But Mr. Einhorn maintained that the transfer was not ''destabilizing'' and thus did not meet the legal requirement for sanctions to be imposed.

In September 1997, Assistant Secretary of State for East Asian and Pacific Affairs Stanley Roth further explained the Administration's position, claiming the C–802 sale ''. . . does not have to be destabilizing if you define it as overturning the ability of the United States to operate in the Persian Gulf. It hasn't done that.'' Mr. Roth added, ''. . . the U.S. Navy tells us that despite the increased threat from the sale of cruise missiles, it can continue to operate and carry out its mission to the Persian Gulf. And so even though [the Navy] is exceedingly unhappy with this new development, it is not, on the face of it, destabilizing at the point.''

Such thinking illustrates how the Clinton Administration has refused to implement nonproliferation laws. If the arrival of weapons which directly threaten the U.S. Navy is not ''destabilizing,'' it is hard to imagine what the Administration might find sufficiently destabilizing for sanctions under the Gore-McCain Iran-Iraq Arms Nonproliferation Act.

The Senate has specifically addressed the issue of Chinese cruise missile sales. In June 1997, we passed an amendment offered by Senator BENNETT by a vote of 96 to 0, stating: ''The delivery of cruise missiles to Iran is a violation of the Iran-Iraq Arms Nonproliferation Act of 1992. It is the sense of the Senate to urge the Clinton Administration to enforce the provisions

of the [Act] with respect to the acquisition by Iran of C–802 model cruise missiles.'' Despite this unanimous expression by the Senate of the need to enforce the law, the Administration has refused to take action in this case.

There are many more examples of Chinese proliferation and the Administration's failure to enforce current laws in this area that provide the rationale for the Thompson amendment. In the interest of time, I will not describe them all, but will simply make the point that the Thompson amendment would have helped to combat this deadly trade by making it clear to China that it would have faced economic penalties from the U.S. if it continued to proliferate.

Mr. President, I would just say in conclusion that trade with China is important, and I intend to vote for the PNTR bill. But I believe it is imperative that we not forget these important national security issues once the debate on PNTR is completed. The challenge before us is to deal with China in a way that protects America's national security, promotes free trade, demonstrates our support for our democratic ally Taiwan, and improves human rights in China. This is a tough job, but one that I am sure all Senators agree is too important to ignore.

JUDICIAL NOMINEES

Mr. KYL. Mr. President, I rise to discuss an important matter. As I begin, I am reminded of a statement my mother used to make. Actually, I recall my grandmother making this statement.

The statement is to ''cut off your nose to spite your face.'' I have found out that actually that phrase can be traced back to the late 1700s, when our Constitution was created. It essentially means doing something senseless, frequently out of spite, and which frequently ends up hurting the actor. The idea is that you are not happy with your face so you are going to cut off your nose. We all understand that that doesn't exactly solve the problem and, in the end, creates a bigger problem than the one with which you started.

That phrase is applicable to something our friends of the minority are doing with respect to Federal judges. We have heard and have been subjected to a weekly dose of expressions of disappointment by members of the minority that the Senate has not confirmed more of President Clinton's judicial nominees. The chairman of the Judiciary Committee recently had to respond to that criticism because it had escalated to such a point that it demanded a response.

In fact, not only were members of the Judiciary Committee being critical of the Republican chairman and the Republican Senate for not confirming more judges, but the President and Members of the House of Representatives chimed in with very, as Senator HATCH called it, ''reckless and unfounded'' accusations.

For example, one Democratic House Member was quoted as saying that the Senate:

> . . . has made the judiciary an exclusive club that closes the door to women and minorities. . . . Its determinations have been made on the basis of racism and sexism, plain and simple.

Other Democrats have argued that there is a judicial vacancy crisis and that ''scores of vacancies continue to plague our Federal courts.'' That is a statement of a prominent member of the Senate Judiciary Committee.

In the face of comments such as this, Senator HATCH had to respond, and respond he did. He pointed out that the claims are false, both the claims of the inordinate number of judges being held, allegedly, and also the charge of racism.

The Senate considers judicial nominees on the basis of merit, regardless of race or gender. As Chairman HATCH pointed out, minority and female nominees are confirmed in nearly identical proportion to their white male counterparts. The Republican Senate is confirming nominees at a reasonable rate, about the same rate as has occurred in the past.

From statistics I have from the Judiciary Committee, there are currently 64 vacancies out of the 852-member Federal judiciary, which yields a vacancy rates of about 7.5 percent. A good comparison is the year 1994—by the way, at the end of a Democratically-controlled, the 103rd Congress—when there were 63 judicial vacancies, 1 less, yielding a vacancy rate of 7.4 percent. By comparison, at the end of the Bush administration, when Democrats controlled the Senate, the vacancy rate stood at 12 percent.

It is possible to find statistics to prove about anything, but the fact is, as the chairman of the committee pointed out, this Congress is confirming judges of the Clinton administration at about the same rate as past Congresses, and certainly the vacancy rate is not as bad as it had been at previous times.

The important point is that Democrats, members of the minority, who are critical of Republicans for not confirming the nominees, need to be careful of this charge because it is they who are now refusing to confirm President Clinton's nominees to the Federal district court. There are currently four nominees who are ready to be brought to the full Senate floor for confirmation. Indeed, all four of these nominees were presented to the minority for their approval. There is no objection on the Republican side.

The minority leader, speaking for Members of the Senate minority, objected to the Senate's consideration of confirmation of these four Clinton nominees to the Federal district court, the only four candidates on whom the Senate can vote. None of the other nominees has gone through the committee and is therefore ready for us to act.

These are the four nominees currently on the Executive Calendar: Judge Susan Ritchie Bolton, Mary Murguia, James Teilborg, and Michael Reagan. The first three are nominees from Arizona. They were all nominated on July 21, 2000, by President Clinton. Michael Reagan of Illinois is the other nominee. He was nominated on May 12, 2000.

I chaired the hearing for these four nominees on July 25, 2000. They are all qualified nominees. I recommended them all to my colleagues on the Judiciary Committee for confirmation. Indeed, they were approved by the Judiciary Committee on July 27, 2000, and sent to the floor for consideration. They were supposed to be confirmed before the August recess. When an unrelated negotiation between Leader LOTT and Minority Leader DASCHLE broke down and reached an impasse, floor action on these nominees was postponed until this month, when we returned from the August recess. That is when the minority leader rejected the majority leader's request that these four be considered by the full Senate.

It doesn't matter to me whether they are confirmed by unanimous consent or by a vote, but in any event, these are the four on whom we can act. They ought to be acted on, and I believe all should be approved.

With respect to the three in Arizona in particular, I note that last year Congress created nine new Federal district court judgeships—four for Florida, three for Arizona, and two for Nevada. There was a very specific reason for this action. There is a huge caseload in these three States. The judges are falling further and further behind, primarily in the State of Arizona; I believe also in Florida. This is due to the number of criminal prosecutions for illegal drugs, alien smuggling, and related cases. All of the new judgeships for Nevada have been confirmed, and three of the four judgeships for Florida have been confirmed. None of the judgeships for Arizona has been confirmed.

It is important that these nominees of President Clinton be confirmed by the Senate. They are critical to handling the caseload in the State of Arizona.

Here is where the old phrase of my mother and grandmother comes into play: cutting off your nose to spite your face. Because some of the members of the minority party wish we could confirm even more judges, they are holding up the confirmation of these judges. There is nothing against the qualifications of any of the four. It is just that if they can't have everything their way, then, by golly, nobody is going to get anything.

It is President Clinton who has nominated these four candidates. It is not somebody from Arizona, though Democratic Congressman ED PASTOR and Senator MCCAIN and I strongly support these three nominees.

One, Mary Murguia, is a career Federal prosecutor. She is currently at the

U.S. Department of Justice as the executive director of the Attorneys General Association. She would be, incidentally, the first Latino ever to be confirmed for the U.S. district court from the State of Arizona.

Jim Teilborg is a lifelong trial attorney with enormous experience in courts and would—I think everyone recognizes—make a tremendous Federal judge.

Judge Susan Bolton is one of the most respected members of the Arizona Superior Court, the trial court at the State court level, one of the most respected judges in the entire State. In fact, I have received comments from many lawyers who have said: We think your three nominees from Arizona are fantastic. We just wish Judge Bolton didn't have to leave because she is so important to the judiciary at the State level.

Judge Michael Regan from Illinois, likewise, has very high qualifications. The point is this: These are Clinton administration nominees. They are needed to fill important vacancies in the Federal district court. Members of the minority have complained incessantly all year long that we need more judges and that the Senate needs to confirm the President's nominees, and they complain when the Senate has taken more time than they thought was warranted to confirm these judges. So the Senate Judiciary Committee acts to put these judges before the full Senate, and what happens? Members of the minority object. They won't let the Senate even vote on these four nominees. That is what I call cutting off your nose to spite your face.

It is obstruction tactics; it is dealmaking at its worst. This is what people object to when they look at the Federal Government. It doesn't treat these individuals as human beings whose lives and careers are on hold. Incidentally, it has happened before. This is not the first time members of the minority have held up the nomination of a Democratic nominee by the Democratic President. In 1997, Democrats blocked the nomination of Barry Silverman to the Ninth Circuit Court of Appeals. He had to wait until the following year to be confirmed. Again, there was a dustup over a nominee from Illinois, as I recall, and the point was: If we can't get everything we want, you are not going to get anything you want.

It is not only me and not only the people of Arizona; it is also the will of the President of the United States that is being thwarted. It is not as if partisan politics were involved with respect to the people being nominated because they are Republicans, Democrats, or Independents. In fact, obviously, the majority are Democrats. So you have a Democratic President nominating mostly Democratic candidates for the court, and the Democratic minority is holding them up.

One of our distinguished colleagues on the Judiciary Committee, the distinguished ranking member, Senator LEAHY, recently said on the floor, ''We cannot afford to stop or slow down judicial nominations.'' I agree with Senator LEAHY on this point. I hope that he and Senator DASCHLE and the other Senators who have an interest in this important subject will continue to support the confirmations of judges as long as we can and at least support the confirmations of those who the Senate can act on because they are the only ones who have been cleared to this point and, in any event, will recognize the irony in their criticism on the Senate floor for not confirming judges, when it is their action and their action alone that is preventing the confirmations of these four nominations to the Federal district bench. It is time for action. I hope my colleagues will quickly clear these four nominees for confirmation.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, my understanding is that we have 10 minutes in morning business.

The PRESIDING OFFICER. Morning business is scheduled to conclude at 2 p.m.

Mr. MURKOWSKI. I ask unanimous consent that I might be allowed 15 minutes as in morning business.

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

COURT OF APPEALS DECISION ON NUCLEAR WASTE

Mr. MURKOWSKI. Mr. President, let me draw your attention to a very significant event that occurred last week which involved the nuclear utilities companies in this country prevailing in the spent fuel claims case. Now, to many, this might not seem to have great significance. Those of us on the Energy Committee have gone through a long and somewhat tedious process to try to address the federal government's obligation to encourage the Congress, specifically the Senate, to reach a decision on how we are going to dispose of our high-level nuclear waste, with a recognition that almost 20 percent of the power generated in this country comes from nuclear power. As a consequence of that, and the inability of the Government to fulfill its contractual commitment to take the waste in 1998, the industry in itself is, you might say, choking on the pileup of nuclear waste that is in temporary sites around reactors throughout the country.

Evidently, the administration does not value the sanctity of a contractual relationship very highly, because the ratepayers, over an extended period of years—several decades—have paid over 17 billion dollars into a fund which the Federal Government has managed, and that fund was specifically designed to permanently take the waste from the utility companies that generate power from nuclear energy.

The August 31, 2000 decision was highlighted in The Energy Daily. The U.S. Court of Appeals for the Federal Circuit ruled that the power companies are free to seek damages against the Energy Department for its failure to take responsibility for spent nuclear fuel. Undoubtedly, this will ''prompt dozens of new lawsuits seeking billions of dollars in claims against the Government,'' industry attorneys indicated last Friday.

Who is the Government? The Government is the taxpayers, Mr. President. As a consequence, the inability of the administration to meet its obligation under a commitment—a binding contract—results in the taxpayers being exposed to billions of dollars in damages.

The article says:

> The U.S. Court of Appeals for the Federal Circuit handed the nuclear industry a sweeping victory Thursday when it rejected a government motion to dismiss a suit brought by utility owners of three nuclear power plants. The government claimed the utilities must first exhaust all administrative remedies available through the DOE before seeking monetary damages in the U.S. Court of Federal Claims.
>
> The decision means that nuclear utilities can return to court and will get a chance to prove their damages—to ask the court to determine the amount of damages the government must pay for DOE's failure to begin storing the spent fuel on Jan. 1, 1998.
>
> Congress set that date for the federal government to take responsibility for spent nuclear fuel in the Nuclear Waste Policy Act of 1982, which requires DOE to store the roughly 40,000 metric tons of waste generated and now stored at more than 100 U.S. nuclear plants.

Some of those plants, I might add, are no longer active. They weren't designed for long-term, indefinite storage.

> Estimates of the potential damages faced by the government as the result of last week's decision vary widely.
>
> An analysis performed this year for the Nuclear Energy Institute showed the figure could be as high as $50 billion—costs that will be borne by the taxpayers—but that number is based on a worst-case assumption that the government will never fulfill its obligation, and the utilities' spent fuel will never be stored in a proposed federal level-high waste depository at Yucca Mountain, Nev. [where the Government has already expended over $6 billion.]

The idea of the facility at Yucca Mountain in Nevada was to act as a permanent repository for the high-level waste.

> NEI General Counsel Robert Bishop told The Energy Daily Friday that the dozen or so utilities already having filed lawsuits against DOE allege some $5.4 billion in damages resulting from the government's failure to take the spent fuel.

So we are seeing the suits filed at this early time.

> Bishop acknowledged, however, that the figure could be much higher if, as expected, utilities that thus far have been reluctant to sue the government take advantage of the Thursday decision and pursue their claims in court.
>
> ''You are going to see a lot of utilities deciding to do whatever they believe is in their and their customers' best interest.''
>
> ''Some may choose to work with DOE as PECO did. Others may decide that it is in

their best interest to seek relief in federal claims court.''

Jerry Stouck, an attorney in the Washington office of Spriggs & Hollingsworth and the lead attorney in the case, represents Maine Yankee Atomic Power Co., Connecticut Yankee Atomic Power Co. and Yankee Atomic Electric Co. He said the government has an easier way to avoid facing dozens of lawsuits from aggrieved utilities.

''The government can mitigate its damages by moving the [spent] fuel,'' Stouck said. ''The government already has indicated it is not going to honor its contract and move the fuel as it is required to do under the law, but they can avoid damages by moving the fuel. They won't avoid all of the damages, but they will mitigate a lot of the damages simply by moving the fuel.''

In its ruling, the court concluded that DOE's failure to begin taking used nuclear fuel did not constitute a ''delay,'' as the government had argued, that was resolvable under a standard contract that each utility signed with the department.

It said that utilities are not obligated to seek resolution under the contract for damages caused by DOE's failure to perform its contractual obligation. It also stated unequivocally that DOE has breached its obligations under the contracts. And in a telling rebuke of the government's argument, the court made it clear that its decision extended beyond the specific suits brought by the Yankee plants.

''The breach involved all the utilities that had signed the contract—the entire nuclear industry,'' the court said in its 14-page order.

The case now returns to the claims court to determine the level of damages DOE must pay.

It is my hope that the majority leader, Senator LOTT, will have an opportunity to bring this matter to the floor again for a vote. I advise my colleagues that we are one vote short of a veto override. With the recent ruling by the court, clearly the Federal Government and the taxpayer bear the responsibility of not taking the nuclear waste as indicated by the court order.

According to the Department of Justice statement:

We remain persuaded that the quickest and most efficient way to get relief to those utilities that are incurring costs as a result in our delay in accepting nuclear fuel is direct negotiation between individual utilities and the department. This is evidenced by the settlement agreement that we entered into last month with PECO.

There you have it. The Department of Justice hopes they can reach some kind of a settlement. But in any event, that settlement is going to cost the taxpayers a substantial sum as a consequence of the Federal Government's unwillingness to honor the terms of a contract made to take that waste in 1998.

It is my hope, as chairman of the Energy Committee, to hold a hearing on this matter because now we have a definitive decision made by the court and that puts the liability on the taxpayer and the Government. As a consequence, I think it is appropriate that we in this body come together and recognize our obligation. Our obligation is to override the President's veto and honor the contractual commitments to take the waste.

This very important environmental issue affects almost every state in this Nation. On August 31, 2000, the U.S. Court of Appeals for the Federal Circuit decided two cases and held that nuclear utilities could seek millions of dollars in damages for DOE's failure to accept high-level waste by January 1998. The court's decision only confirms what I have said on this floor over and over again—the Federal Government has breached it's contract with utilities as a result, the taxpayer is going to pay. Conservative estimates from the utilities with claims pending are upwards of $5 billion.

In the first case, the U.S. challenged the lower court's finding that Maine Yankee, Connecticut Yankee, and Yankee Rowe (all shutdown reactors with tons of fuel remaining on-site) were entitled to damages. On appeal the court ruled that the utilities have the authority to seek civil damages from the Court of Federal Claims and rejected the government's argument that relief was available through the administrative process.

In the second case, the court found that Northern States Power, now known as Xcel Energy, could also seek damages through the Court of Federal Claims.

Utilities view both decisions as major victories. Not only do they not have to go through the administrative process first, (1) the court rejected the distinction between operating and shut down utilities, and (2) characterized DOE's failure to accept waste as a breach of contract, thus entitling the utilities to proceed directly to the Court of Federal Claims to prove their damages. About a dozen utilities have claims pending that are affected by these ruling.

Before this ruling, DOE had been attempting out-of-court settlements with utilities. Only one, PECO, has made such a statement.

This court ruling only underscores what I have been saying for years—the Federal Government has breached it's contract and that will cost tax payers billions. Since 1982, the Federal government has collected over $17 billion from America's ratepayers in return for a commitment to take nuclear waste from storage sites scattered in 40 states around the country and store it in one, safe central government-run facility, beginning in 1998. Several years ago, the U.S. Court of Appeals ruled that this is a legal, as well as moral, obligation. Now the court has ruled that failure to do so is a breach of contract and the utilities may seek damages.

I have tried to help the Federal Government out of this situation. For several Congresses, I have worked on various pieces of legislation designed to keep our nuclear waste repository program on track. This Congress we took that legislation, S. 1287, further than we ever have before. In February, the Senate passed it by an overwhelming majroity—64 to 34. And then in March, the House took up the bill and passed it 253 to 167. From there, this legislation made it up Pennsylvania Avenue, to the President's desk, where he vetoed it. Why he did that, I don't know. In light of this recent court decision, maybe that doesn't look like such a good decision after all. Unless of course, the President is thinking of politics, and not tax payer liability. In any event, the President sent it back to Congress, where, on May 2, 2000, the Senate failed to override that veto. But we didn't fail by much. The actual vote count of 64–35 doesn't tell the whole story. Two Members, who have always been in the ''yes'' camp were necessarily absent. And the majority leader, in a procedural maneuver, switched his vote so that if we needed to revisit the issue, that opportunity would be available. So perhaps, we should now avail ourselves of that opportunity.

Senate bill S. 1287 would help to limit the taxpayers liability for DOE's failure to accept waste by permitting the early acceptance of waste at the Yucca Mountain site, once construction is authorized. S. 1287 provides the tools that will allow the Federal government to meet its obligation to provide a safe place to store spent nuclear fuel and nuclear waste as soon as possible, while reaffirming our Nation's commitment to development of a permanent repository for our Nation's nuclear waste.

At the beginning of this session, interim storage legislation, in the form of S. 608, the Nuclear Waste Policy Act of 1999, was introduced. Although the legislation had sufficient support to be favorably reported by the Committee on Energy and Natural Resources, I proposed that the committee consider a new approach to resolving the nuclear waste dilemma that might gain a full consensus and avoid the procedural difficulties encountered by the bill in the past. This approach was supported by the committee, and an original bill, which became S. 1287, was approved by the committee by a bipartisan, 14–6 vote.

During committee consideration of S. 1287, we received many constructive comments on how to improve the bill, and a manager's amendment that reflects many of these were eventually considered and passed on the Senate floor. S. 1287, as passed the House and Senate contained the following major changes:

Adds a savings clause clarifying that nothing in the bill diminishes the authority of any State under other Federal or State laws;

Alters one of the milestones and the acceptance schedule for nuclear waste to make them consistent with the schedules contained in the Department of Energy's Viability Assessment for Yucca Mountain;

Clarifies that the Secretary and a plaintiff may enter into voluntary settlements that are contingent upon new obligations being met, including acceptance of spent fuel under the schedules provided for in S. 1287;

Adds benefits for local governments in Nevada that adjoin the Nevada test site; and

Permits EPA to proceed with the radiation standard setting rule. If NRC, after consulting with the National Academy of Sciences, agrees that the standard will protect public health and safety and the environment and is reasonable and attainable, they may do so prior to June 1, 2001.

I believe that the issues to be addressed by nuclear waste legislation have evolved and this evolution is reflected in S. 1287. This legislation gives DOE the tools it needs to complete the Yucca Mountain program, while providing a mechanism to rectify DOE's failure to perform its obligations under the Nuclear Waste Policy Act of 1982.

Because DOE has failed to find a way to meet its obligation, our citizens will be left with what remedies the court can devise. After the August decision in the Court of Appeals, it is clear that the utilities can now go ahead and prove their damages. What the eventual damages are remains to be seen. This much I can say with some certainty: This remedy is bound to be expensive to the American taxpayer and is unlikely to result in used nuclear fuel being removed from the over 80 sites where it is stored around the country, in facilities that were not intended for long-term storage. If DOE is unable to open the Yucca Mountain repository on schedule, it is estimated that total damages from the Department's failure to meet its obligation will range from $40 billion to $80 billion. Clearly, such stop-gap compensation measures would drain money away from this and other Department of Energy programs, stopping all progress on the permanent repository. The American taxpayers would lose tens of billions of dollars, and we would still have no idea how we are going to get the nuclear waste out of 80 sites in 40 States.

I have said it before, and I will say it again. S. 1287 is the most important environmental bill we have considered this Congress. The alternative is to leave waste at 80 sites in 40 States. S. 1287 also gives the Secretary of Energy the ability to settle lawsuits and save the taxpayers from an estimated $40–$80 billion liability. The bill would allow early receipt of fuel once the construction is authorized—as early as 2006—assuming DOE can keep the program on schedule. Such early receipt would help mitigate a liability the courts have clearly said the government has.

We have struggled with this problem for many years. The time is now. S. 1287 is the solution. Years of litigation to prove damages will cost money and waste valuable time. Utility consumers have paid over $17 billion into the Nuclear Waste Fund. We must solve this problem. We cannot continue to jeopardize the health and safety of citizens across this country by leaving spent nuclear fuel in 80 sites in 40 States. We should move it to one remote site in the desert. If we don't, we risk losing nuclear generation altogether—that's 20 percent of our clean generation. We cannot afford to do that. Our clean air is too important. This issue is too important. Let's not ignore reality. It's dangerous and it's expensive.

Again, I remind my colleagues that in February, this body passed by an overwhelming majority vote of 64–34 to honor the commitments that were made under the contract to proceed by placing the waste at Yucca Mountain. The House took up the bill and passed it 253–167. It went down to the White House, where the President vetoed it. Why he did I don't know. I don't know whether they just disregard contracts down there. But now the burden is on the taxpayer. Now the burden is on the Senate to rise up and generate a couple more votes and override the President's veto.

Again, we will be holding a hearing on this matter in the very near future. I encourage each Member of the Senate to recognize his and her obligation to honor the terms of the contract, proceed to take the waste, and put it where it belongs, at the site at Yucca Mountain in Nevada where the taxpayer has already expended some $6 billion to put it there.

I see other Senators wishing recognition. As a consequence, I yield the floor.

EXTENSION OF MORNING BUSINESS

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Parliamentary inquiry: Is there time now remaining to the Republicans to speak?

The PRESIDING OFFICER. Time has expired for morning business.

Mr. DOMENICI. Mr. President, I ask unanimous consent to be permitted to speak for an additional 10 minutes.

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

THE 90/10 SOLUTION

Mr. DOMENICI. Mr. President, in order to complete our legislative agenda in the 106th Congress, our leadership has put forth a very simple concept.

For the upcoming new fiscal year that begins in about 12 days, lets devote 90 percent of the surplus to debt reduction. And the remaining 10 percent can be used for tax cuts and final spending bills.

This is a very reasonable and straightforward proposal, and I compliment our leadership both in the House and the Senate for making the proposal to the President last week.

I don't quite understand why the White House and some Democrats are so negatively excited about this proposal. For some reason, the White House and congressional leaders are having a great deal of difficulty understanding a very simple proposal.

Indeed, our distinguished minority leader, even said he ''smelled a rat'' in this proposal. Why is it so difficult for the White House and congressional Democrats to understand this simple proposal.

Maybe it is because they are really not serious about their own rhetoric about debt reduction. Maybe this is consistent with their blocking not once, but six times our efforts to pass the Social Security lock box legislation now on the calendar.

I am hopeful we will do that, with their help perhaps, in a way we can all agree upon. But we will do it, and we will do it under this 90–10 formula.

For my friends at the White House and across the aisle let me take just a minute to explain this proposal.

We first start with the current CBO estimate of the budget surplus for next year—that number today is $268 billion. We are even using the Democrats favorite definition of the surplus, a definition that assumes that appropriate accounts grow by inflation between 2000 and 2001—the so-called ''inflated baseline.'' This is not my preferred definition, but it is the most liberal one available from the Congressional Budget Office.

To this $268 billion estimate, we adjust for the net effect of the supplemental that became law after CBO made its summer update. Because the supplemental shifted some spending around, the surplus next year increases slightly to $273 billion.

Now, we set aside the Social Security and Medicare HI trust fund balances—we fully protect Social Security and Medicare as we promised—those two accounts make up about $197 billion of our debt reduction next year.

We also set aside $48 billion of the non-Social Security surplus for debt reduction.

So we set the Social Security and the Medicare surplus aside, and then we set aside $48 billion more—a rather historic event because that is out of the non-Social Security surplus. Forty-eight billion dollars of that will go to debt reduction.

In total, $245 billion of next year's surplus is set aside for debt reduction. This represents 90 percent of the total surplus next year—just do the arithmetic—leaving $28 billion in outlays for the end of the session spending and tax legislation. This $28 billion should allow us to finish our work expeditiously. It would allow us to finish the appropriated bills that are still pending, fund needed priorities for hospital and health providers, for health research, aid to States and localities that have suffered this summer's fires and droughts, and other important and basic needs.

The $28 billion should also allow us to provide minimal tax relief to American small business and families. This will be a smaller package than we have done before. We will ask the President of the United States whether there is any tax bill that we can send him that he will sign. We believe this is a winner, one attached essentially to the amendment that cleared the floor when we did our minimum wage bill. It was

my amendment. I offered it along with DON NICKLES and others to spread the minimum wage increase over 3 years and to provide small business and individuals with the kind of tax relief almost everyone agreed we should do.

This is the least we can do for the taxpayers, as I see it, following both a vote of the marriage tax penalty and the death. This will not, as assumed by the administration, cause irreparable damage to the economy. The Secretary of the Treasury came all the way over here to have a press conference because they were terribly concerned about this 90 percent to debt service and 10 percent to finish our work idea—the 90–10 button that is being worn around here. I don't understand how it will cause any kind of damage.

How quickly we forget the words of the Federal Reserve Chairman, who said the first thing we should do with a budget surplus is retire the debt. I can only conclude that the democratic roadblock to this very simple proposition must be, first, they do not want to provide tax cuts when taxes are at the highest level percentage of the American economy since the Second World War; second, they do not want to apply the surplus to debt reduction.

They must have a very large bushel of expenditures they want to make at the end of the year that exceed the $28 billion, which is the residue of the 90–10 that will be around for tax cuts, for add-ons to appropriations, and for those extreme needs we have in the Medicare area with reference to nursing homes, HMO plus, and the like. Those will fit within the $28 billion because we are speaking of outlays—I hope everybody understands that—in the year 2001.

Maybe this should not come as a surprise to anyone. The President of the United States has put forward an expansive and expensive set of budget proposals, a budget plan that even the Washington Post called a ''lopsided budget.'' The Financial Times article called it ''a masterpiece of central government planning.''

Maybe these are the real reasons why my friends across the aisle cannot grasp the simple consent: 90 percent of the total surplus going to retiring the debt, and 10 percent being available to finish our work on appropriations, on the other expenditures, and some tax proposals that should clear.

I am prepared to talk to this issue with anyone, anywhere, and to produce the numbers. This is very close to what will happen if we take it right, watch our step, do what is needed, but not extravagantly spend money. If we try some very simple but needed tax cuts, which should challenge even this President in terms of his veto pen—and obviously we are all aware of fixing some Medicare needs, whether they are nursing homes that need some additional response from the Federal Government, whether it be the HMO plus, whether it be the home care, whether it be rural hospitals. Essentially, in the first year they do not cost that much money. They do a considerable amount over 5, but actually we believe they will fit within this $28 billion. That is the 10 percent of the 90–10 formula.

I hope everybody will take a look at it. I think it is a good way to go.

I yield the floor, and 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. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

LIEUTENANT COLONEL THOMAS J. LEE

Mr. THURMOND. Madam President, I rise today to recognize the dedicated efforts and valuable contributions of Lieutenant Colonel Thomas (''Tom'') Lee of the National Guard Bureau Counterdrug Directorate.

There are few more insidious domestic challenges to the safety, welfare, and security of the United States than illegal narcotics. Point to any border region of our nation and you will find criminal organizations smuggling every drug imaginable into America. Beyond being a highly addictive and destructive substance, drugs bring crime into every community through which they pass. Stemming the tide of illegal narcotics into the United States must always be a priority of the leaders of our nation.

For a number of years, the National Guard has played a critical and significant role in battling the drug trade in America through a variety of efforts. Whether it has been flying air support, providing translators, operating x-ray machines, doing youth outreach, or any of the seemingly endless other operations they participate in, the soldiers and airmen of the National Guard have been aggressively involved in supporting the counterdrug operations of local, state, and federal law enforcement agencies throughout the United States.

Though commissioned in the Field Artillery when he graduated from college, LTC Lee has significant experience in counterdrug operations. Over the past three-years, he has served as the Special Projects Officer in the Counterdrug Directorate, where he has worked closely with Members of Congress and their staffs on how the National Guard can help stop drug trafficking. As he has done in all his previous assignments, LTC Lee distinguished himself as an individual of selflessness who possesses a strong sense of service and an unflagging dedication to executing his duties to the best of his abilities.

LTC Lee not only demonstrated an intimate knowledge of National Guard Counterdrug policy and operations, but of the broader efforts of federal and state governments. He always provided clear, concise, and timely information and he has been a true asset to the Guard and to the nation's counterdrug operations.

I am confident that I speak for all my colleagues when I say that we are grateful and appreciative for the hard work of Lieutenant Colonel Lee during his tenure at the National Guard Bureau Counterdrug Directorate. He is a credit to the National Guard and he can be proud of both the record of accomplishment he has created and the high regard in which he is held. We wish him the best of luck in his new assignment and continued success in the years to come.

IN RECOGNITION OF UKRANIAN INDEPENDENCE

Mr. LEVIN. Madam President, as Ukraine approaches its first decade of independence, since the collapse of the Soviet Union, there are many accomplishments which the people of Ukraine can be proud.

For over a millennium, the Ukrainian people have successfully preserved and maintained their unique culture, language, religion and identity. Such an achievement stands as an inspiration for free people everywhere, and is a testimony to the depth, character and vibrancy of the Ukrainian culture.

The November 14, 1999, re-election of Leonid Kuchna as Ukraine's President is a cause for great optimism. High turnout in this election, and a refusal by the voters to return to a Communist past, speaks to the vibrancy of Ukranian democracy.

With this election, the Ukranian people chose to move forward with a program of economic reform. While the transition from a centralized economy to a free-market system has not been easy, Ukraine has been blessed with vast natural resources, a sizeable industrial infrastructure and a hard-working and resourceful people that promise to ensure Ukraine's economic transformation. The decision, this year, by the Supreme Rada to privatize large parts of the Ukrainian economy will further enable this industrious nation to continue with its economic progress.

Ukraine's unique geographical location has given it a vital role in ensuring the peace and stability of not only the region, but of all Europe. Ukraine has shown its commitment to a secure Europe by providing troops to the peacekeeping effort in Kosovo, and by seeking to enhance its partnership with NATO. By entering into the Status of Forces Agreement with NATO, and hosting NATO military exercises in Odessa, Ukraine has reiterated its commitment to the world's most powerful military alliance.

At this time when we honor Ukraine's independence, it is only fitting that we laud the many advances made by the Ukrainian people in the

past decade. The advances Ukraine has made today are built upon the sacrifices and dedication of countless patriots who have struggled to preserve the independence and freedom of the Ukranian people. I am sure that my Senate colleagues would join me in saluting the Ukranian people for their tremendous courage in promoting free and fair markets and participatory democracy during a difficult transition period.

BUDGETARY AGGREGATES AND APPROPRIATIONS COMMITTEE ALLOCATION

Mr. DOMENICI. Madam President, section 314 of the Congressional Budget Act, as amended, requires the chairman of the Senate Budget Committee to adjust the appropriate budgetary aggregates and the allocation for the Appropriations Committee to reflect amounts provided for emergency requirements.

I hereby submit revisions to the 2001 Senate Appropriations Committee allocations, pursuant to section 302 of the Congressional Budget Act, in the following amounts:

	Budget authority	Outlays
Current Allocation:		
General purpose discretionary	$600,296,000,000	$592,773,000,000
Highways		26,920,000,000
Mass transit		4,639,000,000
Mandatory	327,787,000,000	310,215,000,000
Total	928,083,000,000	934,547,000,000
Adjustments:		
General purpose discretionary	+55,000,000	+36,000,000
Highways		
Mass transit		
Mandatory		
Total	+55,,000,000	+36,000,000
Revised Allocation:		
General purpose discretionary	600,351,000,000	592,809,000,000
Highways		26,920,000,000
Mass transit		4,639,000,000
Mandatory	327,787,000,000	310,215,000,000
Total	928,138,000,000	934,583,000,000

I hereby submit revisions to the 2001 budget aggregates, pursuant to section 311 of the Congressional Budget Act, in the following amounts:

	Budget authority	Outlays	Surplus
Current Allocation:			
Budget Resolution	$1,526,401,000,000	1,491,494,000,000	$11,706,000,000
Adjustments:			
Emergencies	+55,000,000	+36,000,000	−36,000,000
Revised Allocation:.			
Budget Resolution	$1,526,456,000,000	1,491,530,000,000	$11,670,000,000

MOTOR VEHICLE AND MOTOR VEHICLE EQUIPMENT DEFECT NOTIFICATION IMPROVEMENT ACT

Mr. GORTON. Madam President, I join Senator MCCAIN today as an original cosponsor of the Motor Vehicle Equipment Defect Notification Improvement Act. This measure, aimed at increasing consumer protections, is a great first step in addressing current statutory shortfalls.

The controversy surrounding the ongoing Ford/Firestone recall brought to light several deficiencies regarding the processes that are in place currently. A combination of increasing penalties, upgrading standards, and requiring more stringent disclosure should afford consumers the protections they deserve.

Let me assure my colleagues that this is a work in progress. I look forward to receiving input from all interested parties as I work with Senator MCCAIN to ensure that we learn from our mistakes and move forward to strengthen the safeguards that protect public safety.

SUBMITTING CHANGES TO H. CON. RES. 290 PURSUANT TO SECTION 220

Mr. DOMENICI. Madam President, section 220 of H. Con. Res. 290 (the FY2001 Budget Resolution) permits the Chairman of the Senate Budget Committee to make adjustments to the allocation of budget authority and outlays to the Senate Committee on Energy and Natural Resources, provided certain conditions are met.

Pursuant to section 220, I hereby submit the following revisions to H. Con. Res. 290:

Current Allocation to Senate Committee on Energy and Natural Resources:	
FY 2001 Budget Authority	$2,429,000,000
FY 2001 Outlays	2,373,000,000
FY 2001–2005 Budget Authority	11,570,000,000
FY 2001–2005 Outlays	11,364,000,000
Adjustments:	
FY 2001 Budget Authority	200,000,000
FY 2001 Outlays	200,000,000
FY 2001–2005 Budget Authority	1,100,000,000
FY 2001–2006 Outlays	1,100,000,000
Revised Allocation to Senate Committee on Energy and Natural Resources:	
FY 2001 Budget Authority	2,629,000,000
FY 2001 Outlays	2,573,000,000
FY 2001–2005 Budget Authority	12,670,000,000
FY 2001–2005 Outlays	12,464,000,000

RELEASE OF FALN TERRORISTS

Mr. KYL. Madam President, 1 year ago, 11 terrorists dedicated to the violent pursuit of Puerto Rican independence walked out of prison thanks to a clemency grant by President Clinton. Two more of these terrorists will be released in coming years. They were all members of the Armed Forces of National Liberation (FALN), which has claimed responsibility for 130 bombings in the United States, killing 6 Americans and wounding 84 others.

It is incomprehensible to me that those responsible for such deadly violence are living in freedom today, while their victims and their families are still suffering. As we reflect on the decision of the President 1 year ago to ignore this suffering for his personal gain, I believe it's important to put a human face on the deplorable acts these terrorists committed.

I'd like to quote from the testimony of a few victims who lived through some of the 130 bombings these FALN terrorists committed:

> Bill Newhall, FALN victim: On January 24th [1975], I was having lunch with two colleagues, Charlie Murray and Frank Connor and three clients, Jim Gezork, Alex Berger and Dave Urskind. We were seated at a table overlooking Broad Street, about to return to work when a bomb, placed in a doorway next to our table, detonated, destroying our corner with shrapnel and debris. Jim, Alex, and Frank died terrible deaths, barely recognizable to their families. Another man, Harold Sherburne, who was upstairs at the time of the blast, was also killed. Charlie, David and I suffered multiple wounds, many of them from shrapnel. More than fifty other people sustained injuries as well. . . . It is impossible to adequately describe the effects of this savagery on the injured and dead as well as their families.

This bombing, a terrorist act against unarmed and unsuspecting civilians and its lethal results were followed by many more . . .

NYPD Detective Rocco Pascarella, FALN victim: FALN bombs were placed at locations where it was likely that innocent people would be killed or injured.

About two weeks prior to December 31, 1982 I had been assigned to the Police Headquarters security detail. . . . It was 9:30 p.m. when my colleagues and I heard a tremendous explosion. At first we thought it was fireworks. But soon after, we were told a bomb had exploded at 26 Federal Plaza which is two blocks from police headquarters. I was directed by my sergeant to search the perimeter of the headquarters building for anything suspicious that might be a bomb. As I approached the rear unused entrance to the building I noticed a lot of debris. As I turned to search, the bomb went off. . . .

I suffered the loss of one leg below the knee, severe scarring of my other leg, the loss of hearing in one ear, and the loss of my eyesight to the extent that I am no longer able to drive. I was in the hospital for two months. I underwent six operations for my leg and ears and received over 40 stitches to my face, ears and mouth. I spent a year going through rehabilitation to learn to walk again with my artificial leg and injured right leg. Because of my injuries I have been unable to return to active duty in the police force. I am on an extended medical leave. The pain and trauma of these disabling injuries were multiplied by the suffering it caused my family.

Special Agent (Ret.) Donald R. Wofford, FBI: [O]n Wednesday, 12/11/74 . . . an anonymous Hispanic female notified the NYPD that a dead body was located in a building at 336 East 110th Street, Manhattan. A radio car was dispatched and when the investigating patrolman pushed upon an outside door to an abandoned five story tenement located at this address, the explosion occurred, seriously injuring the officer, and ultimately resulting in the loss of his eye.

Special Agent (Ret.) Richard S. Hahn, FBI: Between June, 1975 and November, 1979, the FALN claimed credit for nineteen bombing and six incendiary attacks in the Chicago area. These included bomb targets such as the woman's washroom in a hotel restaurant, (9/76), the bombing of the city-county building, (6/77), and Sears Tower (10/75).

Madam President, I don't know how the President of the United States can just ignore the pain and suffering of these innocent Americans. I can't comprehend how we can say that America is tough on terrorism, and will not tolerate such violence, while our nation's leader grants clemency to those who commit these horrendous acts. And I don't understand how his Vice-President can remain silent on this grievous decision as he attempts to earn the trust of the American people. It's been a year since President Clinton granted clemency to convicted terrorists and the Senate and the American people are still searching for the answers to these questions.

JAMES H. QUILLEN UNITED STATES COURTHOUSE

Mr. THOMPSON. Madam President, I would like to take a moment to recognize the many achievements of former Tennessee Congressman Jim Quillen, and express my support for H.R. 4608 which would designate the new United States courthouse in Greeneville, as the ''James H. Quillen United States Courthouse.'' As some of my colleagues may know, Jim Quillen was Tennessee's longest serving Member of Congress and represented his constituents with distinction at both the state and federal level of government for 50 years. In 1963, Congressman Quillen was elected to the United States House of Representatives to represent the First Congressional District of Tennessee. After serving for thirty-four years, Congressman Quillen retired in January 1997. Congressman Quillen worked very hard for the citizens of Tennessee throughout his legislative career, and played a major role in securing funding to build the new courthouse in Greeneville.

Over the years, Congressman Quillen developed a reputation as a hard working legislator devoted to the concerns of his constituents. He served 17 terms in the House of Representatives, and in many ways lived the American dream. Born into poverty near Kingsport, he knew the hardships that many of his constituents faced, and promised that his door would always be open to hear their views. Congressman Quillen rarely accepted that something could not be done, and distinguished himself early on as a man who could get results. Congressman Quillen fought hard to establish a medical school at East Tennessee State University, which is now one of Tennessee's leading medical teaching institutions. He was also instrumental in expanding services at the Veterans Administration Medical Center in Johnson City.

Congressman Quillen's tireless efforts in the House of Representatives benefitted the entire nation, and his leadership as Ranking Member on the House Committee on Rules helped pave the way for critical legislation. During his service on the House Committee on Rules, Congressman Quillen shaped the course of national policy by acting as a ''legislative gatekeeper'' and working with other Members to ensure that America's needs were addressed. Congressman Quillen never lost sight of the people he was fighting for, and we should all be proud of his many accomplishments.

It is with appreciation for Congressman Quillen's dedication to public service over the past fifty years that we approve H.R. 4608 to designate the new federal courthouse in Greeneville, which he helped to build, as the ''James H. Quillen United States Courthouse.''

PERMANENT NORMAL TRADE RELATIONS WITH CHINA

Mr. CLELAND. Madam President, on April 11, 2000 the Senate Commerce Committee held a hearing regarding the impact of China's accession to the World Trade Organization, WTO, on the American economy. This was a fascinating meeting that covered a wide range of topics from trade deficits and tariff barriers to national security and human rights. After participating in this hearing, and after months of meetings and speaking with Georgia farmers, small business owners, and workers, as well as conferring with national security experts, I have concluded that, on balance, establishing Permanent Normal Trade Relations (PNTR) with China—which is necessary for the U.S. to obtain the trade concessions made by China in order to gain entry into the WTO—is in the best interest of both our national security and our economic security. Therefore, I plan to support the PNTR legislation that passed the House in May.

In the April hearing, General Brent Scowcroft, the former National Security Advisor to President Bush, stated that granting PNTR to China would be, ''very much in the interest of the United States. This, in my judgement goes far beyond American business and economic interests, important as these are, to key political and security issues.'' Mr. President, I have just returned from a trip to Japan and Korea where the issue of China PNTR as it pertains to our national security, while not the purpose of my trip, was an important topic of discussion with some of our key allies in the region as well as some of the U.S. military's finest leaders including Admiral Dennis Blair and General Thomas Schwartz—the Commander in Chief of U.S. Pacific Command and the Commander in Chief of the U.S. Forces in Korea respectively. After these discussions, I am even more convinced that the Senate should approve PNTR as an important national security measure. Admiral Fargo, the Commanding Officer of the CINCPAC Fleet echoed these sentiments when he mentioned that the ''right answer'' to many of the difficult questions facing us with regard to our strategic interest in the region, including PNTR, ''is to engage China.''

While in Japan, I met with Japanese Foreign Minister, Yohei Kono. When asked, Minister Kono stated that he believes PNTR for China and its upcoming membership in the WTO, will help China become a member of the international community and, in so doing, will help stabilize not only the Sino-Japanese relationship—which is a part of our national security since we are treaty-bound to defend Japan and because we have 46,000 troops stationed on Japanese soil—but will further stabilize the entire Asia-Pacific region. I find Foreign Minister Kono's sentiments especially significant given the historically difficult relations between these two nations and given the fact that Japan would be a primary beneficiary of trade with China should the U.S. Congress not approve PNTR.

Regarding the economic security of the U.S., granting Permanent Normal Trade Relations will open up China's market to countless Georgia goods and services, especially for Georgia's emerging high-tech and communications sector as well as for our largest

industry—agriculture. Earlier this year, Tommy Irvin, Georgia's Commissioner for Agriculture, wrote to me that, ''Normalizing trade relations with China will surely aid our farmers and agribusinesses' lagging export economy, which . . . has slowed over the past two years due to the economic crisis in Southeast Asia.'' Similarly, Governor Roy Barnes has signaled his support for PNTR and its benefits for Georgia.

Let me be clear that I do believe that U.S. trade with China, which under our current trade rules accounts for our single largest bilateral trade deficit, has had—and will continue to have, whether or not we approve PNTR—a negative effect on some American industries and workers, including some in my state in such areas as textiles and manufacturing. And I would certainly concur that China's labor, environmental and political rights standards fall far short of those we enjoy in the United States.

However, it is my belief that the annual vote currently required regarding China's Most Favored Nation status has not been an effective tool in forcing China to expand political rights or to observe international rules of free and fair trade. It seems obvious to me that both the Chinese and American leaderships have viewed the threat of not passing MFN as just that, a threat, which has never been carried out—not even after the Tiananmen Square massacre. It is important to note that while some Chinese dissidents in the United States have indicated their strong opposition to PNTR, most human rights advocates who have remained in China, the Hong Kong democratic opposition lead by Martin Lee and the government of democratic Taiwan all support PNTR for China. They believe that China's acceptance of the multilateral WTO as the arbiter of its international trade polices will, in time, produce a significant opening up of the Chinese economic, legal and, ultimately, even political systems.

Again, let's be clear on one point. China's membership in the WTO will happen with or without the support of the U.S. Congress. Should Congress not pass PNTR, then businesses in the European Union, Japan and other nations will gain the benefits of Chinese trade concessions plus fair trade enforcement by the WTO, while U.S. exporters will be left behind.

Each trade agreement is different and I am not one who believes that so-called free trade is always and necessarily a good thing for America. Several months ago, I voted against the Caribbean Basin Initiative and the Sub-Saharan African Trade bill because I thought the net effect on the U.S. economy was not going to be positive. In contrast, the trade agreement signed with China in November of 1999—which is contingent on our approval of PNTR for China—would slash Chinese tariffs on U.S. goods and services with no concessions by the United States.

While increased trade with China will likely result in a net benefit for the American economy, we must not ignore the possible impact upon industries, such as textiles and auto manufacturing, that have been adversely impacted under previous trade agreements such as NAFTA or indeed under our current trade policies—including annual MFN review—toward China. Nor should we ignore China's performance on the whole range of issues important to our bilateral relationship, including its labor and environmental standards, its respect for the human rights of its own citizens, its involvement in the proliferation of weapons of mass destruction and their delivery systems, its relationship with Taiwan, and its efforts to promote stability in such key regions as the Korean Peninsula and the Indian Subcontinent. We can, and should, vigorously defend our national interests in these matters through diplomacy, targeted sanctions, and other appropriate means.

However, in my opinion, none of our legitimate concerns about China will be effectively pursued via a continuation of our current annual review of trade relations with that country. There is little evidence to suggest that this current policy has produced any appreciable modification of Chinese behavior on trade, human rights or the other issues. On the other hand, a vote for permanent normal trade relations for China will, while relinquishing what I regard as an ineffective policy tool, secure greater access to the Chinese market for American companies, and will make the U.S. a full party to international efforts to enforce China's compliance with the terms of the WTO accession agreement. And approval of PNTR will in no way prevent the United States from considering other, more effective responses to the actions of the Chinese government. Therefore, I intend to vote for PNTR for China.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Madam President, at the close of business Friday, September 15, 2000, the Federal debt stood at $5,649,458,049,076.86, five trillion, six hundred forty-nine billion, four hundred fifty-eight million, forty-nine thousand, seventy-six dollars and eighty-six cents.

One year ago, September 15, 1999, the Federal debt stood at $5,622,781,000,000, five trillion, six hundred twenty-two billion, seven hundred eighty-one million.

Five years ago, September 15, 1995, the Federal debt stood at $4,962,990,000,000, four trillion, nine hundred sixty-two billion, nine hundred ninety million.

Twenty-five years ago, September 15, 1975, the Federal debt stood at $549,526,000,000, five hundred forty-nine billion, five hundred twenty-six million which reflects a debt increase of more than $5 trillion—$5,099,932,049,076.86, five trillion, ninety-nine billion, nine hundred thirty-two million, forty-nine thousand, seventy-six dollars and eighty-six cents during the past 25 years.

ADDITIONAL STATEMENTS

INSTALLATION OF WILLIAM F. HOFMANN III, AS PRESIDENT OF THE INDEPENDENT INSURANCE AGENTS OF AMERICA

• Mr. KENNEDY. Madam President, it is a privilege to take this opportunity to commend a fellow Massachusetts resident, William F. Hofmann of Belmont, who will be installed as President of the nation's largest insurance association—the Independent Insurance Agents of America—next month in Orlando, Florida. Bill is a partner in Provider Insurance Group, which has offices in Belmont, Brookline and Needham.

Bill's impressive career as an independent insurance agent has been marked by outstanding dedication to his clients and his community. He began his service in the insurance industry with the Independent Insurance Agents of Massachusetts, where he served as president. He also represented Massachusetts on the IIAA's National Board of State Directors. In 1980, he was honored with the Mr. Chairman's Award'' by the American Association of Managing General Agents' for his distinguished service as chairman of its Education Committee.

Bill was elected to IIAA's Executive Committee in September 1995 and was honored by his peers when they named him President-Elect of the Association last fall. He will be inaugurated as President next month during the annual meeting in Orlando.

As a member of the Executive Committee leadership panel, Bill has worked to strengthen the competitive standing of independent insurance agents by helping to provide the tools they need to operate more successful businesses.

Before joining the IIAA's national leadership team, Bill was active on several of its committees. He served as chairman of the Education Committee for four years, and in 1994 he received a Presidential Citation for his work in this area.

Bill also has distinguished himself as an active and concerned member of his community. He served as president and on the Board of Directors of the Boston Children's Service. He also has been active in the Belmont Youth Basketball program, the Chamber of Commerce, and the Boosters Club. He has served as chairman of the Belmont Red Cross and as treasurer of the Belmont Religious Council. Bill is also an elected town meeting member, finance committee member, and registrar of voters in Belmont.

I am proud of Bill's accomplishments, and I know that he will have a successful year as president of the

Independent Insurance Agents of America. As his past accomplishments demonstrate, Bill will serve his fellow insurance agents with distinction, and provide them with strong leadership. I extend my warmest congratulations to Bill and his wife Marilyn as the incoming President and First Lady of this distinguished organization.●

HONORING ALLEN MEMORIAL HOSPITAL AND THE NURSING EDUCATION PROGRAM OF ALLEN HEALTH SYSTEM

● Mr. GRASSLEY. Madam President, on the occasion of the 75th birthday of Allen Memorial Hospital and the nursing education program of Allen Health System. I would like to congratulate this fine organization. For 75 years Allen Health System has diligently carried out its mission of commitment to healing, teaching, caring, and improving the health of the people and communities it serves.

Established in 1925, this organization has, over the years, positively impacted the lives of friends and family in Waterloo/Cedar Falls and surrounding communities of Northeast Iowa. Allen Health System has contributed to the development of healthcare within the community with its high quality of healthcare, professionalism, service and outreach.

The contribution of Allen Memorial Hospital and the nursing education program of Allen Health System over the past 75 years is immeasurable and Allen is to be commended for its unwavering commitment to providing healthcare to those it serves.

This September 2000, Allen Health System associates and students come together to commemorate the organization's 75th birthday and to further enhance their knowledge and skills related to healthcare, I salute them. The community has been strengthened and enhanced by the work of this organization and the men and women who are part of it.●

HONORING THURMAN ''FUM'' McGRAW AND FAMILY

● Mr. ALLARD. Madam President, I rise today to pay tribute to my friend, Thurman ''Fum'' McGraw, a man whose legend at Colorado State University, my alma mater, is among the greatest in the University's history. ''Fum,'' the school's first All-American, died Wednesday at age 73 of complications from a stroke this summer.

''Fum,'' who was large in stature at nearly 6-foot-5 and more than 200 pounds, was considered Colorado State University's greatest athlete, and as a ''gentle giant'' by his wife, Brownie. McGraw became synonymous with the school's athletic department. In addition to his superior college football career, a two time All-American defensive lineman in 1948 and 1949 who led the Rams to their first Bowl game, he was also an All-American in wrestling and competed in the national track and field championships. As a senior in 1949–1950 he was the university's student body president. He graduated with a degree in forest management in 1950 and spent five years in the National Football League. After an amazing college career he starred with the National Football League's Detroit Lions, helping them to win two championships and earning All-Pro honors three times as a defensive lineman.

''Fum'' returned to CSU in 1955 as the wrestling coach, also assisting with the football and track teams. He was an assistant coach with the Pittsburgh Steelers from 1958–62, returned to CSU as an administrator in 1962, then returned to the NFL as a scout in 1970. Finally in 1976 he was back to stay at CSU as the athletic director until 1986. Throughout his career at Colorado State University McGraw tirelessly raised money for the CSU athletic department. He spearheaded the resumption of the football series with the University of Colorado and helped initiate the construction of Moby Arena in 1966 and Hughes Stadium in 1968. His work ultimately led to the school's acceptance into the Western Athletic Conference in 1968. But it wasn't just what he did in athletics that made him so special.

Thurman McGraw was the recipient of numerous honors, including induction into the National Football Foundation Hall of Fame and the Colorado Sports Hall of Fame. In 1997 he and his wife received the Citizen of the West Award given annually by the National Western Stock Show. ''Fum'' also led the effort to name the university track for his former teammate and friend Jack Christiansen. Last year to honor McGraw, CSU officials commemorated his lifetime of support by dedicating the Thurman ''Fum'' McGraw Center. The Thurman ''Fum'' McGraw Center which includes the school's locker rooms, weight training and injury rehabilitation facilities, and coaches and staff offices for the athletic department. Two weeks ago, while ''Fum'' was laid up in the hospital, the football team dedicated its game against in state rival University of Colorado to McGraw. The Rams upset Colorado 28 to 24.

McGraw would do anything to help the school he adored, the friends he cared so much for, and the family he loved so dearly. Thurman ''Fum'' McGraw was and always will remain the essence of Colorado State University. He was a hero on and off the field, and a genuine role model for today's athletes. He will be missed throughout the community, but he will not be forgotten. I offer my thoughts and prayers to those close to Mr. McGraw in this difficult time.●

LIEUTENANT COLONEL WILLIAM R. CORSON

● Mr. HAGEL. Madam President, I would like to make a brief statement about a man who in every way embodied the spirit and reality of an American patriot. Seldom does one have an opportunity to bump into someone during life's journey who has affected events of our time. Such a man was retired Marine Corps Colonel Bill Corson who passed away in July.

His passing reminds us all of our own mortality and destiny and how important it is to live our lives with honor and dignity. That is how Bill Corson lived his. It was a privilege to know him. I will miss his wise counsel and friendship.

I first met Bill in 1981 when I was serving as the Deputy Administrator of the Veterans Administration. He was a man who was deeply and unselfishly devoted to his country. Bill left college and enlisted in the Marine Corps during World War II. He served in Korea and Vietnam. His decorations included the Navy Commendation Medal with Combat ''V.'' He spent most of his career on special assignment with the CIA, the White House, the Marine Corps, and the State Department. Bill went on to teach at the U.S. Naval Academy and write several books on national security issues.

Bill was relentless in the pursuit of meeting the challenges faced by the country he loved so much. He was a man of immense integrity, a man of knowledge, a man of ability, a man of compassion, a man of faith, who always gave his country his best. And America is stronger today because of this remarkable man.

He was a friend of mine, and I extend heartfelt condolences to his wife Judy and his family.

Madam President, I ask that the attached obituary from The Washington Post on Bill Corson be printed in the RECORD.

[From the Washington Post, July 19, 2000]

WILLIAM R. CORSON, 74, AUTHOR AND RETIRED MARINE OFFICER, DIES

(By J.Y. Smith)

William R. Corson, 74, a retired lieutenant colonel in the Marine Corps and expert on counterinsurgency warfare who was almost court-martialed for publishing a book that was high critical of U.S. policy in Vietnam, died July 17 at Surburban Hospital. He had lung cancer.

For much of his career, Col. Corson was an intelligence officer on special assignment with the CIA and the Marine Corps. He spoke Chinese and specialized in Asian affairs.

In 1962, after four years as a liaison officer in Hong Kong, he was assigned to the office of the secretary of defense. This put him in touch with decision-making at the highest level as U.S. involvement in Southeast Asia deepened.

He began studying Vietnam in the early 1950s, when France was still trying to hold on to its colonial possession. In 1966, he was ordered there as commanding officer of a Marine tank battalion.

Early in 1967, he was named director of the Combined Action Program, in which small detachments of Marines served with South Vietnamese militia in villages throughout the country. The purpose of the program was to provide security from the communists and win the loyalty of the people to the Saigon government.

According to an official Marine Corps history, the program was highly successful. Col. Corson was praised by his superiors for his ability to relate to Vietnamese villagers and win their confidence.

In 1967, when he returned to the United States, he received another sensitive assignment in Washington, becoming deputy director of the Southeast Asia Intelligence Force in the office of the assistant secretary of defense.

But by that time he was convinced that U.S. policies in Vietnam were doomed and he decided to write a book.

The book, ''The Betrayal,'' argued that the Saigon government supported by Washington was corrupt and incompetent and that it was perceived by ordinary Vietnamese as being as much of a threat to their well-being as the communists. Unless the United States devised policies to take this into account, the book said, the war would be lost and American servicemen would have died in vain.

Publication was set for July 1, 1968, by W.W. Norton and Co. Inc., a month after Col. Corson was scheduled to retire from the service.

This brought into play Marine Corps regulation that required officers on active duty to submit statements on public policy to review before making them public. Col. Corson claimed that this did not apply to him because the book would not go on sale until after he had become a civilian.

Marine Corps officials responded by having his retirement held up and by taking steps to convene a general court-martial. These plans were dropped on the grounds that they would only serve to draw attention to the book. Col. Corson's retirement went through a month later than originally scheduled.

Co. Corson later taught history at Howard University for a year and then wrote several books on national security issues, including ''Promise or Peril,'' ''Consequences of Failure,'' ''The Armies of Ignorance'' and ''The New KGB'' with Robert T. Crowley.

He also wrote a column on veterans affairs for Penthouse magazine for several years and was the publication's Washington editor.

William Raymond Corson was born in Chicago on Sept. 25, 1925. He attended the University of Chicago, but left in 1943 to enlist in the Marine Corps during World War II. After the war, he graduated from the University of Miami, where he also received a master's degree in business and economics. He later received a doctorate in economics at American University.

In 1949, Col. Corson was commissioned in the Marine Corps. He served in the Korean War in 1952. From 1953 to 1955, he was a student in the Chinese language course at the Naval Intelligence School in Washington. From 1964 to 1966, he taught a course on communism and revolutionary war at the U.S. Naval Academy.

His military decorations included the Navy Commendation Medal with combat ''V''.

Col. Corson, a resident of Potomac, was an elder and clerk of session at Harmon Presbyterian Church in Bethesda.

His marriage to Charlotte Corson ended in divorce.

Survivors include his wife, Judith C. Corson, and their three children, Adam, Zachary and Andrew, all of Potomac; two children from his first marriage, Christopher Corson of Silver Spring and David Corson of Greenville, S.C.; and five grandchildren.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

S. 3057. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

S. 3058. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 18, 2000, he presented to the President of the United States the following enrolled bill:

S. 2869. An act to protect religious liberty, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–10750. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–10751. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on September 12, 2000; to the Committee on Governmental Affairs.

EC–10752. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of the D.C. Act 13–398, entitled ''Sacred Heart Way, N.W., Designation Act of 2000'' adopted by the Council on July 11, 2000; to the Committee on Governmental Affairs.

EC–10753. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of the D.C. Act 13–434, entitled ''Uniform Commercial Code Secured Transactions Revision Act of 2000'' adopted by the Council on July 11, 2000; to the Committee on Governmental Affairs.

EC–10754. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of the D.C. Act 13–435, entitled ''Approval of the Application for Transfer of Control of District Cablevision Limited Partnership from Tele-Communications, Inc., to AT&T Corp. Act of 2000'' adopted by the Council on July 11, 2000; to the Committee on Governmental Affairs.

EC–10755. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of the D.C. Act 13–398, entitled ''Securities Act of 2000'' adopted by the Council on July 11 , 2000; to the Committee on Governmental Affairs.

EC–10756. A communication from the Director of the Office of Equal Rights, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN3067–AC71) received on September 5, 2000; to the Committee on Environment and Public Works.

EC–10757. A communication from the Inland Waterways Users Board Chairman, transmitting, pursuant to law, the 2000 Annual Report of the Inland Waterways Users Board; to the Committee on Environment and Public Works.

EC–10758. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to state truck weight limits; to the Committee on Environment and Public Works.

EC–10759. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Final Authorization of State Hazardous Waste Management Program Revision'' (FRL #6870–1) and ''Stay of the Eight-Hour Portion of the Findings of Significant Contribution and Rulemaking for Purposes of Reducing Interstate Ozone Transport'' (FRL #6869–8) received on September 12, 2000; to the Committee on Environment and Public Works.

EC–10760. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report of lease prospectuses relative to the Capital Investment Leasing Program for fiscal year 2001; to the Committee on Environment and Public Works.

EC–10761. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of three rules entitled ''Approval and Promulgation of Implementation Plans: Revision to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program'' (FRL #6872–4), ''Approval and Promulgation of the Implementation Plan for the Shelby County, Tennessee Lead Nonattainment Area'' (FRL #6872–2), and ''Technical Assistance Grant Program'' (FRL #6872–1) received on September 14, 2000; to the Committee on Environment and Public Works.

EC–10762. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of two items; to the Committee on Environment and Public Works.

EC–10763. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report relative to the endocrine disruptor screening program; to the Committee on Health, Education, Labor, and Pensions.

EC–10764. A communication from the Secretary of Health and Human Services and the Secretary of Labor, transmitting jointly, pursuant to law, the report entitled ''Twenty-One Million Children's Health: Our Shared Responsibility''; to the Committee on Health, Education, Labor, and Pensions.

EC–10765. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the operations of the office of workers' compensation programs for fiscal year 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–10766. A communication from the General Counsel of the Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations'' received on September 14, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10767. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Crime Control Items: Revisions to the Commerce Control List'' received on September 5, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10768. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule entitled ''Releasing Information; Electronic Freedom of Information Act Amendment'' (RIN2550–AA09) received on September 12, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10769. A communication from the Assistant General Counsel for Regulations, Office of the Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Section 8 Homeownership Program'' (RIN2577–AB90) (FR–4427–F–02) received on September 12, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10770. A communication from the Deputy Secretary of the Division of Investment Management, Office of Investment Adviser Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Filing by Investment Advisers; Amendment to Form ADV'' (RIN3235–AD21) received on September 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10771. A communication from the Under Secretary of Food, Nutrition and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Requirements for and Evaluation of WIC Program Bid Solicitation for Infant Formula Rebate Contracts'' (RIN0584–AB52) received on September 12, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10772. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Myclobutanil; Extension of Tolerance for Emergency Exemptions'' (FRL #6742–6) and ''Difenoconazole; Pesticide Tolerance'' (FRL #6589–3) received on September 12, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10773. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Kiwifruit Grown in California and Imported Kiwifruit; Relaxation of the Minimum Maturity Requirement'' (Docket Number: FV00–920–2 FR) received on September 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10774. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hexythiazox: Extension of Tolerance for Emergency Exemptions'' (FRL #6744–5) received on September 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10775. A communication from the Under Secretary of Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of WIC Mandates of Public Law 104–193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996'' (RIN0584–AC51) received on September 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10776. A communication from the General Counsel of the Presidio Trust, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations of the Presidio Trust Management of the Presidio: Environmental Quality'' (RIN3212–AA02) received on September 12, 2000; to the Committee on Energy and Natural Resources.

EC–10777. A communication from the Deputy General Counsel of the Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN3245–AE19) received on September 14, 2000; to the Committee on Small Business.

EC–10778. A communication from the Office of the Chief Financial Officer, Government of the District of Columbia, transmitting, pursuant to law, the report of a potential violation of the Anti-Deficiency Act; to the Committee on Appropriations.

EC–10779. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, a draft of proposed legislation to amend the State Department Basic Authorities Act of 1956; to the Committee on Foreign Relations.

EC–10780. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of the transmittal of the certification of the proposed issuance of an export license relative to Canada, Germany, and France; to the Committee on Foreign Relations.

EC–10781. A communication from the Administrator of the Agency for International Development, transmitting, pursuant to law, the report entitled ''Development Assistance and Child Survival/Diseases Program Allocations for fiscal year 2000; to the Committee on Foreign Relations.

EC–10782. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to emergency appropriations; to the Committee on Banking, Housing, and Urban Affairs.

EC–10783. A communication from the Chief, Coordination and Review Section, Civil Rights Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN1190–AA28) received on September 11, 2000; to the Committee on the Judiciary.

EC–10784. A communication from the Under Secretary of Commerce for Intellectual Property and Director of the Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement Eighteen-Month Publication of Patent Applications'' (RIN0651–AB05) received on September 12, 2000; to the Committee on the Judiciary.

EC–10785. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to building a better criminal justice system fiscal year 1999; to the Committee on the Judiciary.

EC–10786. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''National interest waivers for second preference employment-based immigrant physicians serving in medically underserved areas or at Department of Veterans' Affairs facilities'' (RIN1115–AF75) received on September 14, 2000; to the Committee on the Judiciary.

EC–10787. A communication from the Director of the Office of Regulations Management, Office of Resolution Management, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN2900–AJ11) received on September 12, 2000; to the Committee on Veterans' Affairs.

EC–10788. A communication from the Director of the Office of Regulations Management, Office of Resolution Management, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled ''Cash Values for National Service Life Insurance (NSLI) and Veterans Special Life Insurance Term-Capped Policies'' (RIN2900–AJ35) received on September 12, 2000; to the Committee on Veterans' Affairs.

EC–10789. A communication from the Director of the Office of Regulations Management, Office of Resolution Management, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled ''Increase in Rates Payable Under the Montgomery GI Bill—Active Duty'' (RIN2900–AJ89) received on September 12, 2000; to the Committee on Veterans' Affairs.

EC–10790. A communication from the Acting Secretary of Veterans Affairs, transmitting, a summary of the VA's Hammer Awards Program; to the Committee on Veterans' Affairs.

EC–10791. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a notification relative to the system-level Live Fire Test and Evaluation; to the Committee on Armed Services.

EC–10792. A communication from the Chief of the Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report relative to the cost comparison to reduce the cost of the Base Operating Support (BOS) functions; to the Committee on Armed Services.

EC–10793. A communication from the Secretary of Defense, transmitting, pursuant to law, a notice relative to a retirement; to the Committee on Armed Services.

EC–10794. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report relative to the cooperative threat reduction (CTR) multi-year program plan for fiscal year 2001; to the Committee on Armed Services.

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. VOINOVICH (for himself and Mr. DURBIN):

S. 3062. A bill to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SCHUMER:

S. 3063. A bill to amend the Fair Credit Reporting Act to provide for disclosure of credit-scoring information by creditors and consumer reporting agencies; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 358. A resolution relative to the Death of Murray Zweben, Parliamentarian

Emeritus of the United States Senate; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. VOINOVICH (for himself and Mr. DURBIN):

S. 3062. A bill to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes; to the Committee on Governmental Affairs.

DISTRICT OF COLUMBIA PERFORMANCE ACCOUNTABILITY PLAN AMENDMENTS ACT OF 2000

Mr. VOINOVICH. Mr. President, I rise today to introduce legislation to improve upon the District of Columbia's process for measuring and reporting on its performance. This legislation derives directly from a letter sent to me by the Mayor of the District of Columbia, in which he requested that Congress consider making minor changes to the District's reporting requirements so that the city can take one step closer to establishing a system of performance budgeting, in which the city's budget can be linked directly to the performance goals set by the city's agencies. I am pleased that Senator DURBIN joins me as an original cosponsor of this bill.

Similar to the intent of Congress in passing the Government Performance and Results Act of 1993, which re-engineered the management practices at federal agencies, the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (DCFRMA) mandates that the District begin submitting performance accountability plans to Congress preceding each fiscal year. These plans are to establish objective, measurable performance goals for all agencies and departments within the government of the District of Columbia. The legislation also requires the District to submit to Congress a performance accountability report, following each fiscal year, that evaluates the city's ability to meet the performance goals it laid out in the performance accountability plan for that fiscal year.

For the past three fiscal years since the DCFRMA legislation took effect, the performance plans and reports have provided the District with a valuable tool to establish a system of accountability in its operations. The Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia, which I chair, has held two oversight hearings on the District's progress in improving performance, and we are scheduled to hold another hearing in the coming weeks to evaluate the District's progress in accomplishing the goals it set out in its FY2000 performance accountability plan.

Although the performance accountability plan legislation has provided the District with an effective framework for establishing a system of performance budgeting, our bill proposes minor changes to the law to improve the utility and relevance of this strategic planning exercise. First, current law provides that the performance accountability plan is due no later than March 1st preceding each fiscal year. However, in order to tie together the city's budget with the performance goals for each year, the Mayor requested that we consider harmonizing the submission deadline for the performance plan with the city's budget to Congress. In order to align the submission requirements, this legislation we are introducing today would change the submission deadline for the performance accountability plan from its current March 1st deadline, to a deadline that is concurrent with the submission of the District of Columbia budget to Congress. By making this change, we hope to align the budget and the performance measures more closely, and help guide the city toward a system of performance budgeting.

The second change made by this legislation is to streamline the performance goal requirements that were initially established in the DCFRMA. The current law mandates that, for every goal, the District must establish both an acceptable level of performance and a superior level of performance. Our bill proposes that the multiple levels of performance goals by replaced by one set of ambitious performance targets. This would clarify the goals District managers are expected to meet and align congressional mandates on the District with what is required of federal agencies.

Senator DURBIN and I hope these technical amendments to the performance plan requirements will allow the District to reform its management system more efficiently, and the subcommittee intends to actively monitor the city's progress in this regard.

Mr. President, 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. 3062

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

SECTION 1. DISTRICT OF COLUMBIA PERFORMANCE ACCOUNTABILITY PLAN.

Section 456 of the District of Columbia Home Rule Act (section 47–231 et seq. of the District of Columbia Code) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''Not later than March 1 of each year (beginning with 1998)'' and inserting ''Concurrent with the submission of the District of Columbia budget to Congress each year (beginning with 2001)''; and

(B) in paragraph (2)(A) by striking ''that describe an acceptable level of performance by the government and a superior level of performance by the government''; and

(2) in subsection (b)—

(A) in paragraph (1) by striking ''1999'' and inserting ''2001''; and

(B) in paragraph (2)(A) by striking ''for an acceptable level of performance by the government and a superior level of performance by the government''.

ADDITIONAL COSPONSORS

S. 178

At the request of Mr. INOUYE, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 178, a bill to amend the Public Health Service Act to provide for the establishment of a National Center for Social Work Research.

S. 309

At the request of Mr. MCCAIN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 309, a bill to amend the Internal Revenue Code of 1986 to provide that a member of the uniformed services shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence.

S. 876

At the request of Mr. HOLLINGS, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 876, a bill to amend the Communications Act of 1934 to require that the broadcast of violent video programming be limited to hours when children are not reasonably likely to comprise a substantial portion of the audience.

S. 1322

At the request of Mr. DASCHLE, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 1322, a bill to prohibit health insurance and employment discrimination against individuals and their family members on the basis of predictive genetic information or genetic services.

S. 1391

At the request of Mr. INOUYE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

S. 2725

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Massachusetts (Mr. KENNEDY) 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. 3020

At the request of Mr. GRAMS, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3028

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3028, a bill to amend title XVIII of the Social Security Act to provide a transitional adjustment for certain sole community hospitals in order to limit any decline in payment under the prospective payment system

for hospital outpatient department services.

S. 3049

At the request of Mr. FITZGERALD, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 3049, a bill to increase the maximum amount of marketing loan gains and loan deficiency payments that an agricultural producer may receive during the 2000 crop year.

S. RES. 304

At the request of Mr. BIDEN, the name of the Senator from Rhode Island (Mr. REED) 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.

S. RES. 332

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 332, a resolution expressing the sense of the Senate with respect to the peace process in Northern Ireland.

S. RES. 343

At the request of Mr. FITZGERALD, the names of the Senator from Colorado (Mr. ALLARD), the Senator from Nevada (Mr. REID), the Senator from New York (Mr. SCHUMER), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. Res. 343, a resolution expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David.

SENATE RESOLUTION 358—RELATIVE TO THE DEATH OF MURRAY ZWEBEN, PARLIAMENTARIAN EMERITUS OF THE UNITED STATES SENATE

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

S. RES. 358

Whereas Murray Zweben served the Senate with honor and distinction as its third Parliamentarian from 1974 to 1981;

Whereas Murray Zweben was Assistant Senate Parliamentarian from 1963 to 1974;

Whereas Murray Zweben served the Senate for more than 20 years;

Whereas Murray Zweben performed his Senate duties in an impartial and professional manner;

Whereas Murray Zweben was honored by the Senate with the title Parliamentarian Emeritus;

Whereas Murray Zweben served his country as an officer in the United States Navy from 1953 to 1956; Now therefore be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Murray Zweben, Parliamentarian Emeritus of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Murray Zweben.

NOTICE OF HEARING

SUBCOMMITTEE ON FORESTRY AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, September 26, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on S. 3052, 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 and S. 3044 a bill to establish the Las Cienegas National Conservation Area in the State of Arizona.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mike Menge at (202) 224–6170.

AUTHORITY FOR COMMITTEES TO MEET

SPECIAL COMMITTEE ON AGING

Mr. SPECTER. Mr. President, I ask unanimous consent that the Special Committee on Aging be permitted to meet today, September 18, 2000, from 1:30 p.m.–4:00 p.m. in Dirksen 562 for the purpose of conducting a hearing.

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

ORDER OF BUSINESS

Mr. SPECTER. Madam President, I have been asked to make certain requests on behalf of the leader.

THE CALENDAR

Mr. SPECTER. Madam President, I ask unanimous consent that the Senate now proceed en bloc to the following two bills: Calendar No. 681, H.R. 940, and Calendar No. 680, S. 2247.

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

Mr. SPECTER. Madam President, I ask unanimous consent that any committee amendments be agreed to where appropriate, the bills be read the third time and passed, any title amendments be agreed to, as necessary, the motions to reconsider be laid upon the table, and any statements relating to the bills be printed in the RECORD, with the above occurring en bloc.

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

LACKAWANNA VALLEY NATIONAL HERITAGE AREA ACT OF 1999

The Senate proceeded to consider the bill (H.R. 940) to designate the Lackawanna Valley National Heritage Area, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

(Strike out all after the enacting clause and insert the part printed in italic.)

TITLE I—LACKAWANNA VALLEY NATIONAL HERITAGE AREA

SECTION 101. SHORT TITLE.

This title may be cited as the ''Lackawanna Valley National Heritage Area Act of 2000''.

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the industrial and cultural heritage of northeastern Pennsylvania, including Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, related directly to anthracite and anthracite-related industries, is nationally significant;

(2) the industries referred to in paragraph (1) include anthracite mining, ironmaking, textiles, and rail transportation;

(3) the industrial and cultural heritage of the anthracite and anthracite-related industries in the region described in paragraph (1) includes the social history and living cultural traditions of the people of the region;

(4) the labor movement of the region played a significant role in the development of the Nation, including—

(A) the formation of many major unions such as the United Mine Workers of America; and

(B) crucial struggles to improve wages and working conditions, such as the 1900 and 1902 anthracite strikes;

(5)(A) the Secretary of the Interior is responsible for protecting the historical and cultural resources of the United States; and

(B) there are significant examples of those resources within the region described in paragraph (1) that merit the involvement of the Federal Government to develop, in cooperation with the Lackawanna Heritage Valley Authority, the Commonwealth of Pennsylvania, and local and governmental entities, programs and projects to conserve, protect, and interpret this heritage adequately for future generations, while providing opportunities for education and revitalization; and

(6) the Lackawanna Heritage Valley Authority would be an appropriate management entity for a Heritage Area established in the region described in paragraph (1).

(b) PURPOSES.—The purposes of the Lackawanna Valley National Heritage Area are—

(1) to foster a close working relationship among all levels of government, the private sector, and the local communities in the anthracite coal region of northeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the 4-county region described in subsection (a)(1).

SEC. 103. DEFINITIONS.

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Lackawanna Valley Historical Heritage Area established by section 4.

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area specified in section 4(c).

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Heritage Area developed under section 6(b).

(4) PARTNER.—The term ''partner'' means—

(A) a Federal, State, or local governmental entity; and

(B) an organization, private industry, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 104. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Lackawanna Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of all or parts of Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, Pennsylvania, determined in accordance with the compact under section 5.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Lackawanna Heritage Valley Authority.

SEC. 105. COMPACT.

(a) IN GENERAL.—To carry out this Title, the Secretary shall enter into a compact with the management entity.

(b) CONTENTS OF COMPACT.—The compact shall include information relating to the objectives and management of the area, including—

(1) a delineation of the boundaries of the Heritage Area; and

(2) a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the partners.

SEC. 106. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity may, for the purposes of preparing and implementing the management plan, use funds made available under this Title to hire and compensate staff.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—The management entity shall develop a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(2) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(A) take into consideration State, county, and local plans;

(B) involve residents, public agencies, and private organizations working in the Heritage Area; and

(C) include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area.

(3) SPECIFICATION OF FUNDING SOURCES.—The management plan shall specify the existing and potential sources of funding available to protect, manage, and develop the Heritage Area.

(4) OTHER REQUIRED ELEMENTS.—The management plan shall include the following:

(A) An inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the purposes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its historical, cultural, natural, recreational, or scenic significance.

(B) A recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, natural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan by the management entity, including—

(i) plans for restoration and construction; and

(ii) specific commitments of the partners for the first 5 years of operation.

(D) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act.

(E) An interpretation plan for the Heritage Area.

(5) SUBMISSION TO SECRETARY FOR APPROVAL.—

(A) IN GENERAL.—Not later than the last day of the 3-year period beginning on the date of enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(B) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the day referred to in subparagraph (A), the Secretary shall not, after that day, provide any grant or other assistance under this Title with respect to the Heritage Area until a management plan for the Heritage Area is submitted to the Secretary.

(c) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions specified in the compact and management plan, including steps to assist units of government and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

(D) restoring historic buildings that relate to the purposes of the Heritage Area;

(3) encourage economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) assist units of government and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are placed throughout the Heritage Area;

(6) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(7) conduct public meetings not less often than quarterly concerning the implementation of the management plan;

(8) submit substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval; and

(9) for each year in which Federal funds have been received under this Title—

(A) submit a report to the Secretary that specifies—

(i) the accomplishments of the management entity; and

(ii) the expenses and income of the management entity;

(B) make available to the Secretary for audit all records relating to the expenditure of such funds and any matching funds; and

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of such funds.

(d) USE OF FEDERAL FUNDS.—

(1) FUNDS MADE AVAILABLE UNDER THIS TITLE.—The management entity shall not use Federal funds received under this Title to acquire real property or any interest in real property.

(2) FUNDS FROM OTHER SOURCES.—Nothing in this Title precludes the management entity from using Federal funds obtained through law other than this Title for any purpose for which the funds are authorized to be used.

SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) PROVISION OF ASSISTANCE.—The Secretary may, at the request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan.

(2) PRIORITY IN ASSISTANCE.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant historical, cultural, and natural resources that support the purpose of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governor of the Commonwealth of Pennsylvania, shall approve or disapprove a management plan submitted under this Title not later than 90 days after receipt of the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—The Secretary shall approve or disapprove a proposed revision within 90 days after the date on which the revision is submitted to the Secretary.

(c) APPROVAL OF AMENDMENTS.—

(1) REVIEW.—The Secretary shall review substantial amendments (as determined under section 6(c)(8)) to the management plan for the Heritage Area.

(2) REQUIREMENT OF APPROVAL.—Funds made available under this Title shall not be expended to implement the amendments described in paragraph (1) until the Secretary approves the amendments.

SEC. 108. SUNSET PROVISION.

The Secretary shall not provide any grant or other assistance under this Title after September 30, 2012.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Title $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this Title for any fiscal year.

(b) 50 PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this Title shall not exceed 50 percent.

TITLE II—SCHUYLKILL RIVER VALLEY NATIONAL HERITAGE AREA

SEC. 201. SHORT TITLE.

This title may be cited as the ''Schuylkill River Valley National Heritage Area Act.''

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Schuylkill River Valley made a unique contribution to the cultural, political, and industrial development of the United States;

(2) the Schuylkill River is distinctive as the first spine of modern industrial development in Pennsylvania and 1 of the first in the United States;

(3) the Schuylkill River Valley played a significant role in the struggle for nationhood;

(4) the Schuylkill River Valley developed a prosperous and productive agricultural economy that survives today;

(5) the Schuylkill River Valley developed a charcoal iron industry that made Pennsylvania the center of the iron industry within the North American colonies;

(6) the Schuylkill River Valley developed into a significant anthracite mining region that continues to thrive today;

(7) the Schuylkill River Valley developed early transportation systems, including the Schuylkill Canal and the Reading Railroad;

(8) the Schuylkill River Valley developed a significant industrial base, including textile mills and iron works;

(9) there is a longstanding commitment to—

(A) repairing the environmental damage to the river and its surrounding caused by the largely unregulated industrial activity; and

(B) completing the Schuylkill River Trail along the 128-mile corridor of the Schuylkill Valley;

(10) there is a need to provide assistance for the preservation and promotion of the significance of the Schuylkill River as a system for transportation, agriculture, industry, commerce, and immigration; and

(11)(A) the Department of the Interior is responsible for protecting the Nation's cultural and historical resources; and

(B) there are significant examples of such resources within the Schuylkill River Valley to merit the involvement of the Federal Government in the development of programs and projects, in cooperation with the Schuylkill River Greenway Association, the State of Pennsylvania, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

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

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities in the Schuylkill River Valley of southeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Schuylkill River Valley of southeastern Pennsylvania.

SEC. 203. DEFINITIONS.

In this title:

(1) COOPERATIVE AGREEMENT.—The term ''cooperative agreement'' means the cooperative agreement entered into under section 204(d).

(2) HERITAGE AREA.—The term ''Heritage Area'' means the Schuylkill River Valley National Heritage Area established by section 204.

(3) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity of the Heritage Area appointed under section 204(c).

(4) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Heritage Area developed under section 205.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Pennsylvania.

SEC. 204. ESTABLISHMENT.

(a) IN GENERAL.—For the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations certain land and structures with unique and significant historical and cultural value associated with the early development of the Schuylkill River Valley, there is established the Schuylkill River Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of the Schuylkill River watershed within the counties of Schuylkill, Berks, Montgomery, Chester, and Philadelphia, Pennsylvania, as delineated by the Secretary.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Schuylkill River Greenway Association.

(d) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—To carry out this title, the Secretary shall enter into a cooperative agreement with the management entity.

(2) CONTENTS.—The cooperative agreement shall include information relating to the objectives and management of the Heritage Area, including—

(A) a description of the goals and objectives of the Heritage Area, including a description of the approach to conservation and interpretation of the Heritage Area;

(B) an identification and description of the management entity that will administer the Heritage Area; and

(C) a description of the role of the State.

SEC. 205. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the management entity shall submit to the Secretary for approval a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(b) REQUIREMENTS.—The management plan shall—

(1) take into consideration State, county, and local plans;

(2) involve residents, public agencies, and private organizations working in the Heritage Area;

(3) specify, as of the date of the plan, existing and potential sources of funding to protect, manage, and develop the Heritage Area; and

(4) include—

(A) actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area;

(B) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historical, recreational, or scenic significance;

(C) a recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(D) a program for implementation of the management plan by the management entity;

(E) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this title; and

(F) an interpretation plan for the Heritage Area.

(c) DISQUALIFICATION FROM FUNDING.—If a management plan is not submitted to the Secretary on or before the date that is 3 years after the date of enactment of this title, the Heritage Area shall be ineligible to receive Federal funding under this title until the date on which the Secretary receives the management plan.

(d) UPDATE OF PLAN.—In lieu of developing an original management plan, the management entity may update and submit to the Secretary the Schuylkill Heritage Corridor Management Action Plan that was approved by the State in March, 1995, to meet the requirements of this section.

SEC. 206. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES OF THE MANAGEMENT ENTITY.—For purposes of preparing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State and political subdivisions of the State, private organizations, or any person; and

(2) hire and compensate staff.

(b) DUTIES OF THE MANAGEMENT ENTITY.—The management entity shall—

(1) develop and submit the management plan under section 205;

(2) give priority to implementing actions set forth in the cooperative agreement and the management plan, including taking steps to—

(A) assist units of government, regional planning organizations, and nonprofit organizations in—

(i) preserving the Heritage Area;

(ii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iii) developing recreational resources in the Heritage Area;

(iv) increasing public awareness of and, appreciation for, the natural, historical, and architectural resources and sites in the Heritage Area;

(v) restoring historic buildings relating to the themes of the Heritage Area; and

(vi) ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are installed throughout the Heritage Area;

(B) encourage economic viability in the Heritage Area consistent with the goals of the management plan; and

(C) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(3) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(4) conduct public meetings at least quarterly regarding the implementation of the management plan;

(5) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the approval of the Secretary; and

(6) for any fiscal year in which Federal funds are received under this title—

(A) submit to the Secretary a report describing—

(i) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which the management entity made any grant during the fiscal year;

(B) make available for audit all records pertaining to the expenditure of Federal funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds; and

(C) require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of Federal funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds from other sources for their permittee purposes.

(d) SPENDING FOR NON-FEDERALLY OWNED PROPERTY.—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

SEC. 207. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the Heritage Area to develop and implement the management plan.

(2) PRIORITIES.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant natural, historical, and cultural resources that support the themes of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF COOPERATIVE AGREEMENTS AND MANAGEMENT PLANS.—

(1) IN GENERAL.—Not later than 90 days after receiving a cooperative agreement or management plan submitted under this title, the Secretary, in consultation with the Governor of the State, shall approve or disapprove the cooperative agreement or management plan.

(2) MANAGEMENT PLAN CONTENTS.—In reviewing the plan, the Secretary shall consider whether the composition of the management entity and the plan adequately reflect diverse interest of the region, including those of—

(A) local elected officials,

(B) the State,

(C) business and industry groups,

(D) organizations interested in the protection of natural and cultural resources, and

(E) other community organizations and individual stakeholders.

(3) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a cooperative agreement or management plan, the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval; and

(ii) make recommendations for revisions in the cooperative agreement of plan.

(B) TIME PERIOD FOR DISAPPROVAL.—Not later than 90 days after the date on which a revision described under subparagraph (A)(ii) is submitted, the Secretary shall approve or disapprove the proposed revision.

(c) APPROVAL OF AMENDMENTS.—

(1) IN GENERAL.—The Secretary shall review and approve substantial amendments to the management plan.

(2) FUNDING EXPENDITURE LIMITATION.—Funds appropriated under this title may not be expended to implement any substantial amendment until the Secretary approves the amendment.

SEC. 208. CULTURE AND HERITAGE OF ANTHRACITE COAL REGION.

(a) IN GENERAL.—The management entities of heritage areas (other than the Heritage Area) in the anthracite coal region in the State shall cooperate in the management of the Heritage Area.

(b) FUNDING.—Management entities described in subsection (a) may use funds appropriated for management of the Heritage Area to carry out this section.

SEC. 209. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after the date that is 15 years after the date of enactment of this title.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title not more than $10,000,000, of which not more than $1,000,000 is authorized to be appropriated for any 1 fiscal year.

(b) FEDERAL SHARE.—Federal funding provided under this title may not exceed 50 percent of the total cost of any project or activity funded under this title.

The committee amendment was agreed to.

The bill (H.R. 940), as amended, was read the third time and passed.

The title was amended so as to read: ''To designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.''

WHEELING NATIONAL HERITAGE AREA ACT OF 2000

The Senate proceeded to consider the bill (S. 2247) to establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments as follows:

(Omit the parts in black brackets and insert the parts printed in italic.)

S. 2247

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 ''Wheeling National Heritage Area Act of 2000''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the area in an around Wheeling, West Virginia, possesses important historical, cultural, and natural resources, representing major heritage themes of transportation, commerce and industry, and Victorian culture in the United States;

(2) the City of Wheeling has played an important part in the settlement of this country by serving as—

(A) the western terminus of the National Road of the early 1800's;

(B) the ''Crossroads of America'' throughout the nineteenth century;

(C) one of the few major inland ports in the nineteenth century; and

(D) the site for the establishment of the Restored State of Virginia, and later the State of West Virginia, during the Civil War and as the first capital of the new State of West Virginia;

(3) the City of Wheeling has also played an important role in the industrial and commercial heritage of the United States, through the development and maintenance of many industries crucial to the Nation's expansion, including iron and steel, textile manufacturing, boat building, glass manufacturing, and stogie and chewing tobacco manufacturing facilities, many of which are industries that continue to play an important role in the national economy;

(4) the city of Wheeling has retained its national heritage themes with the designations of the old custom house (now Independence Hall) and the historic suspension bridge as National Historic Landmarks; with five historic districts; and many individual properties in the Wheeling area listed or eligible for nomination to the National Register of Historic Places;

(5) the heritage themes and number and diversity of Wheeling's remaining resources should be appropriately retained, enhanced, and interpreted for the education, benefit, and inspiration of the people of the United States; and

(6) in 1992 a comprehensive plan for the development and administration of the Wheeling National Heritage Area was completed for the National Park Service, the City of Wheeling, and the Wheeling National Task Force, including—

(A) an inventory of the national and cultural resources in the City of Wheeling;

(B) criteria for preserving and interpreting significant natural and historic resources;

(C) a strategy for the conservation, preservation, and reuse of the historical and cultural resources in the City of Wheeling and the surrounding region; and

(D) an implementation agenda by which the State of West Virginia and local governments can coordinate their resources as well as a complete description of the management entity responsible for implementing the comprehensive plan.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize the special importance of the history and development of the Wheeling area in the cultural heritage of the Nation;

(2) to provide a framework to assist the City of Wheeling and other public and private entities and individuals in the appropriate preservation, enhancement, and interpretation of significant resources in the Wheeling area emblematic of Wheeling's contributions to the Nation's cultural heritage;

(3) to allow for limited Federal, State and local capital contributions for planning and infrastructure investments to complete the Wheeling National Heritage Area, in partnership with the State of West Virginia, the City of Wheeling, and other appropriate public and private entities; and

(4) to provide for an economically self-sustaining National Heritage Area not dependent on Federal financial assistance beyond the initial years necessary to establish the heritage area.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term ''city'' means the City of Wheeling;

(2) the term ''heritage area'' means the Wheeling National Heritage Area established in section 4;

(3) the term ''plan'' means the ''Plan for the Wheeling National Heritage Area'' dated August, 1992;

(4) the term ''Secretary'' means the Secretary of the Interior; and

(5) the term ''State'' means the State of West Virginia.

SEC. 4. WHEELING NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—In furtherance of the purposes of this Act, there is established in the State of West Virginia the Wheeling National Heritage Area, as generally depicted on the map entitled ''Boundary Map, Wheeling National Heritage Area, Wheeling, West Virginia'' and dated March, 1994. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) MANAGEMENT ENTITY.—(1) The management entity for the heritage area shall be the Wheeling National Heritage Corporation, a non-profit corporation chartered in the State of West Virginia.

(2) To the extent consistent with this Act, the management entity shall manage the heritage area in accordance with the plan.

SEC. 5. DUTIES OF THE MANAGEMENT ENTITY.

(a) MISSION.—The primary mission of the management entity shall be—

(A) to implement and coordinate the recommendations contained in the plan;

(B) ensure integrated operation of the heritage area; and

(C) conserve and interpret the historic and cultural resources of the heritage area.

(2) The management entity shall also direct and coordinate the diverse conservation, development, programming, educational, and interpretive activities within the heritage area.

(b) RECOGNITION OF PLAN.—The management entity shall work with the State of West Virginia and local governments to ensure that the plan is formally adopted by the City and recognized by the State.

(c) IMPLEMENTATION.—To the extent practicable, the management entity shall—

(1) implement the recommendations contained in the plan in a timely manner pursuant to the schedule identified in the plan—

(2) coordinate its activities with the City, the State, and the Secretary;

(3) ensure the conservation and interpretation of the heritage area's historical, cultural, and natural resources, including—

(A) assisting the City and the State in [a] the preservation of sites, buildings, and objects within the heritage area which are listed or eligible for listing on the National Register of Historic Places;

(B) assisting the City, the State, or a non-profit organization in the restoration of any historic building in the heritage area;

(C) increasing public awareness of and appreciation for the natural, cultural, and historic resources of the heritage area;

(D) assisting the State or City in designing, establishing, and maintaining appropriate interpretive facilities and exhibits in the heritage area;

(E) assisting in the enhancement of public awareness and appreciation for the historical, archaeological, and geologic resources and sites in the heritage area; and

(F) encouraging the City and other local governments to adopt land use policies consistent with the goals of the plan, and to take actions to implement those policies;

(4) encourage intergovernmental cooperation in the achievement of these objectives;

(5) develop recommendations for design standards within the heritage area; and

(6) seek to create public-private partnerships to finance projects and initiatives within the heritage area.

(d) AUTHORITIES.—The management entity may, for the purposes of implementing the plan, use Federal funds made available by this Act to—

(1) make [loans or] grants to the State, City, or other appropriate public or private organizations, entities, or persons;

(2) enter into cooperative agreements with, or provide technical assistance to Federal agencies, the State, City or other appropriate public or private organizations, entities, or persons;

(3) hire and compensate such staff as the management entity deems necessary;

(4) obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money;

(5) spend funds on promotion and marketing consistent with the resources and associated values of the heritage area in order to promote increased visitation; and

(6) [to] contract for goods and services.

(e) ACQUISITION OF REAL PROPERTY.—(1) Except as provided in paragraph (2), the management entity may not acquire any real property or interest therein within the heritage area, other than the leasing of facilities.

(2)(A) Subject to subparagraph (B), the management entity may acquire real property, or an interest therein, within the heritage area by gift or devise, or by purchase from a willing seller with money which was donated, bequeathed, appropriated, or otherwise made available to the management entity on the condition that such money be used to purchase real property, or interest therein, within the heritage area.

(B) Any real property or interest therein acquired by the management entity pursuant to this paragraph shall be conveyed in perpetuity by the management entity to an appropriate public or private entity, as determined by the management entity. Any such conveyance shall be made as soon as practicable after acquisition, without consideration, and on the condition that the real property or interest therein so conveyed shall be used for public purposes.

(f) REVISION OF PLAN.—Within 18 months after the date of enactment, the management entity shall submit to the Secretary a revised plan. Such revision shall include, but not be limited to—

(1) a review of the implementation agenda for the heritage area;

(2) projected capital costs; and

(3) plans for partnership initiatives and expansion of community support.

SEC. 6. DUTIES OF THE SECRETARY.

(a) INTERPRETIVE SUPPORT.—The Secretary may, upon request of the management entity, provide appropriate interpretive, planning, educational, staffing, exhibits, and other material or support for the heritage area, consistent with the plan and as appropriate to the resources and associated values of the heritage area.

(b) TECHNICAL ASSISTANCE.—The Secretary [shall,] *may* upon request of the management entity and consistent with the plan, provide technical assistance to the management entity.

(c) COOPERATIVE AGREEMENTS[, LOANS] AND GRANTS.—The Secretary may, in consultation with the management entity and consistent with the management plan, make [loans and] grants to, and enter into cooperative agreements with the management entity, the State, City, non-profit organization or any person.

(d) PLAN AMENDMENTS.—No amendments to the plan may be made unless approved by the Secretary. The Secretary shall consult with the management entity in reviewing any proposed amendments.

SEC. 7. DUTIES OF OTHER FEDERAL AGENCIES.

Any Federal department, agency, or other entity conducting or supporting activities directly affecting the heritage area shall—

(1) consult with the Secretary and the management entity with respect to such activities.

(2) cooperate with the Secretary and the management entity in carrying out their duties under this Act, and to the extent practicable, coordinate such activities directly with the duties of the Secretary and the management entity.

(3) to the extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the heritage area.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

[There is authorized to be appropriated such sums as may be necessary to carry out this Act.]

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this Act for any fiscal year.

(b) MATCHING FUNDS.—Federal funding provided under this Act shall be matched at least 25 percent by other funds or in-kind services.

SEC. 9. SUNSET.

The Secretary may not make any grant or provide any assistance under this Act after September 30, 2015.

The committee amendments were agreed to.

The bill (S. 2247), as amended, was read the third time and passed.

MURRAY ZWEBEN, PARLIAMENTARIAN EMERITUS

Mr. SPECTER. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 358, submitted by Senator LOTT and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 358) relative to the death of Murray Zweben, Parliamentarian Emeritus of the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Madam President, I rise today to inform the Senate of a sad loss for our Senate family. Yesterday, Murray Zweben, former Parliamentarian Emeritus, passed away at Suburban Hospital from a bout with pneumonia.

Murray served the Senate for 24 years over the span of four decades. He began this long and distinguished Senate career during the late 1950's serving as Secretary to the Parliamentarian while attending law school. After clerking for a Federal judge, he returned to the Senate in 1963 to fill the vacated position of Second Assistant Parliamentarian. Murray was promoted to the position of Assistant Parliamentarian in 1964, where he served under the legendary Dr. Floyd Ridick for 10 years. In 1975, Murray ascended to the rank of Senate Parliamentarian, a position that he held until 1981. Two years later, he was honored with the prestigious title Parliamentarian Emeritus. Although I never had the honor of working with Murray, I am well aware of his enormous contributions to this body.

A native of New Jersey, Murray graduated from Clarkson College of Technology, and later received his masters degree in education from the State University of New York in Albany. After serving his country for 4 years in the Navy, Murray moved to the Washington, DC, area in 1956. In 1959, he graduated from George Washington University law school, where he served on the law review. After his tenure in the Senate, Murray opened a successful private law practice here in DC.

Murray is survived by his wife Anne; his five children Suzanne, Lisa, Marc, John, and Harry; and five grandchildren. I along with the rest of my colleagues send our deepest condolences to the Zweben family over their loss.

Mr. SPECTER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 358) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 358

Whereas Murray Zweben served the Senate with honor and distinction as its third Parliamentarian from 1974 to 1981;

Whereas Murray Zweben was Assistant Senate Parliamentarian from 1963 to 1974;

Whereas Murray Zweben served the Senate for more than 20 years;

Whereas Murray Zweben performed his Senate duties in an impartial and professional manner;

Whereas Murray Zweben was honored by the Senate with the title Parliamentarian Emeritus;

Whereas Murray Zweben served his country as an officer in the United States Navy from 1953 to 1956; Now therefore be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Murray Zweben, Parliamentarian Emeritus of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House

of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Murray Zweben.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 106–81, appoints the following individuals to serve as members of the National Commission to Ensure Consumer Information and Choice in the Airline Industry: Ann B. Mitchell, of Mississippi, and Joyce Rogge, of New York.

PROGRAM

Mr. SPECTER. Madam President, on behalf of the leader, I announce, for the information of all Senators, the Senate will reconvene tomorrow at 9:30 a.m. At that time, the Senate will resume consideration of the China permanent normal trade relations bill, with 90 minutes of debate under the control of each leader.

The Senate will recess under the order from 12:30 to 2:15 for the weekly policy luncheons to meet. By a previous consent, at 2:15 the Senate will proceed to the vote on passage of the China permanent normal trade relations bill, to be immediately followed by a vote on invoking cloture on the motion to proceed to the H–1B legislation. Therefore, there will be two stacked votes at 2:15 tomorrow.

It is hoped that during Tuesday's session the Senate can begin consideration of the H–1B legislation, the Water Resources Development Act, any appropriations conference report, or any other legislative or executive matter that can be cleared for action.

ORDER FOR ADJOURNMENT

Mr. SPECTER. Madam President, if there is no further business to come before the Senate—and I note there are no other Senators on the floor—I ask unanimous consent that the Senate stand in adjournment under the provisions of S. Res. 358, following the remarks of Senator ROBB.

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

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

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

The Senator from Virginia.

PNTR WITH CHINA

Mr. ROBB. Madam President, the suspense regarding this particular vote is long over, but the date on the effect and implications of PNTR in China is really just beginning.

My rationale for supporting PNTR differs in some respects from my colleagues, who have mostly emphasized the positive impact on our economy and exports, and it relates to our ability to change the face of China—not just economically, but in terms of improving human rights, labor standards, and environmental protections, and in ensuring the rule of law.

My genuine, and I think realistic, hope is that WTO accession becomes a means for improving the most repressive aspects of Chinese society, eventually permitting our two nations to embrace, in a sincere way, the same cause of global security and peace.

It will take a concentrated effort by the next President, however, to institute a policy that uses WTO as a cudgel to aid those who have been repressed, incarcerated, and persecuted in China.

I would submit that we need to keep the faith with those brave Chinese who have risked their lives in the name of freedom—at Tiananmen and elsewhere—as China adapts its economy to the rules required of every WTO member.

Like the President, I believe the choice between economic rights and human rights, between economic security and national security, is a false choice.

But I do not believe that the emphasis of American foreign policy should be on engaging and partnering with any Chinese leaders whose sole aim is to maintain and promote the power of a bankrupt Communist party.

Looking back on the last 30 years, I think it would be fair to say that the current administration has dedicated an extraordinary amount of effort and attention toward building a lasting cooperative relationship with China.

That is not inconsistent with the policies of Presidents Nixon, Ford, Carter, Reagan, and Bush, who appreciated the significance of integrating all aspects of Chinese society into the world community.

In this regard I believe that achieving WTO accession is likely to be considered one of the President's single most important achievements during his time in office.

The groundwork was laid during previous administrations, but this President demonstrated the instinct and diplomatic skill and judgment to close the deal.

He understood the urgency and necessity of bringing the world's third largest economy into compliance with trading rules that nearly all other nations enforce and respect.

It is a considerable achievement.

The opportunity for foreign equity ownership in China will rise dramatically.

Many states subsidies will end.

China will have to meet international trade norms.

If they break the rules, a WTO panel can intervene with punitive measures.

Meanwhile, the United States is not required to change a single tariff, lower a particular subsidy, or alter any of our own invisible barriers to trade.

This is a win-win prospect for American businesses.

China's leader, Jiang Zemin, while visiting the U.N. a few days ago, had some interesting things to say about the future of his country, and it relates in part to WTO accession.

His calculation, clearly, is that one party rule in China can thrive side by side with the economic freedom required by China's membership in the WTO.

He believes the two are mutually exclusive.

Madam President, that seems paradoxical to me.

I don't believe it is tenable to argue that, over the long term, economic capitalism and political communism can coexist, let alone prosper, in the same sovereign country.

And it is my fervent hope that in China the former weakens and dissolves the latter.

WTO accession for China gets us started in that direction.

The legendary Deng Xiao Ping was fond of saying that you should ''cross the river by feeling the stones.'' I think his successors approach WTO with some trepidation, not knowing exactly where those stones are.

I would assert that we have a key role to play as WTO rules and regulations penetrate Chinese society, specifically in assisting and supporting and working with newly economically empowered Chinese businessmen, entrepreneurs, farmers, and ordinary citizens.

With their profits and financial gain they will be in a position to create the right circumstances for political reform and change inside China.

We have a responsibility to do our part in pressuring the regime from outside.

Our actions and rhetoric matter on everything from human rights to Tibet to the rule of law.

The consequences of failing to ratify PNTR have to be considered as well, and in this case that is why I pledged ahead of time to oppose any and all amendments, even though some clearly had merit. As a practical matter, at this late date in the 106th Congress if the Senate failed to pass a clean version of PNTR it would risk, at least procedurally, getting a measure passed into law by the end of the congressional session.

Moreover, I have no doubt that China would misunderstand the reasons for our inability to pass PNTR, and that would, almost inevitably, ratchet up tensions between us even further, and it would create serious national security problems for us and our Asian allies at a minimum. In a larger sense, WTO is about changing the face of China.

The economic change will come first, to be sure, but it will lead inexorably

to changes in these other areas—and in my judgment, it will lead to positive changes, from our point of view, sooner than if we were to reject PNTR.

And to re-emphasize the consequences of failure to ratify, it will also avoid the certain deterioration in our relationship with China that would take place if we rejected PNTR, which, again, would have serious and long lasting consequences in our national security relationships among all of the Pacific nations.

It has been my position that we ought to seek to maintain and promote, on a cooperative basis, our relations with China which represent a slight nuance of difference from administration policy designed to engage China strategically as a partner.

We share common ground with Beijing on a broad range of subjects, and it makes absolute sense to work together to solve problems on the Korean Peninsula and the like.

But that should not prevent us from recognizing that our values and principles are so starkly different.

Implying somehow that we're partners, or wishing that it were so, does not speak truth to power.

WTO represents an opportunity for the world community to join with a newly empowered economic class in China, and it ought to be treated as a means for strengthening their hand.

The focal point for U.S. policymakers should be to promote, sustain, and enforce broad economic freedoms within China.

Only then can we make a difference with our overall national security policies, not just through implementation of the WTO that will eventually lead to the political freedom and liberty that the Chinese people deserve.

With that, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under to the previous order, the Senate stands adjourned.

Thereupon, the Senate, at 4:16 p.m., adjourned until Tuesday, September 19, 2000, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN REMEMBRANCE OF THE VICTIMS OF THE KATYN FOREST MASSACRE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the victims of the Katyn Forest Massacre, sixty-one years after the horrible tragedy.

On September 17, 1939, Poland was invaded by Soviet-Russian troops. At the time, Poland was boldly and courageously fighting an invasion by Nazi Germany. Because Polish troops were over extended fighting the Germans, they were unable to stop the communist troops. In an area called the Katyn Forest, Soviet troops proceeded to murder Polish soldiers from all branches of the military, as well as justice and administrative officials. An estimated 21,000 died. This horrible tragedy is known as the Katyn Forest Massacre.

On September 16, 2000, at 12:00 PM, the Polish American Congress, the Katyn Forest Massacre Memorial Committee, and the Siberian Society of Florida will sponsor a memorial service in Jersey City, New Jersey, in honor of the victims.

Today, I honor the victims of the Katyn Forest Massacre. I commend them for their courage and sacrifice. They fought against terrible aggression; and they not only fought for their own freedom, but for the world's freedom, as well—freedom that many of us enjoy today.

I ask that my colleagues join me in remembering the victims of the Katyn Forest Massacre. And I ask that we also honor their sacrifice for freedom.

IN RECOGNITION OF THE MINGO JOB CORPS FIRE FIGHTING TEAMS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mrs. EMERSON. Mr. Speaker, today I commend the courageous actions of a group of my constituents over the August recess. The Mingo Job Corps Center of Puxico, Missouri sent four crews out West to help fight the forest fires during what has turned out to be one of our nation's worst fire seasons ever.

These brave men and women went through intense training, and jumped in with both feet to help put out fires that have engulfed much of the Rocky Mountains. They spent time in Colorado, Wyoming and Utah. The Mingo crews, who are between the ages of 18 and 24, never knew the people whose homes and livelihoods they were protecting, yet they spent several weeks risking their lives on their behalf. A few of these folks even went back a second time when they had the opportunity. I commend the following people for their bravery:

Bob Waldner, Nicholas Copeland, Wendell Clinton, Grant Potts, Ronnie Coates, Brad Cason, Dewayne Bell, Todd Simpson, Joe King, Chris Kerr, Terrance Cooper, John Thomas, Amber DeWalt, Justin Armstrong, Brian Foster, Kendall Monroe, Chris Elam, William Arnold, Bryan Meyer, Chad Curtis, Craig Tash, Tom Galvin.

Sunni Lawson, Jerl Henry, Nathan Zimmerman, William LaChance, Darrell Reynolds, Dana Nimrod, John Bressler, James Parker, James Brantley, Robbie Parratt, Jacob Wegenka, Ivie Rush, Vincent Dawson, Kathleen Knowles, Jesse Horn, Scott Clayton, Steven Yokel, Bridget Jackson, Daniel Sneckenberg, Brandon Keyser, Pam Denkins, Sarah Degrande.

David Hogue, Robbie Parratt, Jason Wilhite, James Brantley, Don Riggle, Neil Ayers, David Grobe, Ryan Simino, Willie Jones, Douglas Phillips, Franklin McLean, Anthony Neal, Lori Moore, Keith Colville, Justin Shields, Jerermy Thompson, Angie Hammond, Billy Pratt, James Fritts, Jonathan McClenton, Gary Pogue, Rob Barth.

Thank you for your courageous and selfless acts. I salute you.

TRIBUTE TO DR. ROBERT DREWES

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American and proud Californian, Dr. Robert Drewes, in recognition of his extraordinary courage in saving the life of Abby Csaplar.

In April, 2000, Dr. Robert Drewes was leading a 24 member California Academy of Sciences trip to Africa. One stop on the trip was the 360-foot high Victoria Falls where the accident occurred. Abby Csaplar was attempting to take a photograph of the Falls when she slipped on a rock and fell over the edge. She grabbed onto a bush, which prevented her immediate death and stopped her fall.

Dr. Robert Drewes instantly dropped his pack and climbed down the side of the cliff in order to assist Abby Csaplar. Once he reached her, he supported her weight and helped her sit on a small six-inch ledge until help arrived. Victoria Falls park rangers brought a rope that was first secured to Abby Csaplar and then Dr. Robert Drewes, pulling them to safety. Dr. Robert Drewes acted selflessly and with great courage, reacting in a moment with extreme courage and saving the life of another individual.

It is fitting that Dr. Drewes is being honored for this extraordinary act of bravery, and I ask my colleagues, Mr. Speaker, to join me in honoring this great and good man. We are indeed a better county, a better Country and a better people because of him.

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratualte Mira Mesa High School in Mira Mesa and its leaders, Principal, Rachel Flanagan and Superintendent, Alan Bersin. Mira Mesa has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Mira Mesa High School's superior work be included in the RECORD:

Mira Mesa High School (MMHS) is located in the Mira Mesa community of San Diego, California. MMHS has 18.3 and an 89.7 stability rate. Of the 2,262 students enrolled, 768 are registered in the free/reduced lunch program. MMHS boasts a daily attendance rate of 96.2%. The dropout rate is currently 0.03 per 100 students for grades 9–12. MMHS has

been recognized for having the lowest dropout rate in the school district. Mira Mesa High School currently has formal educational partners: Proxima, Fieldstone Corporation, the U.S. Army, Wells Fargo Bank, and the San Diego Police Department Traffic Division.

MMHS operates as a Second-to-None school with an emphasis on School-to-Career key elements, the University of California a–f graduation requirements, the California curriculum frameworks, and state and district content and performance standards. The education program features curricular paths, integrated academics and vocational education, job shadowing opportunities, career elective classes, advisory classes, college/career portfolios, service learning, and senior exhibitions. A school-wide literacy focus has been implemented through the district's new Institute for Learning. Other guiding forces are the WASC Annual Action Plan, and a variety of assessment measures including the SAT, the state STAR test, and Advanced Placement exams. MMHS has strong values and many traditions embedded in the school's mission statement: ''To educate all students in an integrated setting to become responsible, literate, thinking, and contributing members of a multicultural society through excellence in teaching and learning.'' The school's vision demonstrates pride and commitment to the task, and supports respect for all members.

IN RECOGNITION OF THE 30TH ANNIVERSARY ~ OF THE PUERTORRIQUENOS ASOCIADOS FOR COMMUNITY ORGANIZATION (PACO)

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the Puertorriquenos Asociados for Community Organization (PACO) on its 30th anniversary.

PACO is a non-profit organization in Jersey City that has served communities throughout New Jersey for 30 years, Since 1970, PACO has provided assistance with education and vocational training, job placement, housing, health services, emergency food and shelter, youth and elderly programs, and medical insurance.

By providing a variety of essential social services, PACO has made valuable contributions to the welfare of Jersey City residents, as well as to residents throughout New Jersey, insuring that the people who need it most receive a helping hand.

Today, this organization has every reason to celebrate. Because of years of selfless dedication and hard work, PACO has greatly improved the quality of life of many of our fellow citizens.

I commend PACO and its dedicated staff for all they have done for the residents of New Jersey. I ask that my colleagues join me in recognizing PACO and all its success.

A TRIBUTE TO PRIVATE FIRST CLASS RICHARD WILSON OF CAPE GIRARDEAU, MISSOURI

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mrs. EMERSON. Mr. Speaker, PFC Wilson's biography reminds us who fights our nation's wars. They are men and women, from all walks of life, who answer the call to service and, in too many cases, make the ultimate sacrifice.

Richard Wilson grew up in Cape Girardeau, Missouri, in a family of seven children. He was a good student, a Boy Scout, a football talent, and a Golden Gloves boxer. He took an interest in military service and sought to enlist as soon as he could. On August 19, 1948, on his seventeenth birthday, he enlisted in the Army. Shortly thereafter, he reported to Fort Sam Houston for medical training. He subsequently volunteered for airborne school and reported to Fort Benning, Georgia for training. He was then assigned to Fort Campbell, Kentucky in a medical company of the 11th Airborne Division.

In June of 1950, war broke out in Korea. By late July, Wilson's unit was on alert to deploy to Korea. A final weekend at home on the Fourth of July was his family's last time with him. However, Richard Wilson wanted to marry his sweetheart before he shipped out for the Pacific. So, on August 28, 1950, three days before his departure, PFC Wilson married his sweetheart, Bonnie. He pulled duty during the day and shared a guest cottage at night until his unit shipped out. Bonnie was present to bid him farewell as his train pulled out.

Shortly after the Allied landings at Inchon and the liberation of Seoul, Wilson's unit arrived in Korea. His regiment participated in one of the largest airdrops in history on October 20, 1950.

The 187th regimental combat team, of which he was a part, dropped behind enemy lines, 30 miles north of Pyongyang to cut-off retreating North Korean Army units. It was a beautiful fall day as they made their landings among rice paddies and took up positions to block retreating enemy units. The afternoon and night of October 20 were quiet. The next day, however, Wilson's unit came under heavy fire from a vastly superior enemy determined to break through and escape to the north.

The 187th regimental combat team's mission was to ensure the high ground north of the town of Opari. On the morning of October 21, 1950, as the unit conducted a reconnaissance in force, it was flanked on three sides and forced to withdraw after sustaining heavy casualties. During this action, PFC Wilson rendered life-saving aid to numerous casualties. As his unit prepared to withdraw further, Wilson noticed that one casualty that had been presumed dead was still alive. Despite the orders to withdraw further, Wilson moved to aid and comfort the casualty. As he administered morphine and prepared to dress the casualty's wounds, he was killed by point blank enemy fire. On August 2, 1951, his widow was presented with the Medal of Honor by General Omar Bradley, in recognition of PFC Richard G. Wilson's conspicuous gallantry and intrepidity above and beyond the call of duty.

PFC Wilson volunteered to serve his country. He did so honorably. He came to us as a product of a principled family with strong values. He made remarkable contributions to the proud legacy of Army medicine. He bore great burdens with dedication and selflessness. And he was taken from us too soon.

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Rincon Middle School in Escondido and its leaders, Principal, Lou Bailey and Superintendent, Rob Guiles. Rincon has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Rincon Middle School's superior work be included in the record:

Rincon Middle School is located in the northeast part of Escondido 40 miles north of San Diego. One of four middle schools in the Escondido Union School District, Rincon is surrounded by open fields and farmlands and has preserved its rural feel, despite its proximity to the city. The natural beauty of

Rincon's setting creates a relaxed and secure environment that welcomes students and staff. Since its inception five years ago, Rincon has been building strong connections between parents, teachers, and students, as well as partnerships within the business community. Rincon students are respectful, eager learners who strive to meet the high standards set for them.

Rincon's philosophy is that every student is a learner. The Rincon community values the social, physical, intellectual, and artistic development of all students. Portfolio Day, Americans on Display, 6th Grade Olympics, Living Historians, concerts, and art exhibits are some of the many traditions that foster the full development of the middle school student. These same activities unite parents and community with their school. Community involvement is important to Rincon. The students are emerging as service oriented young adults with a growing sense of community awareness. Students take part in many activities that foster a connection to their community such as: The Garden Project, School Buddy Readers, Park Clean-up Day, Peer Tutors, Natural Helpers, Guardian Angels, and student assistants for the severely handicapped. On Career Visitation Day Rincon students spend a day shadowing a professional and bring back experiences to share in their exploratory classes. Across the spectrum, students at Rincon experience a challenging curriculum appropriate to their academic level.

IN HONOR OF JUSTICE MARIE T. GARIBALDI, UNITED WAY'S CONGRESSWOMAN MARY T. NORTON MEMORIAL AWARD WINNER

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to congratulate Justice Marie Garibaldi for winning the United Way's Congresswoman Mary T. Norton Memorial Award. The award, which was initiated by United Way of Hudson County in 1990, recognizes those who exhibit a deep commitment to human service as exemplified by Congresswoman Norton during her 13 terms in the House of Representatives (1925–1950). The Congresswoman was a forward-thinker who advocated for government action to help address issues we are still grappling with today, such as day care, fair employment practices, health care for veterans, and inclusion of women in high levels of government service.

Justice Marie Garibaldi was the first woman to serve on the New Jersey Supreme Court, the State's highest court. She was also the first woman to serve as president of the New Jersey State Bar Association, and as director of the State Chamber of Commerce, New Jersey Bell Telephone Co., and the Washington Savings Bank. Justice Garibaldi was a Trustee of St. Peter's College, Honorary Trustee of the National Organization of Italian American Women, and a founding member of the Executive Women of New Jersey.

She is the recipient of several awards from her alma maters, including the Medal for excellence from the Columbia University School of Law. She has received Honorary Doctor Degrees from St. John's University Law School, Seton Hall University Law School, and Drew University; and Honorary Doctor of Humanities Degrees from Upsala College, Caldwell College, College of Saint Elizabeth, and Saint Peter's College. In her honor, the American Inns of Court Foundation established The Justice Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution.

Justice Garibaldi retired from the Court on February 1, 2000. Since her retirement, she has been appointed to the Board of Directors of Crown Cork & Seal Company, Inc., and the National Italian American Foundation.

Justice Marie Garibaldi embodies the life work of Congresswoman Mary T. Norton. On behalf of my colleagues in the House of Representatives, I congratulate her for her outstanding service to the community and for carrying on the work of Congresswoman Mary T. Norton.

CONGRATULATORY REMARKS IN RECOGNITION OF THE 135TH ANNIVERSARY OF ZION LUTHERAN CHURCH

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mrs. EMERSON. Mr. Speaker, today I salute Zion Lutheran Church in their 135th year of service to the community of Gordonville, Missouri.

Zion Lutheran Church was organized in 1865 by a group of local farmers who were German immigrants. They secured their first pastor, Reverend Polack, who led the church through the early years. Their first church building was erected soon after the official organization of the church on August 13th. The earliest recorded minutes date back to 1870 where the evidence of the congregation's German heritage was strong. The founders often kept the church records in German or a mix between German and English. And why not, since the services were in German through the first 50 years, and the congregation was filled with mostly German immigrants.

However, even a church is affected by war, and the pressure to speak English during World War I caused the church to adapt. Until 1920, Zion maintained its strong ties to the German homeland, but the congregation knew times were changing when its first English confirmation service was held. Today, services are held in English, but the church seal and an inscription on the church bell, still in German, remind them of their long and storied past. In the neighboring cemetery, many of Gordonville's German immigrants were buried, and their descendants remain members of the church to this day.

I commend Zion Lutheran Church for its strength and longevity, and expect this church may be recognized sometime again in this body many years from now.

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Mt. Carmel High School in Scripps Ranch and its leaders, Principal, Joan Stewart and Superintendent, Dr. Bob Reeves. Mt. Carmel has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Mt. Carmel High Schools' superior work be included in the record:

Mt. Carmel High School, located in San Diego, California, is the heart of the local community. Life on campus and in the surrounding community of Rancho Penasquitos centers on families and their involvement in the lives of young people. Mt. Carmel is a four-year comprehensive high school serving 3,506 students in the nationally recognized Poway Unified School district. At first glance, Mt. Carmel might appear to be a traditional public high school, but the vision, traditions, and culture make Mt. Carmel anything but ordinary. Mt. Carmel maintains a long tradition of academic excellence beginning with a rigorous college-bound curriculum, approximately 81 percent of

graduates enroll at institutions of higher education. Mt. Carmel teachers respond enthusiastically and capably to the high academic expectations set by the community.

Mt. Carmel offers a full range of academic, athletic and activity programs designed to meet the needs of all students. Particularly noteworthy programs include the on-line courses offered in Spanish, art and U.S. History, the fully integrated American Literature and U.S. History courses, and the partnership between the Animation Program and industry leaders such as Disney and Warner Brothers. Mt. Carmel is poised on the threshold of twenty-first century teaching and learning thanks to an investment of over $2 million worth of technology infrastructure, hardware, software, and training over the past four years. To encourage all students to stay connected on such a large campus, Mt. Carmel offers over 80 clubs, organizations and enrichment classes. Mt. Carmel exemplary staff is committed to ongoing professional development, as is evidenced by a significant investment of time and financial resources. The dynamic new principal, along with the secretaries, custodians, teachers, administrator, parents, and students share a common vision of academic excellence and support one another in the endeavor to attain this vision. Yes, Mt. Carmel's outstanding programs make it a model school, but the people make Mt. Carmel a truly special place to learn.

TRIBUTE TO JOHN K. McINERNEY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor a great Californian and a distinguished American, John McInerney, on the occasion of his retirement from the San Mateo County Bar Association.

On July 3, 1967, John McInerney began his career at the San Mateo County District Attorney's Office as a Deputy District Attorney I. He excelled in this position and was subsequently promoted to Deputy District Attorney II in 1968. John McInerney then joined the Law Office of Ragan & Maguire in 1969, where he continued to work as a dedicated attorney and as an advocate for his clients.

On July 3, 1971, John McInerney began his work for the San Mateo County Bar Association where he served as the Assistant Administrator of the Private Defender Program. He demonstrated his dedication, skill, and knowledge for the next nine years in this position and on October 1, 1980, he was promoted to the position of Administrator. He subsequently was appointed Executive Director of the San Mateo County Bar Association and Administrator of its Private Defender Program in 1983, and has held this position until his retirement on June 30th of this year.

John McInerney has worked tirelessly to assist the lawyers of the Private Defender Program in providing excellent and uncompromising legal assistance to all residents of San Mateo County. John McInerney's life of leadership is instructive to us all. His dedication to the ideals of democracy and community service stand tall. It is fitting that he is being honored upon the occasion of his retirement from the San Mateo County Bar Association, and I ask my colleagues, Mr. Speaker, to join me in honoring this great and good man whom I am proud to call my friend. We are indeed a better County, a better Country and a better people because of him.

IN HONOR OF THE GUTTENBERG HOUSING AUTHORITY, CELEBRATING 50 YEARS OF SERVING THE PUBLIC

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the Guttenberg Housing Authority for 50 years of dedicated service to the public. To commemorate a half-Century of serving the community of Guttenberg, the Housing Authority will hold its 50th Anniversary Jubilee on September 16, 2000.

The Guttenberg Housing Authority was founded on April 5, 1950, and the first residence, Guttenberg Towers, was completed in 1952 and renamed Joseph P. Macaluso Towers in 1966, after the late executive director. Centennial Towers, the second residence, and Golden Gardens, the third, were completed in 1960 and 1961, respectively. The final residence, Herman G. Klein Towers, was completed in 1961 and is the only senior citizen building.

From 1966 to 1981, John R. Macaluso served as the executive director, followed by Robert F. Sabello, who served until 1994. Currently, the executive director is Barbara J. Venezia.

In order to provide meaningful support for its residents, the Housing Authority has implemented programs such as the Residents' Initiative Program, which consists of computer training for residents and an after-school program for children. The Housing Authority is not only dedicated to continuing such programs, but to expanding them, as well.

Today, the Guttenberg Housing Authority serves 450 families, in 251 public housing units, utilizing 199 Section 8 Certificates and Housing Vouchers.

On behalf of my colleagues, I congratulate the Guttenberg Housing Authority for its exceptional and compassionate service to the families of Guttenberg, New Jersey.

TRIBUTE TO SUPERVISOR MARY GRIFFIN

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor a proud American and distinguished Californian, Supervisor Mary Griffin, on the occasion of her retirement from the San Mateo County, California Board of Supervisors.

Mary Griffin began her public service career in 1976 when she was elected to the Millbrae City Council. She served two terms as Mayor of Millbrae, from 1980 to 1981 and from 1984 to 1985. Mary Griffin continued her service to the people of Millbrae until she was elected to the San Mateo County Board of Supervisors in 1987. In 1988 and 1992, Mary served as Vice President of the Board, and in 1989 and 1993 she served as President of the Board.

Mary Griffin has represented San Mateo County as a member of the Association of Bay Area Governments which works to solve problems in such diverse areas as transportation, housing, economic development, and infrastructure. Her leadership skills led to her being elected Vice President and President of ABAG in 1989 and 1991. She has worked on numerous Commissions to improve the state of transportation in San Mateo County, including the San Mateo County Transportation Authority Board, the Service Authority for Freeways & Expressways, the Regional Airport Planning Commission, and the Metropolitan Transportation Commission.

Supervisor Mary Griffin is known for her dedicated work on issues relating to aviation and the airports of San Mateo County. She is a representative on the Airport/Community Roundtable where she was instrumental in securing $650,000 in federal funds to insulate 45 homes against airport noise generated by San Francisco International Airport. She has also served as a member of the Airport Land Use Committee which addresses airport and land use compatibility for the Half Moon Bay Airport, the San Carlos Airport, and San Francisco International Airport.

Supervisor Mary Griffin has worked tirelessly on behalf of the children of San Mateo County, improving services and programs on their behalf. As the child of a widow who worked for minimum wage, Mary Griffin has been unswerving in her advocacy to ensure that every child receives good healthcare, childcare and an improved quality of life. In 1987 she founded the Share-a-Bear Program which benefits abused and neglected children. She founded and chairs the Children's Executive Council, a first in San Mateo County history.

Mary Griffin is the loving wife of Walter Ramseur, a retired United Airlines Pilot. They are the proud parents of three and grandparents of four. Mary Griffin is widely admired for her boundless energy, her effective work and her broad knowledge of every aspect of local government.

Supervisor Mary Griffin's life of community leadership and public service is instructive to us all. Her dedication to the ideals of democracy and community service stands tall. It is therefore fitting that she is being honored on the occasion of her retirement from the San Mateo County Board of Supervisors. So today, Mr. Speaker, I ask my colleagues, to join me in honoring this great and good woman whom I'm proud to call my friend and my colleague. We are indeed a better County, a better Country and a better people because of her.

GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT OF 2000

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 2000

Ms. WOOLSEY. Mr. Speaker, I rise today in strong support of H.R. 3632, the Golden Gate

National Recreation Area Boundary Adjustment Act. I appreciate my colleague Mr. LANTOS' hard work to bring this bill to the floor today and am proud to have worked on it with him and our other Bay Area colleague, Ms. PELOSI.

Mr. Speaker, this bill will authorize open space parcels, located between existing Golden Gate National Recreation Area (GGNRA) lands and the lower-income community of Marin City, to be included within the GGNRA. This pending acquisition would create the first direct access to the GGNRA for the residents of Marin City. It will also fulfill a GGNRA ''parks to people'' legislative mandate to establish park access to as wide a socioeconomic constituency as possible.

In addition, H.R. 3632 allows for these parcels to be preserved in an undeveloped state that protects habitat, ridge top trails and scenic views of San Francisco Bay for the public's continued enjoyment. Including these parcels within the GGNRA boundaries is strongly supported by the Marin County Board of Supervisors, the Marin County Open Space District and local conservation organizations.

Open space preservation is a key priority for my constituents. But H.R. 3632 will also set aside lands in other parts of the Bay Area for the public's continued enjoyment. Only 20 miles south of the parcels in my district, new space in San Francisco—the urban heart of the Bay Area—will also be included in the GGNRA. Even further south, in a part of the Bay Area that is also experiencing pressure on its open space, Mr. Lantos has worked hard to include parcels in Pacifica within GGNRA boundaries.

Mr. Speaker, I urge my colleagues to support H.R. 3632 today. It is crucial that open space in the Bay Area can be preserved and enjoyed by generations of children to come.

HONORING RICHARD P. SCHARCHBURG

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the memory of Richard P. Scharchburg. The Kettering/GMI Alumni Foundation Collection of Industrial History will be formally renamed the Richard P. Scharchburg Collection of Industrial History at a ceremony on Tuesday, September 19 in my hometown of Flint, Michigan. I have known Richard Scharchburg for many years and it is a great honor for me to pay tribute to him on this occasion.

Richard Scharchburg first taught history at Kettering/GMI in 1964. He left the school to pursue other endeavors for a short period of time and returned in 1968. He was influential in establishing the Frances Willson Thompson Chair of Industrial History and taught the history of the automotive industry with a passion at the school until his untimely death in June of this year.

He was a noted authority on the automotive industry. His renown in the field brought him recognition nationally and internationally. He was a member of the Board of Trustees of the National Automotive History Collection of the Detroit Public Library and vice-president of the Society of Automotive Historians. He is past president of the Durant-Dort Foundation, former president of the Genesee County Historical Society, and was a founding member of the Whaley Historical House. He was featured in a 1996 television series on the centennial of the automobile and one week before his death the History Channel had interviewed him for a program on the evolution of automotive technology.

Richard Scharchburg was a noted author. In addition to numerous articles about the development of the automobile his books include ''W.C. Durant: The Boss,'' ''Under No Man's Shadow: Eugene W. Kettering and the Dieselization of the Railroads,'' ''America's Co-op College (GMI): The First 75 Years,'' ''Carriages Without Horses: J. Frank Duryea and the Birth of the American Automobile Industry.'' The last book was published by the Society of Automotive Engineers and won the Thomas McKean Memorial Cup of the Antique Automobile Club of America and the Nicholas-Joseph Cugnot Award of the Society of Automotive Historians. At the time of his death he was working on a book about Walter Marr, the engineer that had worked with David Buick.

Through his efforts the Industrial History archives has grown to its current size and renown. Richard was very proud of the collection and had worked diligently to make the archives as comprehensive as possible. It is a world class resource on the history of the automobile and industry. The archives encompass the history of the automobile, automotive history and the history of the greater Flint area. Recently, my staff had to utilize the archives in doing research. The information they needed was not readily available anywhere else.

Mr. Speaker, I ask the House of Representatives to join with me in paying homage to my friend, Richard P. Scharchburg. I commend the Kettering/GMI Alumni Foundation for demonstrating their respect for a great historian by naming the Collection of Industry History in his honor so that his memory may live on for future generations.

BLUE RIBBON SCHOOL WINNER

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Diegueno Middle School in Encinitas and its leaders, Principal, Marilyn Pugh and Superintendent, Bill Berrier. Diegueno has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Diegueno Middle School's superior work be included in the record.

Diegueno Middle school is nestled in Encinitas, a quite residential area approximately four-and-a-half miles inland from the Pacific coast. Diegueno is one of four middle schools in the San Dieguito Union High School District, and it is a feeder school for two traditional high schools, one ''Academy'' High School, and one alternative high school. Diegueno students are motivated toward high academic expectations and proud of their academic, athletic, and service accomplishments.

Diegueno's newly developed Mission Statement is ''to ensure that all students reach their potential as ethical, involved citizens and lifelong learners guided by a professional, compassionate staff who provide a challenging, creative, and meaningful education.'' With their mission statement in mind, Diegueno offers many programs and services to support the learning and development of middle school age students, including a rigorous core academic program expected by their community and mandated by the state. In addition, their newly networked and technologically equipped campus supports the goals of developing students' technological skills and connecting them to an increasingly global interaction with the world. Their elective program, lunchtime activities, after school programs, classes and sports teams offered in conjunction with the City of Encinitas and the Boys and Girls' Club help students to discover interests which support and enhance their academic efforts. It is indeed Diegueno's goal to show all their students that they are an integral part of our school, a necessary element of the larger surrounding community, and valuable citizens of the world.

IN HONOR OF CAROL VIOLA, UNITED WAY'S CONGRESSWOMAN MARY T. NORTON MEMORIAL AWARD WINNER

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to congratulate Carol Viola for winning the United Way's Congresswoman Mary T. Norton Memorial Award. The award, which was initiated by United Way of Hudson County in 1990, recognizes those who exhibit a deep commitment to human service as exemplified by Congresswoman Norton during her 13 terms in the House of Representatives (1925–1950). The Congresswoman was a forward-thinker who advocated for government action to help address issues we are still grappling with today, such as day care, fair employment practices, health care for veterans, and inclusion of women in high levels of government service.

Carol Viola has been the cornerstone of support in the Executive Office of the United Way of Tri-State since 1991. The Tri-State United Way conducts the single largest annual workplace campaign in the nation for the benefit of people in need. She began working at Tri-State just four yours after it was formed, and she has served the organization's three most recent presidents: Calvin Green, Betty Beene (a 1990 recipient of the Mary T. Norton Award and now President of United Way of America), and Douglas Wams.

Ms. Viola has fulfilled the important responsibility of maintaining and coordinating relationships with United Way of Tri-State's key constituents and stakeholders. These individuals include CEOs and senior executives of Fortune 100 Companies, influential labor leaders and prominent community leaders who serve as Governors and volunteers of Tri-State, and 31 Chief Professional Officers of the participating local United Ways. Through her commitment to excellence and to people, Carol has provided the support that enabled many busy executives to give their time and talents to United Way and those it serves.

Ms. Viola has been happily married to Joe Crum for 13 years. She manages her mother's household and is active in her church, professional women's organizations, and neighborhood nonprofit organizations.

Carol Viola embodies the life work of Congresswoman Mary T. Norton. On behalf of my colleagues in the House of Representatives, I congratulate her for her outstanding service to the community and for carrying on the work of Congresswoman Mary T. Norton.

TRIBUTE TO MANATEE CHAMBER OF COMMERCE, 2000 CHAMBER OF THE YEAR

HON. DAN MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MILLER of Florida. Mr. Speaker, this year, the Florida Chamber of Commerce Executives (FCCE) named the Manatee County Chamber of Commerce, their 2000 Chamber of the Year. Through this and many other notable accomplishments, the strength and spirit of the Manatee Chamber embodies the foundations for economic leadership that our community relies upon. The invaluable service of its pro-Florida, pro-business membership continually enhances our lives and builds a better future for all of Manatee County.

Through its many ventures in the Manatee area, the Manatee Chamber of Commerce has displayed an innovative and effective approach to business and community relations. This approach has been validated by the Chamber's 87% membership retention record. Not only does the Chamber boast a highly successful Economic Development Council, it also touts a rapidly growing menu of business services, including seminars, workshops and roundtable discussion groups. These, along with countless other services provided by the Chamber, are the attributes that make this body the best of its kind in the state of Florida.

I have had the pleasure to work with several members of the Manatee Chamber of Commerce, including the current Chairman Byron Shinn and Immediate Past Chairman Brian Murphy, and can personally testify to the quality of work put forth by the volunteers and staff of this great organization. It makes me proud to have such an outstanding group in Florida's 13th District. I commend the Manatee Chamber of Commerce for its past record and look forward to witnessing its future accomplishments.

MARRIAGE TAX RELIEF RECONCILIATION ACT OF 2000—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

SPEECH OF

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 2000

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today in strong support of overriding the Clinton/Gore Administration's veto of the Marriage Tax Penalty Relief Reconciliation Act pending before the House today, and urge my colleagues to join me in supporting hard working American families by voting ''yes'' on this override today.

This is about people. It is about families. It is about hard working moms and dads who work from paycheck to paycheck to make ends meet. Why should the government increase their taxes just because they are married? It not only doesn't make sense, it just isn't right.

And this injustice is not affecting just a few American families. According to the Congressional Budget Office, more than 25 million couples pay an average of $1,400 a year to the IRS just because they are married. This is unconscionable, and it has to stop.

Mr. Speaker, I am tired of the misleading tirade coming from those whose agenda is to keep taxpayers' money in Washington because they want to spend the federal budget surplus on more government bureaucracy. This bill is not tax relief for the rich. The fact is that marriage penalty relief is middle class tax relief because middle-income families are hit the hardest by this penalty. Most marriage penalties occur when the higher-earning spouse makes between $20,000 and $75,000 per year, according to the Congressional Budget Office. If these couples had remained single and just lived together they would not be facing this increased tax penalty. And increasing a couple's taxes just because they have chosen to make a commitment to one another in marriage, and work to build a future together, is just plain wrong.

I firmly believe that the tax revenue surplus is the American people's money, not Washington's. We should start giving back some of this tax surplus to families who work hard to put food on the table, clothe their children, pay their taxes, and who are currently forced to sacrifice their family time to earn a little more money to make ends meet.

I urge my colleagues to join me in supporting these hardworking moms and dads and vote ''yes'' to override the Clinton/Gore veto of the Marriage Tax Penalty Relief bill.

CONGRATULATING GUAM'S PUBLIC TELEVISION STATION, KGTF, ON ITS 30TH ANNIVERSARY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. UNDERWOOD. Mr. Speaker, there is at least one generation in my district who grew to adulthood with Kermit the Frog, Miss Piggy, Big Bird, and the Cookie Monster. Although they have probably turned their attention to Nova, Masterpiece Theater, Mystery! and other more adult television fare, their children are now tuning into Sesame Street, Reading Rainbow, Mr. Rogers, Teletubbies, and, of course, Barney, thanks to KGTF, Channel 12, Guam's Public Television Station.

Unlike in times past, when KGTF competed for viewers with only one commercial television station, Guam now enjoys the great variety of programming—but not C–Span, I regret—provided by cable television. As the debate rages here in our nation about the increasing number of cable channels and independent networks and the declining quality of television programming, public television remains unscathed by criticism. In Guam, as here in the States, viewers can always count on high quality shows that are educational as well as entertaining, thanks to KGTF. Despite the overwhelming programming choices available, 24 hours a day, on a multitude of channels, the people of Guam have not abandoned KGTF. As viewers, they tune in time and time again, to watch their favorite shows, shows that air only on public television. As supporters of public television, they open their wallets year after year, to give what they can so that KGTF can continue to serve them.

Mr. Speaker, on October 30, KGTF will celebrate its 30th anniversary. In a place in which commercial television has been available for just over 40 years, KGTF's longevity is not so much a testament to our social addition to television in general, but to the visionary leaders of Guam who established public television in Guam and to the people of Guam who have continued to support it successfully throughout the years. KGTF signed on the air for the first time on October 30, 1970, with a grant for $150,000 from the U.S. Department of Health, Education and Welfare and $50,000 from the

Government of Guam. It had only five employees who operated out of an old Butler building in Mangilao. In 1974, the 12th Guam Legislature passed P.L. 12–194, establishing the Guam Educational Telecommunications Corporation, a nonprofit public corporation to operate KGTF. In 1997 KGTF won the Guam Developmental Disabilities Council's Media Representative of the Year award for its outstanding services and sensitivity to Guam's disabled community. In 1999, the Micronesia Chapter of the Society of Professional Journalists awarded the station its Professional Achievement and Performance Award for outstanding community service.

Today, KGTF's annual budget is a little over $1 million. The funding is provided by the Government of Guam, the federal Community Service Grant and private donations. Through good economic times and bad, the people of Guam have never allowed KGTF to sign off the air. This, I believe, is an indication of its value to the community, to a desire it fulfills, and to a service it renders. In 1991, the station purchased a remote broadcast van and in 1994 constructed a large station facility, both of which were funded entirely by contributions.

I am proud to congratulate KGTF's Board of Trustees, Chairman Carlos Baretto, Vice Chairwoman Joleen Flores, Dan Tinsay and Ariel Dimalanta, on the quality of their guidance and leadership. And I gratefully commend General Manager Ginger Underwood, Operations Manager Benny Flores, Engineer Mesegei Diaz, Administrative Officer Lorraine Hernandez, Accounting Technician Tina Poblete, Program Coordinator Dois Gallo, Program Assistant Vickey Manglona, Development Director Sonia Suobiron, Development Assistant Mary Perez, Production Manager John Muna, Studio Supervisor Edmond Cheung, Broadcast Technician Rodney Sapp, Camera Operators Mike Lizama, Curb Crisostomo and Shingpe Wang, and Master Control Operators Jason Fernandez, Reynald La Puebla and Seigfred Cabanday for making it all happen.

Si Yu'os ma'ase, hamyo todos. Maolek che'cho'-miyo para i taotao-ta. Long live KGTF!

ESTUARY RESTORATION ACT OF 2000

SPEECH OF

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 2000

Mr. GEORGE MILLER of California. Mr. Speaker, the decline in estuary habitats nation-wide has been well-documented in the scientific and resource management literature for over 30 years. Worse, we are now finally seeing how ruinous this habitat loss has been to our coastal environment through degraded water quality, depleted commercial and recreational fisheries, and destructive shoreline erosion and subsidence.

Within my own district, the baylands provide some form of food, shelter, or other benefits to over 500 species of fish, amphibians, reptiles, birds, and mammals. In addition, there are almost as many species of invertebrates in the ecosystem as all the other animals combined. This brings the total number of animal species that use or call the baylands ecosystem home to over one thousand. Unfortunately, this area has lost over 95 percent of its tidal wetlands and continues to be besieged by invasive and aquatic nuisance species.

These impacts are real. Fortunately, we have an opportunity to begin the effort to reverse that trend. H.R. 1775, the Estuary Restoration Act, would provide a reasonable, balanced approach to both preserve remaining estuarine habitats and to facilitate effective, locally-driven estuary restoration.

I commend the Chairman of the Transportation and Infrastructure Committee, Mr. SHUSTER, and the senior ranking Democrat member, Mr. OBERSTAR, as well as the Chairman of the Committee on Resources, Mr. YOUNG, for their collaborative efforts and cooperation in developing this compromise legislation. I would also like to thank the bill's sponsor, Mr. GILCHREST, for his energy and persistence in pursuing this worthwhile and important bill.

I am glad to see that the bill will include as eligible restoration plans any Federal or State plan developed with the participation of public and private stakeholders. This will mean that many innovative, collaborative plans developed for the San Francisco Bay estuary, such as the Baylands Ecosystem Habitat Goals Plan, the San Pablo Baylands Restoration Plan, and the Suisun Marsh Protection Plan will become eligible for project funding.

I am also pleased that non-governmental organizations (NGOs) will be eligible to participate in the program. NGOs, such as Save the Bay and The Bay Institute in the Bay Area, embody the locally driven focus of this legislation. In addition, NGOs contribute valuable matching funds, expertise and local support—all factors critical to the long-term success of estuary restoration projects. I share the concerns raised by my colleague, Mr. OBERSTAR, that the burden placed on these organizations to participate might be excessive. There is little need for further restrictions on NGO participation because the stringent review process within the bill will ensure that only the most outstanding projects are selected and funded. I hope that this will be addressed in conference with the Senate.

I appreciate the willingness of the bill's sponsors to direct the National Oceanic and Atmospheric Administration (NOAA) as the manager of monitoring data gathered within this program. NOAA has impressive scientific expertise and superb competence in environmental data management. In addition, NOAA programs such as the National Estuarine Research Reserves and Coastal Services Center, will be useful conduits for dissemination of estuary restoration data to coastal resource managers nationwide.

The establishment of an Estuary Habitat Restoration Council within the bill is of paramount importance due to the largely experimental and innovative nature of many estuary restoration techniques. The science of estuary restoration, at present, is imprecise. It is important to recognize that we will have to learn from our mistakes; undoubtedly, not every project will meet expectations. I had hoped to include a more rigorous post-construction monitoring and evaluation process in the bill. In its absence, the Corps would be wise to work closely with the Council to prioritize and select projects based upon successes validated in the field.

In lieu of the recent criticism that has been directed at the Corps, I retain some reservations about the wisdom of Congress authorizing the Corps to take on such a significant expansion of its mission at this time. I am sure we have all been closely following the series of articles that have appeared in the Washington Post this week. Since its inception, the Corps has launched tens of billions of dollars worth of public works projects around the country, many of which have severely damaged the environment because of a lack of oversight.

I am encouraged by the efforts of several colleagues to address this issue, notably Congressman RON KIND, Congresswoman TAMMY BALDWIN and Congressman EARL BLUMENAUER. Public works projects will always be needed, but at the same time we also need to ensure the protection of the environment. Environmental considerations should be taken as seriously as economic ones when analyzing projects. Certainly, the Corps should not approve projects with severe ecological consequences.

Once again, I strongly support this legislation.

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Twin Peaks Middle School in Poway and its leaders, Principal Sue Foerster and Superintendent Dr. Bob Reeves. Twin Peaks has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of 11 schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students, and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the Nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the Nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by State education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans, and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement, and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Twin Peaks Middle School's superior work be included in the RECORD:

Twin Peaks Middle School is in the city of Poway, a suburban community of about 45,000 located 25 miles northeast of San Diego, California. Known as ''The City in the Country,'' Poway maintains a rural feeling where horse trails are common and the annual rodeo is an important event. Retail trade, service industry, and government jobs presently provide the greatest opportunity for employment in Poway, although most of their residents travel to other areas of the county to work. The dedicated Twin Peaks staff exemplifies its vision of providing an excellent education for all students by making a conscious effort to continuously enhance and enrich the culture and conditions in the school so that teachers can teach more effectively, leading to students who become lifelong learners. This focused effort to strive for excellence is shared by teaches, parents, students, and community members who work together to create outstanding programs that maximize the potential of each student while acknowledging individual learning styles.

Students feel this enthusiasm for learning and want to be at Twin Peaks, as shown by the average attendance rate of over 99 percent. Students maintain an active voice in perpetuating these traditions through the Associated Student Body that provides Friday spirit days, barbecues, dances, Teacher Appreciation Day, and Harbor Cruise excursions. Other yearly events include ski trips, Women's Day speakers, Shadow-A-Student Day, the geography bee and spelling bee, Sixth Grade Olympics, sixth grade camp, a seventh grade trip to Medieval Times, band concerts, and choral and drama productions. Visitors frequently comment on the positive atmosphere that pervades the campus. Twin Peaks Middle School truly is a wonderful place to teach and learn.

HONORING CATHERINE CATCHINGS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. KILDEE. Mr. Speaker, it is an honor for me to rise before you today to pay tribute to Ms. Catherine Catchings, the Illustrious Commandress of Oman Court No. 132. The Daughters of Isis, Ancient and Accepted Free Masons, based in Flint, Michigan, will honor Ms. Catchings at their 40th annual Commandress Ball on October 21.

Catherine Catchings moved from Alabama to Flint, Michigan, in 1957. She joined Mt. Calvary Missionary Baptist Church and has maintained an active membership, working with the choir, Young Matrons Auxiliary, and the Willing Workers Club.

Because of Catherine's long standing dedication to enhance the quality of life for others, she began a long career with Hurley Medical Center, leading to her recent retirement. During this time, she also became President of AFSCME Local 825. Under Catherine's leadership, Local 825 made community service a key focus. Community Service became an established as a standing committee of the union, and members participated in various projects benefiting the needy. Catherine has worked with the United Way, Red Cross blood drives, and the Children's Miracle Network Run for Children. As a member of the American Legion Auxiliary, she works diligently on behalf of our area's veterans. She is involved with the Veterans Hospital Project, writes letters and purchases gifts for the veterans' families, and distributes information on such subjects as bone marrow research and donor registration.

As Worthy Matron of Royal Star Chapter 27, Order of the Eastern Star, Prince Hall Affiliation, Catherine established a Scholarship Fund, organized donation drives on behalf of the Flint Shelter, Transition House, and Carriage Town Mission. As Youth Sponsor for the Crescent Moon Youth Fraternity, she helps create future community leaders through nursing homes visits and Christmas caroling. She is truly a tremendous role model, and many people in the Flint community have had their lives enriched by her unselfish acts.

Mr. Speaker, I ask you and my fellow Members of Congress to join me in honoring the Illustrious Commandress, Ms. Catherine Catchings. Her devotion to making this nation a better place to live should reinforce our strong commitment to our communities. We owe a debt of gratitude to Catherine, her husband, and their two sons.

IN HONOR OF CATHY GONZALEZ, UNITED WAY'S CONGRESSWOMAN MARY T. NORTON MEMORIAL AWARD WINNER

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to congratulate Cathy Gonzalez for winning the United Way's Congresswoman Mary T. Norton Memorial Award. The award, which was initiated by United Way of Hudson County in 1990, recognizes those who exhibit a deep commitment to human service as exemplified by Congresswoman Norton during her 13 terms in the House of Representatives (1925–1950). The Congresswoman was a forward-thinker who advocated for government action to help address issues we are still grappling with today, such as day care, fair employment practices, health care for veterans, and inclusion of women in high levels of government service.

Cathy Gonzalez is the vice president of Human Resources for the Pershing Division of Donaldson, Lufkin & Jenrette Securities Corporation. In her role at Pershing, Mrs. Gonzalez is responsible for leading many of the firm's community relations efforts. She works with the Jersey City Board of Education to provide meaningful school-to-work opportunities for local students. Under her leadership, employees of Pershing participate in a variety of charitable activities.

Ms. Gonzalez is vice chairperson of the United Way of Hudson County and vice president of the Board of Managers of the Hudson Unit of the American Cancer Society. She has received recognition from Gateway II, Van Vorst Block Association, Ferris High School, and New York Blood Services.

Pershing, a leading provider of global correspondent financial services to over 650 financial institutions, moved its corporate headquarters to Jersey City in 1989. Pershing has established an outstanding relationship with the community by actively practicing its corporate value of social responsibility.

Ms. Gonzalez was born and raised in Jersey City, NJ. She holds a master's degree in health administration and began her career working for Christ Hospital, where she initiated volunteer efforts in the community.

Cathy Gonzalez embodies the life work of Congresswoman Mary T. Norton. On behalf of my colleagues in the House of Representatives, I congratulate her for her outstanding service to the community and for carrying on the work of Congresswoman Mary T. Norton.

TRIBUTE TO NELSON FAIRBANKS

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. FOLEY. Mr. Speaker, this past summer marked the end of long and distinguished career for a leader of Florida's agriculture and business industries. Our dear friend, Mr. J. Nelson Fairbanks retired from his post with the U.S. Sugar Corporation.

In 1966, the charm and beauty of inviting Clewiston, Florida lured Nelson from the family farm in Louisiana. Twelve years later, he would join U.S. Sugar as vice president of corporate development. Since those first days, Nelson later took over the helm as CEO and for more than a decade guided the company and its employees through unprecedented change and growth.

By molding U.S. Sugar, Nelson also shaped the industry and his community as well.

In today's quick-fix, high-tech, ''dot-com'' world, Nelson and the people of U.S. Sugar truly understand the meaning of a hard day's work. They are the wholesome hospitable people that take a deep pride in laboring hard to feed America's families.

The community will indeed miss Nelson's leadership and vision. Yet, we are comforted in the knowledge that regardless where retirement takes Nelson, love for the people of Clewiston and U.S. Sugar runs thick in his veins like molasses.

THE PRAIRIE ROSE CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION SALUTES CONSTITUTION WEEK

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MOORE. Mr. Speaker, the week of September 17–23 has been officially designated

as Constitution Week. This marks the 213th anniversary of the signing of our Constitution.

The guardian of our liberties, our Constitution established our republic as a selfgoverning nation dedicated to rule by law. This document is the cornerstone of our freedom. It was written to protect every American from the abuse of power by government. Without that restraint, our founders believed the republic would perish.

The ideals upon which our Constitution is based are reinforced each day by the success of our political system to which it gave birth. The success of our way of government requires an enlightened citizenry.

Constitution Week provides an opportunity for all Americans to recall the achievements of our founders, the nature of limited government, and the rights, privileges and responsibilities of citizenship. It provides us the opportunity to be better informed about our rights, freedoms and duties as citizens.

Mr. Speaker, at this time I particularly want to take note of the outstanding work of the Prairie Rose Chapter of the Kansas Society of the Daughters of the American Revolution, which is actively involved in the Third Congressional District in events this week commemorating Constitution Week. The Prairie Rose Chapter has been involved with this effort in our communities for a number of years and I commend them for doing so.

Our Constitution has served us well for over 200 years, but it will continue as a strong, vibrant, and vital foundation for freedom only so long as the American people remain dedicated to the basic principles on which it rests. Thus, as the United States continues into its third century of constitutional democracy, let us renew our commitment to, in the words of our Constitution's preamble: ''form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity . . .'' I know that the Prairie Rose Chapter of the Kansas Society of the Daughters of the American Revolution joins with me in urging all Americans to renew their commitment to, and understanding of, our Constitution.

25TH ANNIVERSARY OF THE HERITAGE HILL FOUNDATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. GREEN of Wisconsin. Mr. Speaker, this week in my home town, the Heritage Hill Foundation will celebrate its 25th anniversary. I'm proud today to offer a few remarks honoring this exciting occasion before the House.

It's hard to believe that the Heritage Hill Foundation is 25 years old. Back in 1975, a few folks got together and decided that they were going to dedicate themselves to creating a museum of living history right in Brown County. They banded together and founded the Heritage Hill Foundation.

Over the years, this foundation has been a model organization—serving as the example for other state and local groups to follow as they sought to improve their communities.

I'm proud to have served on the board of this foundation. But I'm even more proud of what it has achieved. It has turned that dream of a living history museum into the reality that today stands as Heritage Hill State Park.

The foundation has a long list of achievements to its credit. It has raised millions for the creation and operation of Heritage Hill State Park. It has restored century-old buildings to their original glory, and built new reproduction structures that make the past come alive for the generations of today and tomorrow.

The successes of Heritage Hill are a direct result of the commitment and hard work by all those involved with Heritage Hill Foundation, and the support and help offered by our community. They're also the result of the enthusiasm of those folks, young and old, who visit Heritage Hill and remind all of us involved in the project that our investment has truly paid off.

Thank you, Heritage Hill Foundation.

BLUE RIBBON SCHOOL WINNER

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Rancho Bernardo High School in Rancho Bernardo and its leaders, Principal, Paul Gentle and Superintendent, Dr. Bob Reeves. Rancho Bernardo has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County Schools who pulled together in pursuit of education excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Rancho Bernardo High School's superior work be included in the record:

Stimulated by vibrant young professional families and grounded by the wisdom, vision, and experience of a large senior population, Rancho Bernardo High School (RBHS), located in a suburban community in San Diego, California, is teeming with energetic activity. The ethnic and age diversity of the community provides a firm foundation and strongly impacts the educational experience of RBHS students. The students, along with the encouragement and support of the staff and families,have brought pride to the community and they took the school to new heights last year when Rancho Bernardo was recognized as a California Distinguished School.

Rancho Bernardo High School offers academic programs that are rigorous and challenging for all students. The programs include advanced placement courses in all academic areas, a model Advancement Via Individual Determination (AVID) program, support courses in the areas of math and English, online courses in math and civics, a BRIDGES program for at-risk students (connecting the students to the Bronco community and paving avenues for success), a community mentor program, a ninth grade interdisciplinary academy, incredible visual and technical arts offerings, and academic courses that are linked tightly to academic standards. Technology also plays an incredible role in student learning. Presently, every classroom on campus is home to a minimum of one computer, in addition to the 24 in the Library Media Center. With the campus networked and computers having access to the Internet, modern technology is provided for all students, wherever they are on campus. Ultimately, the RBHS school community is anchored by its prime goal, All Students Learning—Whatever It Takes. This goal drives the competent and caring staff and fosters positive relationships with the citizens of Rancho Bernardo.

TRIBUTE TO DR. SVEN-PETER MANNSFELD

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CALLAHAN. Mr. Speaker, just a few weeks ago, one of my constituents and friends, a chemist and civic leader of the First District of Alabama, retired after a 36-year tenure with Degussa-Huls Corporation. Dr. Sven-Peter Mannsfeld deserves to be recognized for his accomplishments and contributions.

The son of Dr. Wilhelm Mannsfeld and Dr. Margarita Mannsfeld, Dr. Sven-Peter Mannsfeld was born in Riga, Latvia, on July 24, 1935. He became a German citizen in 1939 and an American citizen in 1989. Now, he and his wife, Sybille Elise Spormann Mannsfeld, have three accomplished sons of their own, Percy, Boris and Andy.

Dr. Mannsfeld is a chemist. He studied at the ''Max Planck Institut fur Kohleforschung'' in Rostock, Dresden, Bonn, and Gottingen, Germany and, finally, at the University of

Gottingen where he earned his Masters in Chemistry and, later, his Ph.D. in Natural Sciences. In 1964, he began his career with Degussa working for various plants in the Cologne region of Germany. Then, in 1971, he went on to the Degussa AG headquarters in Frankfurt where he worked in Project Management for Research, Development and Production Projects. Two years later Dr. Mannsfeld was put in charge of finding a site for a plant in the United States, and soon thereafter, Mobile welcomed Dr. Mannsfeld into the community.

In 1973, Dr. Mannsfeld became president of Degussa Alabama, Inc. and also served as Plant Manager for Degussa's Theodore Plant operations. Later, in 1977, he became the executive vice president of technology, engineering, and plant services for all Degussa sites in the United States. Finally, in 1999, Dr. Mannsfeld became the executive vice president and chief technical advisor to the CEO and a member of the Board of Directors of Degussa-Huls Corporation. It is from this position that Dr. Mannsfeld has recently retired.

Bringing Degussa to Mobile was the singular vision of Dr. Mannsfeld and for nearly 30 years, Degussa and the citizens of south Alabama have benefited from this mutually beneficial relationship.

In addition to his service and leadership in Degussa, Dr. Mannsfeld has greatly contributed to the city of Mobile and all of Alabama. Shortly after becoming a United States citizen in 1989, Dr. Mannsfeld became chairman of the Business Council of Alabama in 1990. Following his Distinguished Service Cross award (in which the president of the Federal Republic of Germany presented him with the ribbon of the Distinguished Service Medal of the Republic), he was named Honorary Consul of the Federal Republic of Germany for Alabama. Dr. Mannsfeld was a participant from 1994 to 1997 in the Mercedes Alabama Project-Tuscaloosa, which ended up successfully bringing Mercedes-Benz to Alabama.

From 1995 to 1998, he was involved in the Mitsubishi Polysilicon Project in Mobile and from 1997 to 2000, with the Phenolchemie Mobile/Theodore Project. Additionally, he was instrumental in moving forward the important Theodore Industrial Park Dock Project. Finally, from 1998 to 2000, he participated in the Alabama Power Theodore Cogeneration Project. In 1999 Dr. Mannsfeld was named to the Board of Directors of Atlantic Marine Holding Company.

Dr. Mannsfeld's accomplishments and contributions do not end there, however. He additionally serves as a member of distinguished organizations such as the Mobile College Fellows, the American Chemical Engineers, the Midgulf Business Roundtable, the Alabama Chemical Association, the Board of Regents of Spring Hill College, The University of Alabama at Birmingham Advisory Council, the National Association of Manufacturers, and the Alabama School of Math and Science. In addition to this already impressive and exhaustive list, Dr. Mannsfeld has served on the Board of Directors of Degussa Corporation, the Ultraform Company, Nilok, Inc., Compass Bank of Mobile, and the Board of Directors of the Business Council of Alabama.

Dr. Mannsfeld is also a former member of many other Boards of Directors. These include the National Association of Manufacturers, the Associated Industries of Alabama, the Alabama Chemical Association, the Doctors Hospital, the YMCA-Chandler Branch, Mobile, WHIL Gulf Coast Public Broadcasting Company, the Mobile United Way, the Mobile United-Civic Organization, the Independent Colleges of Alabama, the Better Business Bureau, and the Mobile Area Chamber of Commerce.

Dr. Mannsfeld has added to the social aspect of Mobile and elsewhere through other noteworthy organizations. He belongs to the Corps Teutoni Hercynia Gottingen (a university fraternal organization), the Mobile Country Club, Ducks Unlimited, the Degussa Hunting Club, the Alabama Wildlife Federation, the Gulf Coast Conservation Association, the Audubon Society, the Mystical Carnival Society, and the U.S. Chess Federation.

Dr. Mannsfeld's contributions, both civic and business, have greatly impacted the citizens of south Alabama. While he has formally retired from the Degussa Corporation, it is my sincere hope and wish that south Alabama and the constituents I represent will continue to benefit from his presence and engagement in civic and business affairs.

Thank you, Dr. Mannsfeld, for all your many contributions to our community. May your retirement bring you many challenging, relaxing and enjoyable years.

CONGRATULATING HON. LEE TERRY ON THE BIRTH OF HIS SON

HON. JIM DeMINT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. DEMINT. Mr. Speaker, on behalf of the Republican freshman class, I would like to congratulate Congressman LEE TERRY of Nebraska on the birth of his baby boy, Jack William Terry.

On the fourth of July, at 11:40 p.m., Mr. TERRY and his wife, Robyn, welcomed an eight pound, seven ounce child into this world. We sincerely congratulate both Mr. and Mrs. Terry on this joyous occasion as they enter into their new life as parents. May God bless the gentleman from Nebraska and his new family, and may Jack Terry live a long and prosperous life.

A TRIBUTE TO DAVID KATZ, MUSIC DIRECTOR AND PRINCIPAL CONDUCTOR OF ADRIAN SYMPHONY ORCHESTRA

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. SMITH of Michigan. Mr. Speaker, on Friday, September 22, 2000, David Katz will conduct his final performance as music director and principal conductor of the Adrian Symphony Orchestra and OPERA! Lenawee. It is with great pleasure that I congratulate him on his past twelve seasons of service.

Under his leadership the Adrian Symphony has grown into one of Michigan's top five orchestras, has built its own professional opera company, OPERA! Lenawee, hosted Itzhak Perlman as the most famous of dozens of exceptional solo artists, been cheered in dozens of venues in four countries and two states, and has made us more proud of our orchestra and more excited about great music than we ever thought possible.

David Katz worked to break down the barriers which often separate classical music and opera from many people, instituting educational programs for both adults and children. His programming of concerts continually challenge the musicians, as well as the audience, through presentation of a broad variety of music and through increasing the breadth and scope of programming offered, adding opera, ballet and chamber music to the Adrian Symphony Orchestra during his tenure.

David's devotion and determination to both the Adrian Symphony Orchestra and his community is to be applauded and I am honored to recognize him and wish him continued success in his future endeavors.

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Mesa Verde Middle School in Scripps Ranch and its leaders, Principal, Sonya Wrisley and Superintendent, Dr. Bob Reeves. Mesa Verde has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they

have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Mesa Verde Middle School's superior work be included in the record:

Mesa Verde Middle School, located in Rancho Penasquitos, a suburb of northern San Diego, California, exemplifies the educational heights that can be attained when a solid partnership exists between school and community. All members of this team are completely committed to their philosophy of ''doing everything possible to help each student succeed'', while maintaining strong academic integrity. Their school vision for 2002 states that ''Mesa Verde Middle School will create an enhanced learning experience and a unique community environment for all students.'' The success of Mesa Verde's rigorous curriculum is evidenced by consistently high performance on standardized tests and underscored by earning the maximum six-year Western Association of Schools and Colleges (WASC) accreditation. Among their noteworthy accomplishments are two wellness programs. Mesa Verde's wellness budget enables them to have a teacher on special assignment (TOSA), devoting a full period each day to drug, alcohol, and tobacco prevention education. The second program, ''Names Can Really Hurt You'' was nationally recognized in Washington D.C. and fosters tolerance of diversity in the classroom and on campus. A 50% drop in negative name calling infractions best illustrates the success of this program.

Mesa Verde provides an excellent education to culturally and ethnically diverse middle class population. Their site is designed to accommodate students with a wide range of academic abilities and physical challenges. Designed with technology in mind, Mesa Verde has become Poway Unified School District's model school. Four computer labs are housed at Mesa Verde and each classroom is networked to the Internet and e-mail. A distinct feature of the campus is the village concept design. Classrooms are grouped together and house a single grade level.

And added strength of Mesa Verde is the varied ''safety nets'' in place to ensure that students progress and succeed socially as well as academically. Innovative programs such as Peer Mediation, Natural Helpers, Eagle Groups, and Student Outreach Services (SOS) teach students to deal effectively with their emotional needs and to interact successfully with their peers. A commitment to excellence is the cornerstone for all of Mesa Verde's programs. Providing excellence in all they do, Mesa Verde is exemplified by a dedicated, hardworking staff, who truly love children. They base all decisions on what is best for their students. The entire school community: staff, students, parents and community, works together to provide the best possible education for all students.

2000 PARALYMPICS

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. REYNOLDS. Mr. Speaker, as the eyes of the world are fixed on Sydney, Australia, and the games of the 27th Olympiad, I rise to ask this House to glance closer to home, to Western New York, to share in an inspiring story of personal triumph and the spirit of athletic competition.

On Wednesday, September 20, 2000, friends and supporters will gather at the Rochester Yacht Club to lend their support to sailors Keith Burhans, Paul Callahan and Richard Hughes and their quest for gold at the 2000 Paralympics to be held next month in Sydney, Australia.

Burhans of Monroe County lost both legs in a 1995 boating accident. Callahan, of Newport, Rhode Island, has been a quadriplegic since college. And Hughes is an amputee from Philadelphia. The three formed a world-class team that finished second in last year's World Disabled Sailing Championship.

But their story is even greater than their ability to tack around the tetrahedrons faster than their competitors. They have used their personal experiences to teach others to overcome barriers and test their limits.

Callahan reorganized and became CEO of the Shake-A-Leg program for the disabled in Newport. And Burhans joined the board of the Rochester Rehabilitation Center, which organizes SportsNet, a similar program that allows those with physical disabilities to participate in the able-bodied sports world.

In what became the first race of one of the oldest competitions in sport, the America's Cup, a young Queen Victoria watched as the yacht ''America'' plowed across the finish line. When she asked her courtier to search the sea and identify which boat was second, he took a long took through his telescope and replied: ''Your majesty, I regret to report, there is no second.''

To Keith Burhans, Paul Callahan and Richard Hughes, I am pleased to report that your personal courage, your triumph over adversity, and your devotion to athletic competition has already made each of you, like the 1851 crew of the ''America,'' a winner.

Mr. Speaker, I ask that this House of Representatives join me in saluting the achievements of these three extraordinary men, and that we further extend to them the best of luck at the games of the 2000 Paralympics.

IN HONOR OF RUSSELL BINNEY

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MORAN of Kansas. Mr. Speaker, today I pay tribute to a man who positively influenced the lives of many people. Earlier this month, Mr. Russell Binney of Ulysses, Kansas passed away. Russ fulfilled many important roles in his life-each of them with integrity, compassion, and dedication.

Russ proudly served his country in the United States Navy during World War II and as a lifelong member of the American Legion. Upon returning to Ulysses, he founded Binney Better Foods, Inc. For more than 40 years, Russ and his wife Virginia provided retail grocery service to the citizens of Grant County. In that time, Russ's business experienced and adapted to change. However, one thing remained constant: Russ's commitment to providing a quality product with first-rate customer service.

Russ served his community in additional ways. He was past president of the Ulysses Rotary Club and earlier this year received the Rotary 2000 Distinguished Service Award. Russ was a leader and former chairman of the Grant County Republican Party. He was a member and elder of the Shelton Memorial Christian Church. His devoted involvement in Gideon International strengthened his faith. In 1990, Russ' friends and neighbors recognized his many years of accomplished service by selecting him as the Grant County Citizen of the Year.

I have walked Main streets of many Kansas communities. In Ulysses, my objective was always to walk the business district with Russ Binney. Everyone liked you if you were with Russ. Always a smile and handshake for the men and a kiss for the women. He brightened everyone's day. No person in any Kansas town ever received a warmer reception than when Russ met one of his customers or neighbors.

Most important to Russ was his family. Over the course of their 54 years together, he and Virginia raised their son Cary and daughters Janet, Rhonda, and Tammy. They also devoted endless love and attention to seven grandchildren and seven great grandchildren.

Russell fulfilled many important roles in his life-each of them with integrity, compassion, and dedication. I join his many friends and admirers in extending my deepest sympathies to Virginia and her family during their time of loss.

CONFERENCE REPORT ON H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2000

SPEECH OF

HON. ROBERT E. (BUD) CRAMER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 2000

Mr. CRAMER. Mr. Speaker, I rise to express very serious concerns about this legislation that we are considering on the floor today. Section 205 of this conference report prematurely directs NASA—and I stress the word ''directs''—to establish a nongovernmental organization to manage microgravity research and commercialization activities aboard the International Space Station.

Mr. Speaker, in this Body the International Space Station does not have a stronger supporter than myself. While I sat on the Science Committee, I fought to fence-off microgravity research funds from hardware cost overruns and preserve the benefits of the Station for our taxpayers. Year after year, I'm on this Floor defending the Space Station against various wounding and killing amendments. But I'm concerned that unless we're careful, this language in Section 205 may move the taxpayer investments in Space Station backwards, rather than forwards.

This language was not considered during the normal House subcommittee or full committee markup process, but was added into the bill in conference. The House hasn't held any hearings on this matter. It's not even clear to me where NASA will get the funding for this initiative. What will happen to the government

resources like the Station's new Payload Operations and Integration Facility at the Marshall Space Flight Center? Will there be a duplication of facilities at the taxpayer's expense?

It is just not obvious to myself and others how handing this work to the private sector would benefit the taxpayers or NASA. In fact, it could be detrimental. We've found that to be the case when NASA management was too far removed from two recently failed missions to Mars. By NASA Administrator Dan Goldin's own admission, NASA moved too far away from the actual work taking place on its programs. We must be careful to avoid making a similar mistake with the science operations aboard the Space Station. NASA civil servants look after the nation's interests and report to the NASA Administrator Dan Goldin, who answers to us—Congress. There are no guarantees that a non-governmental organization will look after the nation's interests or have any direct responsibility to this Body. Mr. Speaker, where is the accountability in this plan?

Some people argue that a non-governmental organization managing the Hubble Space Telescope at the Space Telescope Science Institute is working well. But its mission is mostly one of science management while the mission of this proposed organization would be one of commercialization—two very different animals. Common sense tells me that the introduction of commercialization into any process also introduces an entirely new set of unique and complex issues that need to be thoughtfully considered.

Mr. Speaker, I'm also concerned that the civil servants currently managing the NASA microgravity program have had little or no meaningful opportunity to comment on this plan. These are our Nation's experts on this issue, tasked to look out for the taxpayer's interests, and they've not even been given an opportunity to voice their thoughts on this action.

Mr. Speaker, I honestly don't know if this is a good or bad idea, but why is it being pushed through in such a hasty manner? Why are we prematurely directing NASA to implement this NGO, rather than coming back to us with a plan that can be examined in the light of day before we give them a green light? Mr. Speaker, if this really is good for our Nation, then nobody should object to holding hearings and giving this the thought that it truly deserves.

I will vote for this conference report today, because there are a number of provisions in it that will be good for our space program, but I am going to continue to try to work with my Colleagues to take a closer look at this plan to transfer Space Station responsibilities to a non-government organization.

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Meadowbrook Middle School in Poway and its leaders, Principal, Susan Van Zant and Superintendent, Dr. Bob Reeves. Meadowbrook has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Meadowbrook Middle School's superior work be included in the RECORD:

Located in Poway, California, Meadowbrook Middle School is an energetic and nurturing middle school where young adolescents are valued and respected. It is the school's vision that each student will master the knowledge, and develop the skills and attitudes essential for success in school and society. The staff is committed to providing a strong instructional program based upon high academic, behavioral, and social standards by the use of a challenging curriculum and supportive environment for sixth, seventh, and eighth graders. To achieve rigorous standards, the school staff, parents, and other members of the community work together. They provide a well rounded, quality program designed to meet diverse student needs. Their cooperative spirit and dedication to our core value of all students learning keep them focused on providing a well-balanced program designed to excite, build upon interests, and involve students in the process of becoming lifelong learners. Learning does not end at the end of sixth period, but rather it continues through co-curricular sports, clubs, library research, tutorials, and interaction with staff in a less formal setting.

The school has a tradition of active parent/community involvement. This past year their PTA was recognized as one of the top ten units in California. Meadowbrook values and rewards student achievement in academics, the arts, athletics, and personal development. Curriculum, instructional practices, and student programs are driven by current research and assessment data. It is truly a school where students succeed as evidenced by their increasing test scores, high rate of student attendance, and their overall positive and caring school environment.

TO HONOR MR. ED ROBSON ON HIS 70TH BIRTHDAY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. PASTOR. Mr. Speaker, I rise before you today to pay tribute to the man behind one of the largest home building operations in America, Mr. Ed Robson. As he prepares to make his 70th birthday on September 21st, I'd like to share the history of this outstanding American and Arizonan with my colleagues.

Known as the man behind Robson Communities, Ed grew up in a middle class home environment in Boston, Mass. Although he knew the value of a good education, his love for sports and adventure was greater. After graduating in 1954 with a degree in business and banking from Colorado College in Colorado Springs, Ed played hockey for Team U.S.A. and was an alternate member of the U.S. Olympic Hockey Team. After leaving the hockey team, Robson joined the U.S. Marine Corps and was assigned as a naval aviator at Pensacola. He served for five years as a helicopter pilot and attained the rank of Captain before leaving the Marines.

Ed began his impressive career as a home builder in 1960, when he decided to pursue real estate and joined Coldwell Banker in Arizona as a real estate agent. He quickly became a broker for one of their offices. He left Coldwell Banker in 1962 and joined the Del Webb Corporation, which is his chief competitor today. As Director of Corporate Sales for the Del Webb Corporation, Robson gained immeasurable experience in all areas of the construction business.

In 1965, Robson decided to leave Webb to test his expertise and budding entrepreneurial spirit with his own real estate projects. With two other Webb employees, Robson marketed resort home sites in Bullhead City, Arizona, and then developed the Pinewood Golf Community in Flagstaff, Arizona. The success of these projects enabled Robson to acquire farmland in 1972, which became Sun Lakes. Robson's competitive drive and business acumen carried him through some tough periods including the energy crisis and recession.

Today, Sun Lakes is a 3,500-acre community with more than 14,000 residents. Robson also markets and develops three other active adult communities in Arizona and recently announced expansion plans in Texas. Robson Communities and its affiliated companies employ more than 1,170 employees and have closed more than 12,500 homes.

Father of five children and grandfather of 13, Robson still finds time to participate in community affairs. He was the 1993 Heart Ball Honoree Chairman and was instrumental in netting approximately $1 million for the American Heart Association. In 1994, he was the

chairman for the Phoenix Boys and Girls Clubs and remains active on their Board of Directors. Robson also is or has been involved with a number of civic boards including Bank One, St. Luke's Foundation, United for Arizona and American Heart Association.

Robson's extraordinary achievements have not gone unnoticed. Arizona State University named him ''Entrepreneur of the Year'' in 1994 and Ernst & Young named him the same in 1996. In 1998, Northwood University named Robson one of the ''Outstanding Business Leaders'' in the United States. He was also the recipient of the 1998 Ellis Island Medal of Honor whose past honorees have included Presidents Bill Clinton, Ronald Reagan, and George Bush. Also included in this list of honorees is Frank Sinatra, Bob Hope, Mickey Mantle and Barbara Walters. Robson's personal favorite achievement was his induction into his High School Hall of Fame in Arlington, Massachusetts.

As you can see, Ed leads by example. He is truly an outstanding individual who deserves to be recognized. Therefore I ask you to please join me in wishing my friend Ed Robson a Happy 70th Birthday and continued success.

Mr. Speaker, I rise before you today to pay tribute to the man behind one of the largest home building operations in America, Mr. Ed Robson. As he prepares to mark his 70th birthday on September 21, I'd like to share the history of this outstanding American and Arizonan with my colleagues.

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INTRODUCTION OF THE ''NEEDLESTICK SAFETY AND PREVENTION ACT''

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. OWENS. Mr. Speaker, I am proud to join with my colleague, the Chairman of the Subcommittee on Workforce Protections of the Committee on Education and the Workforce, the Honorable CASS BALLENGER, to introduce the Needlestick Safety and Prevention Act. This legislation modifies the Bloodborne Pathogens Standard (29 C.F.R. 1910.1030) issued in 1991 by the Occupational Safety and Health Administration of the U.S. Department of Labor to improve the protection afforded to health care workers from the spread of bloodborne pathogens such as the HIV virus, hepatitis B, and hepatitis C, as a result of accidental needlesticks and other percutaneous injuries.

Though controversial at the time it was issued, today all agree that the Bloodborne Pathogen Standard has helped to significantly reduce the spread of bloodborne pathogens among health care workers. There is, however, more that can be done.

In March, the Center for Disease Control and Prevention estimated that more than 380,000 needlestick injuries occur in hospitals every year. At an average hospital, there will be an estimated 30 reported needlestick injuries for every 100 beds. It is estimated that there are between 600,000 and 800,000 needlestick injuries every year in all health care settings. Nurses, doctors, laboratory staff, emergency medical technicians, and housekeepers have all been victimized by needlesticks. Needlestick injuries may account for as much as 80% of occupational exposures to blood.

Needlestick injuries, unfortunately, are not uncommon among health care workers. However, they are by no means trivial. Needlestick injuries impose unnecessary and unacceptable costs on our health care system. Costs to employers associated with followup medical examinations to determine whether needlestick victims have been infected by a bloodbone pathogen are by no means insignificant and can run into the thousands of dollars. Where workers are found to have been infected as a result of a needlestick injury, costs of treatment and compensation can easily run into the hundreds of thousands of dollars. For those who are infected as a result of a needlestick injury, the costs cannot be measured in dollars, they are life-threatening.

At a hearing held on this subject in June, the Subcommittee on Workforce Protections heard from Karen Daley who testified on behalf of the American Nurses Association. In July 1998, Ms. Daley reached into a needle box with a gloved hand to dispose of a needle with which she had drawn blood and was stuck by a needle. Five months later, she was diagnosed with both HIV and hepatitis C. Ms. Daley has had to give up direct nursing care, work that she loves and had performed for twenty years. Ms. Daley has suffered weight loss, nausea, loss of appetite, hair loss, headaches, skin rashes, severe fatigue, and bone marrow depression as a consequence of treatments for her injury. Her life now revolves around treatment for her diseases. Even more seriously, current research indicates that co-infection of HIV and hepatitis C can accelerate progression to liver failure and may lead to cirrhosis, cancer, or failure in five to ten years.

What is most tragic about Ms. Daley's story and that of many like her is that her injury was not simply accidental, it was unnecessary and therefore inexcusable. In Ms. Daley's own words:

> [T]his injury did not occur because I wasn't observing universal precautions. I did everything within my power—taking all the necessary precautions including wearing gloves and following proper procedures—to reduce my own risk of exposure to bloodborne pathogens. This injury did not occur because I was careless or distracted or not paying attention to what I was doing. This injury and the life-altering consequences I am now suffering should not have happened. And, worst of all, this injury did not have to happen and would not have happened if a safer needle and disposal system had been in place in my own work setting.

It is estimated that 80% of all needlestick injuries could be prevented if greater use is made of available sharps with engineered sharps injury protections, such as retractable needles, and needleless systems. Since the publication of the bloodborne pathogen standard, there has been a substantial increase in the number and assortment of effective engineering controls that are commercially available. There is a large body of research concerning the effectiveness of engineering controls, including safer medical devices. Further, there is general consensus among health care employers as well as health care workers that

the overall cost of using sharps with engineered sharps injury protections and needleless systems is substantially cheaper than the costs of contending with unnecessary needlestick injuries associated with the use of less safe devices.

The under-utilization of safer medical devices is a national issue. As of August 31st, sixteen States had already enacted legislation requiring the use of safer medical devices and a seventeenth was in the process of doing so. The State laws, however, only partially address the concern. They may not be applicable to private health care sector workers and impose differing requirements that may create burdens for both employers and medical equipment manufacturers. Legislation introduced earlier in this Congress by the Hon. FORTNEY PETE STARK and the Hon. MARGE ROUKEMA to address this same issue, the Health Care Worker Needlestick Prevention Act, H.R. 1899, currently has 187 cosponsors.

To its credit, the Occupational Safety and Health Administration (OSHA) has already acted to ensure that there is greater use of sharps with engineered safety protections and needless systems. In November 1999, OSHA issued a revised Compliance Directive on Enforcement Procedures for Occupational Exposure to Bloodborne Pathogens and has sought to highly publicize the new compliance directive. One of the principal purposes for issuing the new directive was to emphasize the requirement that employers identify, evaluate, and make use of effective safer medical devices in order to minimize the risk of occupational exposure to bloodborne pathogens.

The legislation that Mr. BALLENGER and I are introducing today builds on OSHA's efforts. By making modest changes in the bloodborne pathogen standard, this legislation, if adopted, will help to achieve substantial improvement in the safety and health of American health care workers. This legislation will help to ensure that health care workers use the safest available medical devices, that they are trained to ensure proper usage, and that employers and workers review and learn from experience to ensure continued improvement.

Specifically, the legislation amends the standard to provide for definitions of ''engineering controls,'' ''sharps with engineered sharps injury protections,'' and ''needleless systems'' in order to provide greater clarity of the requirements of the standard. The legislation ensures that employers regularly monitor and assess the development of ''appropriate commercially available and effective safer medical devises'' and implement use of the such devises appropriately. It further ensures that those who must use the equipment will have a voice in its selection and will be properly trained in its use. Finally, the legislation promotes greater awareness and more active vigilance by ensuring that needlestick injuries are monitored and tracked.

In developing this legislation, Mr. BALLENGER and I have sought the greatest possible consensus. For example, I have reluctantly agreed to leave aside for now the issue of extending the protections of the bloodborne pathogen standard to health care workers employed by state and local governments. We have sought to address the concerns of both health care employers and health care workers. While reinforcing the requirement that safer medical devices be used where they are commercially available, this legislation does not mandate the use of engineered controls where such controls are not commercially available. Neither this legislation, nor the underlying standard it amends, requires anyone to use any engineering control, including a safer medical device, where such use may jeopardize a patient's safety, an employee's safety, or where it may be medically contraindicated. This legislation leaves intact all of the affirmative defenses available to employers related to the use of engineered controls under the Bloodborne Pathogens Standard. Finally, we have worked closely with OSHA to ensure that this legislation appropriately builds upon and compliments the existing standard.

In conclusion, I want to thank the many people who have worked with Mr. BALLENGER and I to develop this legislation. For my part, I want to especially thank Madeleine Golde and Lorraine Theibaud of the Service Employees International Union; Barbara Coufel of the American Federation of State, County, and Municipal Employees; Bill Cunningham of the American Federation of Teachers; and Stephanie Reed and Karen Daley of the American Nurses Association. Finally, I would like to pay special tribute to Peggy Ferro. At a 1992 hearing by another committee entitled ''Healthcare Worker Safety and Needlestick Injuries,'' Ms. Ferro testified about how she contracted HIV from a conventional needle. Ms. Ferro died in 1998. I sincerely commend Chairman BALLENGER for his efforts to ensure that we are more responsive to Ms. Daley than we were to Ms. Ferro.

INTRODUCTION OF THE NEEDLESTICK SAFETY AND PREVENTION ACT

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. BALLENGER. Mr. Speaker, I am joined by my colleague and ranking member of the Subcommittee on Workforce Protections, the Honorable MAJOR R. OWENS, in the introduction of the Needlestick Safety and Prevention Act. This bipartisan legislation will address an important public health issue confronting our nation's health care workers.

The Needlestick Safety and Prevention Act derives from the convergence of two critical circumstances that have a profound effect on the safety of health care workers. The first circumstance is the increased concern over accidental needlestick injuries suffered by health care workers each year in health care settings. ''Needlesticks'' is a term used broadly, as health care workers can suffer injuries from a broad array of ''sharps'' used in health care settings, from needles to IV catheters to lancets. The second circumstance is the technological advancements made over the past decade in the many types of ''safer medical devices'' that can be used in health care settings to help protect health care workers against sharps injuries.

The Needlestick Safety and Prevention Act would modify the Bloodborne Pathogens Standard (29 CFR 1910.1030), one of the leading health and safety standards promulgated by the Department of Labor's Occupational Safety and Health Administration (OSHA). The legislation builds on the most recent action taken by OSHA related to the Bloodbome Pathogens Standard—the November 1999 revision of OSHA's Compliance Directive on Enforcement Procedures for the Occupational Exposure to Bloodborne Pathogens.

The concern about accidental injuries to health care workers from contaminated sharps first entered the public consciousness in the mid-1980's as concern over the AIDS epidemic grew, along with concern about the spread of hepatitis B. By the end of the decade, there were a number of documented cases of health care workers contracting the HIV virus by accidentally getting stuck with a needle when treating a patient. In 1991, responding to many of those concerns, OSHA issued the Bloodborne Pathogens Standard, which specified workplace safety requirements to protect against occupational exposure to bloodborne pathogens.

Since that time, numerous studies have demonstrated the continuing serious risk to health care workers of percutaneous injuries from contaminated sharps. In March of this year, the Centers for Disease Control and Prevention estimated that more than 380,000 percutaneous injuries from contaminated sharps occur annually among health care workers in United States hospital settings. Estimates for all health care settings are that 600,000 to 800,000 needlestick and other percutaneous injuries occur among health care workers annually. At an average hospital, workers incur approximately 30 reported needlestick injuries per 100 beds per year. While most reported needlestick injuries involve nursing staff—laboratory staff, physicians, housekeepers, and other health care workers are also injured.

At a Subcommittee on Workforce Protections hearing in June, Mr. Charles Jeffress, the Assistant Secretary of OSHA, testified about the most recent federal action to address this issue—OSHA's revised Compliance Directive on Enforcement Procedures for Occupational Exposure to Bloodborne Pathogens. While the goals of the Bloodborne Pathogens Standard are clearly stated, many aspects of the standard give employers considerable flexibility in choosing the methods most feasible for accomplishing those goals. Thus, the standard directs employers to use engineering controls and work practices to eliminate or minimize employee exposure to bloodborne pathogens, but it does not list or specify particular engineering controls (such as which medical devices) that employers must use. This approach allows the rule to take into account the continual progress of medical research and technology and the diversity of workplaces and workplace operations and processes, and allows the employer to detennine what engineering controls will provide the best protection.

A highlight of the revised Compliance Directive, and indeed one of the main reasons for its revision, is the emphasis on the need for employers to identify, evaluate, and make use of effective commercially available engineering controls, including ''safer medical devices'' to reduce or minimize the risks of occupational exposure to bloodborne pathogens. These devices are also referred to as ''safety devices'' or ''safe-needle devices,'' but their common element is that they have a built-in safety mechanism that reduces or eliminates exposure to the needle or sharp. Neither the Compliance Directive, nor the current bloodborne

pathogens standard advocates the use of one particular device over another.

At the Subcommittee hearing, a consensus among all of the witnesses was that choosing and using a safer medical device is a complicated process for many reasons, not the least of which is that most health care settings, particularly hospitals, are enormously complex work environments. While no one type of intervention in the workplace will completely eliminate the risk of exposure, numerous studies have demonstrated that the use of safer-medical devices, when they are part of an overall bloodborne pathogens risk-reduction program, can be extremely effective in reducing accidental sharps injuries.

Witnesses also stressed the importance of including health care workers in the selection and evaluation of newer devices. This is particularly so because there are many types of safer medical devices available on the market and using them may involve some adjustment in technique on the part of the health care worker. It is also important for facilities to have some type of surveillance system, such as a sharps injury log, in place to monitor the sharps injuries. This type of system is useful both for helping a facility track its high risk areas and for evaluating which types of devices are most effective.

While the revised OSHA Compliance Directive emphasizes ''safer medical devices,'' the Bloodborne Pathogens Standard does not include safer medical devices in its examples of engineering controls. And so, this legislation would include that language in the Bloodborne Pathogens Standard.

The bill requires that the Bloodborne Pathogens Standard explicitly state that employers must document in their Exposure Control Plans the consideration and implementation of appropriate commercially available and effective engineering controls, such as safer medical devices. This legislation does not advocate the use of one particular device over another and it would not change the flexible-performance-oriented nature of the Bloodborne Pathogens Standard.

In addition, the bill would add two new sections to the Bloodborne Pathogens Standard. The first section adds a new part to the Standard's recordkeeping section, specifying that employers maintain a ''sharps injury log'' for the recording of percutaneous injuries from contaminated sharps. Through the use of this log, employers would be able to better monitor sharps injuries and by doing so, better evaluate high risk areas and the types of engineering controls and devices that are most effective in reducing or minimizing the risk of exposure. Employers may decide what information is useful and the information must be recorded in such a manner as to protect the confidentiality of the injured employee. The log would record the type of device used, an explanation of the incident and where it occurred. Employers who are exempt from maintaining OSHA 200 logs, such as employers with 10 or fewer employees, would likewise be exempt from maintaining a sharps injury log.

A second section would be added to the Bloodborne Pathogens Standard to specify that employers solicit input from frontline health care workers (non-managerial employees responsible for direct patient care) in the identification, evaluation and selection of effective engineering and work practice controls and to document that solicitation in the Exposure Control Plan.

Sixteen states have already passed some type of safe needle legislation over the past two years and many other states are considering similar legislation. These state actions result in coverage of state public health care facilities and state public employees both of which are not reached by federal OSHA, except in those states which are OSHA state plan states. I hope that our action on the federal level will encourage more states to take similar action—as it is well within their prerogatives to do—and adopt the same standards as those we are putting forward today for inclusion in the federal Bloodborne Pathogens Standard.

I also want to point out that many of the state bills that have passed and been signed into law during the past two years, beginning in California, have included a number of explicitly stated exceptions to the requirement for the use of safer medical devices. The lack of explicitly stated exceptions in this legislation may cause some concern for those upon first review. I emphasize there should be no cause for concern. The current Bloodborne Pathogens Standard, which we are revising through this legislation, does not contain explicitly stated exceptions. Therefore, all of the traditional defenses, including affirmative defenses available to an employer related to the use of engineering controls under the current Bloodborne Pathogens Standard, remain in effect even as to the use of safer medical devices. I would point out also that the requirement in this legislation for the consideration and implementation of safer medical devices is hinged upon the ''appropriateness'' and the ''commercial availability'' of such devices. Finally, while this may be stating the obvious, it is not the intent of this legislation, nor for that matter of the current Bloodborne Pathogens Standard, for employers to implement use of any engineering control, including a safer medical device, in any situation where it may jeopardize a patient's safety, an employee's safety or where it may be medically contraindicated.

Finally, I would like to commend the many groups who have worked so diligently on this issue over the past few years and worked so hard to reduce sharps injuries for health care workers. The broad consensus we have reached on this issue is due in no small part to the work of the American Nurses Association, the American Hospital Association, manufacturers and many others who represent health care workers. I especially want to thank Karen Daley, who testified at the hearing in June about her personal experience on behalf of the American Nurses Association.

More than 8 million health care workers in the United States work in hospitals and other health care settings. I urge my colleagues to support the Needlestick Safety and Prevention Act, which is designed to make their work places safer.

BLUE RIBBON SCHOOL WINNER

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Black Mountain Middle School in Penasquitos and its leaders, Principal Miguel Carillo and Superintendent, Dr. Bob Reeves. Black Mountain has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Black Mountain Middle School's superior work be included in the record:

Black Mountain Middle School, located in Rancho Penasquitos, a suburb of San Diego, California, is a vibrant, progressive school community that continually strives to reach the district's mission of all All Students Learning—Whatever It Takes. They have a 25-year tradition of excellence, high expectations, and strong support for student learning, Staff, parents, and students work together to create a dynamic learning environment which engages students in learning and achievement. A caring, committed staff provides the cornerstone while standards, varied learning opportunities, and enriched curriculum provide the foundation for our successful school. As a California Distinguished School and former Blue Ribbon School recipient, Black Mountain meets the needs of a diverse student population in a residential area in the north county of San Diego.

Black Mountain recognizes the challenges its students will face as they enter the 21st century. Therefore they provide them with a solid academic program that lays the foundation of basic skills through a standards-based curriculum. Their three-period basic education configuration provides the framework for the study of language arts and social studies.

Combined, these core academic areas provide students with a powerfully integrated approach to learning that develops and enhances critical thinking and problem solving. Math courses provides students with a structure of concrete facts and skills and then make connections of abstract ideas to the real world. Science lays the groundwork of scientific ideas and principles for the students through their exploration and examination of content and application. Electives provide students with opportunities to explore the world of the arts, foreign language, and technology. With Poway Unified providing the foundation, Black Mountain forges ahead to create a community of learners that continually strive to attain their site mission of developing lifelong, active learners.

THE HUMAN RIGHTS INVESTMENT ACT—H.R. 5196

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. GILMAN. Mr. Speaker, today I am introducing H.R. 5196, the Human Rights Investment Act of 2000. This measure will promote, protect and enhance human rights in United States foreign policy.

This legislation embodies a simple truth: if we really care about human rights, we need to invest in it.

Few issues—if any—receive as much rhetorical support in U.S. foreign policy as human rights. As a nation founded on a profound belief in freedom and individual rights, we focus a great deal of attention in supporting human rights advocates throughout the world.

But we have not matched our rhetoric with resources. We have not sufficiently invested in human rights.

Until recent congressional action forced an increase, the State Department Bureau of Democracy, Human Rights and Labor was by far the smallest ''functional'' bureau in the Department. It is still one of the very limited bureaus in the entire State Department.

Historically, the human rights bureau received about one-quarter of one percent of all State Department salaries and expenses. It still receives less than half of one percent.

We should put our money where our values are. One penny on the dollar is not too much to ask to support people risking their very lives for human rights.

Likewise, if it is not too much for the American people to ask that, if their tax dollars are paying for weapons sales and military training, then it is equally important that one penny out of every dollar be spent so that we know just what foreign governments are doing with U.S. weapons.

Letting the light shine on how governments are using taxpayer-funded military aid also requires an investment. But the good news is that it is relatively cheap—just one penny out of every dollar of U.S. military aid will do that work.

Accordingly, I urge my colleagues to support H.R. 5196. I submit the full text of H.R. 5196 be printed in the RECORD at this point.

H.R. 5196

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 ''Human Rights Investment Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Supporting human rights is in the national interests of the United States and is consistent with American values and beliefs.

(2) Defenders of human rights are changing our world in many ways, including protecting freedom and dignity, religious liberty, the rights of women and children, freedom of the press, the rights of workers, the environment, and the human rights of all persons.

(3) The United States must match its rhetoric on human rights with action and with sufficient resources to provide meaningful support for human rights and for the defenders of human rights.

(4) Congress passed and the President signed into law the International Arms Sales Code of Conduct Act of 1999 (Public Law 106–113; 113 Stat. 1501A–508), which directed the President to seek negotiations on a binding international agreement to limit, restrict, or prohibit arms transfers to countries that do not observe certain fundamental values of human liberty, peace, and international stability, and provided that such an international agreement should include a prohibition on arms sales to countries that engage in gross violations of internationally recognized human rights.

(5) The arms export end-use monitoring systems currently in place should be improved and provided with sufficient funds to accomplish their mission.

SEC. 3. SALARIES AND EXPENSES OF THE BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

For fiscal year 2001 and each fiscal year thereafter, not less than 1 percent of the amounts made available to the Department of State under the heading ''Diplomatic and Consular Programs'' shall be made available only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor, including funding of positions at United States missions abroad that are primarily dedicated to following human rights developments in foreign countries.

SEC. 4. HUMAN RIGHTS AND DEMOCRACY FUND.

(a) ESTABLISHMENT OF FUND.—There is established a Human Rights and Democracy Fund (hereinafter in this section referred to as the ''Fund'') to be administered by the Assistant Secretary for Democracy, Human Rights and Labor.

(b) PURPOSES OF FUND.—The purposes of the Fund are—

(1) to support defenders of human rights;

(2) to assist the victims of human rights violations;

(3) to respond to human rights emergencies;

(4) to promote and encourage the growth of democracy, including the support for nongovernmental organizations in other countries; and

(5) to carry out such other related activities as are consistent with paragraphs (1) through (4).

(c) FUNDING.—Of the amounts made available to carry out chapter 1 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, and section 401 of the Foreign Assistance Act of 1969 for each of the fiscal years 2001 and 2002, $32,000,000 for each such fiscal year shall be made available to the Fund for carrying out the purposes described in subsection (b).

SEC. 5. MONITORING OF UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS.

(a) WEAPONS MONITORING PROGRAM.—

(1) ESTABLISHMENT OF PROGRAM.—The Secretary of State shall establish and implement a program to monitor United States military assistance and arms transfers.

(2) RESPONSIBILITY OF ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS AND LABOR.—The Assistant Secretary of State for Democracy, Human Rights and Labor shall have primary responsibility for advising the Secretary of State on the establishment and implementation of program described in paragraph (1).

(b) PURPOSES OF PROGRAM.—

(1) PRIMARY PURPOSES.—The primary purposes of the program described in subsection (a) are to ensure to the maximum extent feasible that United States military assistance and weapons manufactured in or sold from the United States are not used—

(A) to commit gross violations of human rights; or

(B) in violation of other United States laws applicable to United States military assistance and arms transfers that are also related to human rights and preventing human rights violations.

(2) OTHER PURPOSES.—The program described in subsection (a) may be used for the following additional purposes:

(A) To prevent violations of other United States laws applicable to United States military assistance and arms transfers.

(B) To prevent fraud and waste by ensuring that tax dollars are not diverted by foreign governments or others from activities in the United States national interest into areas for which the assistance was not and would not have been provided.

(c) ELEMENTS OF THE WEAPONS MONITORING PROGRAM.—The program described in subsection (a) shall ensure to the maximum feasible extent that the United States has the ability—

(1) to determine whether United States military assistance and arms transfers are used to commit gross violations of human rights;

(2) to detect other violations of United States law concerning United States military assistance and arms transfers, including the diversion of such assistance or the use of such assistance by security force or police units credibly implicated in gross human rights violations; and

(3) to determine whether individuals or units that have received United States military security, or police training or have participated or are scheduled to participate in joint exercises with United States forces have been credibly implicated in gross human rights violations.

(d) WEAPONS MONITORING FUND.—

(1) RESERVATION OF FUNDS.—Subject to paragraph (2), for each fiscal year after fiscal year 2000, one percent of the amounts appropriated for each fiscal year for United States military assistance is authorized to be used only to carry out the purposes of this section.

(2) EXCEPTION.—For any fiscal year, if the Secretary of State certifies in writing to the appropriate congressional committees that the United States can carry out the purposes of this section without the full reservation of funds [under paragraph (1)], the Secretary of State shall designate an amount which is not less than one half of one percent of the amounts appropriated for such fiscal year for United States military assistance, and such designated amount is authorized to be used to carry out the purposes of this section.

(3) ADDITIONAL FUNDS FOR PROGRAM.—Funds collected from charges under section 21(e) of the Arms Export Control Act (22 U.S.C. 2761(e)) [and other comparable provisions of law?] may be transferred to the Department of State and made available to carry out the purposes of this section.

(e) REPORTS.—The Secretary of State shall submit to the appropriate congressional committees the following reports. To the maximum extent possible, such reports shall be in unclassified form:

(1) Not later than 6 months after the date of the enactment of this Act, and after due consultation with the appropriate congressional committees and others, a plan to implement the provisions of this section.

(2) Not later than one year after the date of the enactment of this Act, and annually thereafter, a report setting forth the steps taken to implement this section and relevant information obtained concerning the use of United States military assistance and arms transfers.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) UNITED STATES MILITARY ASSISTANCE.—The term ''United States military assistance'' means—

(A) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance), including the transfer of excess defense articles under section 516 of that Act;

(B) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training or ''IMET''),

(C) assistance under chapter 8 of part I of the Foreign Assistance Act of 1961 (relating to international narcotics control assistance);

(D) assistance under chapter 8 of part II of the Foreign Assistance Act of 1961 (relating to antiterrorism assistance);

(E) assistance under section 2011 of title 10, United States Code (relating to training with security forces of friendly foreign countries);

(F) assistance under section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (relating to additional support for counter-drug activities); and

(G) assistance under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (relating to support for counter-drug activities of Peru and Colombia).

(3) UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS.—The term ''United States military assistance and arms transfers'' means—

(A) United States military assistance (as defined in paragraph (2)); or

(B)(i) the transfer of defense articles, defense services, or design and construction services under the Arms Export Control Act, including defense articles or services licensed under section 38 of such Act; and

(ii) any other assistance under the Arms Export Control Act.

SEC. 6. REPORTS ON ACTIONS TAKEN BY THE UNITED STATES TO ENCOURAGE RESPECT FOR HUMAN RIGHTS.

(a) SECTION 116 REPORT.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (7), by striking ''and'' at the end and inserting a semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) for each country with respect to which a determination has been made that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, the extent to which the United States has taken or will take action to encourage an end to such practices in the country.''.

(b) SECTION 502B REPORT.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the 4th sentence the following: ''Such report shall also include, for each country with respect to which a determination has been made that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, the extent to which the United States has taken or will take action to encourage an end to such practices in the country.''.

SEC. 7. AUTHORIZATIONS OF APPROPRIATIONS FOR THE NATIONAL ENDOWMENT FOR DEMOCRACY.

There are authorized to be appropriated for the Department of State to carry out the National Endowment for Democracy Act, $50,000,000 for fiscal year 2001, and $50,000,000 for fiscal year 2002.

HONORING DONNA FERGANCHICK

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. McINNIS. Mr. Speaker, I would like to take this moment to recognize the Honorable Donna Ferganchick of Cedaredge, Colorado. Donna is stepping down as Delta County Commissioner after nearly a decade of public service.

Before moving to the position of Commissioner, Donna served for six years as County Assessor. She served half of her second term, enabling her to be elected the first woman County Commissioner in Delta County history. While Commissioner, Donna has served as Chairman and currently serves as Vice-Chairman of the Board of County Commissioners.

Donna's outstanding leadership abilities have not only benefited Delta County, but also a number of different organizations on which she serves. The Juvenile Diversion Board, the Grand Mesa Scenic By-ways Committee, as well as serving as an Alternative Sentencing Representative, are just a few of the ways in which Donna focuses her energy in order to ensure a better quality of life in Delta County.

Donna, you have served your community, State, and Nation proudly, and I wish you the very best in your future endeavors.

A TRIBUTE TO REIT

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. ENGLISH. Mr. Speaker, I rise today to congratulate the real estate investment trust industry on the occasion of its 40th anniversary.

The REIT was created by this very body and signed into law by President Eisenhower on this date in 1960.

A committee report issued that year that through REITs, ''small investors can secure advantages normally available only to those with large resources.''

Since then, REITs have lived up to the vision of this institution, making investment in large-scale commercial real estate accessible to people from all walks of life.

Last year, I joined several of my colleagues in co-sponsoring the REIT Modernization Act. The law, which will take effect in 2001, empowers REITs to offer the same range of services as private competitors in the fast-changing real estate marketplace.

I also want to take this opportunity to commend the industry's trade association, the National Association of Real Estate Investment Trusts, which also came into being four decades ago.

ARAB-ISRAELI PEACE PROCESS

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. BLILEY. Mr. Speaker, please permit me to share with my colleagues an Op/Ed piece from the Richmond Times Dispatch regarding the Arab-Israeli peace process by Ralph Nurnberger.

[From the Richmond Times-Dispatch, Aug. 13, 2000]

FOR PEACE, ARABS ALSO MUST MAKE CONCESSIONS

(By Ralph Nurnberger)

The collapse of the Camp David summit is a direct result of what could be labeled the ''Taba Syndrome.'' This is the tendency of Arab leaders to insist that Israel turn over every inch of territory to which the Arabs might be able to make a claim, however nebulous that might be, and regardless of whether these demands ultimately undermine any chance for a peace agreement.

The tactic of holding out for every possible piece of land, which Egypt employed after the first Camp David summit to gain control over a tiny parcel of land called Taba, places ''principle above peace,'' with the result that often neither is achieved.

Yasser Arafat compounded the difficulties facing the negotiators at Camp David by never wavering from his public statements that he would not settle for anything less than Palestinian control of the West Bank and Gaza together with sovereignty over East Jerusalem. Through his public statements, he established expectations among his constituents that would have led them to accuse him of failure if he came away with only 98 percent of all his demands.

On the other hand, Israeli Prime Minister Ehud Barak informed the Israeli populace that he would be willing to make compromises for peace. The debate on the extent of these compromises led to a number of his coalition partners leaving the government before the Camp David talks even began. This pre-summit debate enabled Barak to be far more forthcoming than Arafat at Camp David. Essentially, the Israelis were prepared to make compromises, however difficult, for peace, while Palestinian leaders had not prepared their people to do the same.

Arab refusal to make peace unless they achieved 100 percent of their demands is not new. Following the first Camp David agreements in 1978, Israel agreed to withdraw from Sinai in exchange for peace with Egypt.

Israel pulled out by 1982, but refused to cede to Egypt a tiny parcel of land along the Gulf of Aqaba called Taba. Taba was a small strip of land along the beach that had no strategic importance, no population, and no natural resources. Its main attraction was a resort hotel and a pretty beach.

Israel claimed sovereignty over Taba, citing a 1906 British map delineating the land to be part of Turkish-controlled Palestine, not British-controlled Egypt. The Egyptians based their claim to Taba on 1917 border demarcations.

The Egyptians responded that Israel's failure to turn over control of Taba was a violation of the Camp David accord requirement that the entire Sinai be returned. At times, control over these few meters of sand threatened to undermine the entire Israeli-Egyptian peace agreement. With U.S. encouragement, both nations agreed in 1986 to send the dispute to binding arbitration. Two years later, French, Swiss, and Swedish international lawyers ruled in favor of Egypt

The Taba Syndrome has not been lost on other Arab leaders.

When the late Syrian President Hafez Assad met with President Bill Clinton in Geneva earlier this year, he had the opportunity to regain virtually the entire Golan Heights for Syria in exchange for peace with Israel. Rather than taking 99 percent of the land in dispute, he held out for a return to the 1967 borders instead of the internationally recognized 1923 lines. The difference between the two was only a few meters, yet Assad determined that principle was more important than Syrian control of the land—and peace.

Similarly, the recent Israeli withdrawal from Lebanon was deemed insufficient. Once again, the border was arbitrarily drawn and did not reflect geographic characteristics. This border was drawn after the defeat of the Ottoman Empire in World War I by two lieutenant colonels—one from Britain and one from France—who trudged east from the Mediterranean leaving white-washed rocks to mark the new lines.

Needless to say, the location of the rocks has shifted since the lines were drawn in 1923, yet Lebanon risks future hostilities if its total demands are not accepted.

Similarly, Arafat and all top Palestinian leaders never have wavered from the demand that 100 percent of the West Bank and East Jerusalem be turned over to Palestinian control. Since agreeing to the Oslo accord in 1993, this rhetoric created unrealistic expectations among Palestinians and Muslims throughout the world.

Although Barak appeared willing to turn over substantial territory and even make compromises on Jerusalem in exchange for a secure peace and an end to the conflict, Arafat was unable to accept these. He could have had a recognized state comprising approximately 90 percent of the West Bank and governing authority over Palestinians in parts of Jerusalem. Most important, he could have had peace.

Arafat failed to take into account that every nationalist movement must ultimately embrace pragmatism instead of pursuing the maximum—and ultimately unobtainable—goals. By insisting on achieving 100 percent of his objectives, Arafat got caught up in the Taba Syndrome and doomed the Camp David talks to failure.

Unfortunately, this conference only served as another validation of Abba Eban's famous comment that Palestinian leaders ''never miss an opportunity to miss an opportunity for peace.''

HONORING CASEY AND JEAN BROWN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MCINNIS. Mr. Speaker, I would like to take this moment to acknowledge two upstanding citizens of Western Colorado, Casey and Jean Brown. Casey and Jean, through their determination and 'old fashioned' hard work have built a reputation among Colorado's rodeo community. This dedication was recently rewarded when the couple received the Western Service Award, presented by the Durango Pro Rodeo.

Casey and Jean understand the value and benefit of working hard and this is evident in their day to day routine running their family ranch. Jean plays the dual role of mother and bookkeeper on the ranch. The tasks of her typical day range from patching up her rodeo bruised husband, to helping care for her children, to ensuring the health of the family's livestock.

Before coming to Colorado, Casey could be found behind the teacher's desk at California Polytechnic College. After moving to Colorado, Casey and Jean began the legacy of service to their community that they are now widely known for. Working as a rancher, Casey realized that many ranchers like himself needed assistance in the political arena. To aid others like himself, he served with distinction on the Colorado Wool Growers and Cattleman's Associations. In addition, he has also served on the National Public Lands Council and the Pine River Irrigation District.

The commitment of these two individuals to family and community is truly commendable. They have found that, through dedication and hard work, a person can truly do anything that the mind desires. They have made a true impact upon the community of Durango and they are clearly deserving of this prestigious award from the Durango Pro Rodeo Association.

Casey and Jean, I thank you for your commitment to helping others. The citizens of Durango are truly privileged to call you neighbor and friend. Congratulations!

INCARCERATION OF ZHANG JIE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Ms. WOOLSEY. Mr. Speaker, I submit the following letter for the RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 15, 2000.

ZHU RONGJI ZONGLI,
Premier of the People's Republic of China, Guowuyuan, Beijingshi, People's Republic of China.

YOUR EXCELLENCY: We are writing to express our strong concern regarding the incarceration of Zhang Jie and to request that you urge the appropriate officials to release information related to his imprisonment and state of being.

Zhang Jie was a 23-year old unemployed worker from Jinan, Shangdong Province, when, on June 5th, 1989, he was alleged to have organized a rally and denounced the killing of protestors in Tiananmen Square the previous day. Zhang Jie was given an 18-year sentence for ''counter revolutionary incitement.'' Jie was last reported in 1992 to be in Shangdong Prison Number 3, also known as Weifang Shengjian Machinery Works.

Given our understanding that Zhang Jie was exercising his basic right to freedom of expression—and neither undertook, nor called for, any violent action—we are seriously disturbed by the severity of his sentence. We are also concerned that those involved in international humanitarian efforts to secure his release have been unable to learn anything about his condition. This is all the more distressful when we hear that workers such as Zhang Jie have been subjected to harsh treatment.

The American people await some sign of progress from the leadership of the People's Republic of China in the treatment of those who speak out on matters of conscience. We call on you to personally ensure that the proper authorities will cooperate and look forward to our request for information on Zhang Jie's's status.

Sincerely,

Lynn Woolsey, Luis V. Gutierrez, Martin Frost, Tom Lantos, George Miller, Peter De Fazio, Juanita Millender-McDonald, Major R. Owens, ——, Nancy Pelosi, Christopher Shays, Sam Farr, Cynthia McKinney, Pete Stark, Sherrod Brown, Lloyd Doggett.

HONORING JOE COLLINS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MCINNIS. Mr. Speaker, I would like to take this moment to commend the Honorable Joe Collins on his remarkable service as Rio Blanco County Commissioner. Joe is stepping down after serving his community for nearly 15 years as Commissioner. Joe's commitment to bettering his community has ensured that Rio Blanco County will be a better place for its citizens.

Joe is a long time resident of Rio Blanco County and truly understands what is important to his community. As commissioner, he fought to ensure the safety of western Colorado's land and water resources. Understanding the importance of serving his fellow Coloradans, Joe has also been involved with a number of different public interest organizations. Joe put his outstanding leadership qualities to use as a member of the Colorado Cattlemen's Association, the Rio Blanco County Cattlemen's Board of Directors, the Local Forest Service Advisory Board, and as Chairman of both the Regional Transportation Board and the Associated Governments of Northwest Colorado.

Joe, you have served your community, State, and Nation admirably, and on behalf of the State of Colorado and the U.S. Congress, I thank you. The leadership that you have given to Rio Blanco County will be greatly missed.

Good luck in your future endeavors.

MARRIAGE TAX RELIEF RECONCILIATION ACT OF 2000—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

SPEECH OF

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 2000

Mr. ARCHER. Mr. Speaker, pursuant to section 4022(b) of the Internal Revenue Service Reform and Restructuring Act of 1998, I am submitting for the RECORD the complexity analysis for H.R. 4810, the Marriage Tax Reconciliation Act of 2000 prepared by the Internal Revenue Service.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, July 31, 2000.

MS. LINDY L. PAULL,
Chief of Staff, Joint Committee on Taxation, Washington, DC.

DEAR MS. PAULL: I am writing to comment on your complexity analysis of the conference agreement on H.R. 4810, the Marriage Tax Reconciliation Act of 2000 (the ''Act''). Because time constraints prevented your staff from consulting the Internal Revenue Service (IRS) and the Department of the Treasury prior to issuing the Conference Report, I would like to take this opportunity to point out two additional issues concerning the conference agreement.

First, having the increased standard deduction, wider 15-percent bracket, and higher Earned Income Tax Credit (EITC) phaseout range apply to tax year 2000 will require significant changes to the IRS 2000 tax forms and processing programs. If the legislation is enacted before mid-September 2000, we should have no problem in timely implementing the required changes. Later enactment could adversely impact distribution and processing of individual income tax returns for tax year 2000.

Second, Section 6 of the Act relating to estimated taxes creates complications for both taxpayers and the IRS. Taxpayers are generally required to make quarterly payments of estimated taxes and/or withholding at least equal to 25 percent of the lesser of (i) 90 percent of the tax shown on their return for the taxable year or (ii) 100 percent (108.6 percent for certain high income taxpayers) of the tax shown on the tax return for the prior year. Estimated tax penalties are imposed on underpayments of required installations.

Section 6 of the Act prevents tax year 2000 changes from being taken into account in determining the amount of any estimated tax installments due before October 1, 2000. Therefore, the required installments for married taxpayers for the first three quarters of tax year 2000 (and the penalties for their underpayment) will not be based on the tax shown on the taxpayer's 2000 tax return. Instead, they will be based on the tax that ''would have been'' shown on the taxpayer's 2000 tax return had the bill not been enacted. Section 6 will create confusion and complexity for taxpayers who must determine the amount of estimated tax payments due for the remainder of tax year 2000 and who want to make adjustments in the amount of their taxes withheld. It also presents a trap for taxpayers who know about their reduced liability due to the Act but who are not aware of Section 6 of the Act.

The biggest problem with Section 6, however, is the burden imposed on married taxpayers who wish to do their own computation of their estimated tax penalty for tax year 2000 (even if only to determine whether they have a penalty), or to verify the IRS' computation of the penalty. These taxpayers will need to complete Form 2210, Underpayment of Estimated Tax by Individuals, Estates, and Trusts. They will not be able to use the Short Method, but will be required to use the much more complicated Regular Method. Married taxpayers will be directed to complete Part II of Form 2210 twice. First, they will compute their required installments for the first three quarters of 2000 using their ''would have been'' 2000 tax. Next, they will compute their required installment for the fourth quarter using their actual 2000 tax. The instructions for Form 2210 will be expected to include the tax rate schedules, worksheets, EITC phase-out adjustments, etc. that married taxpayers will need to compute their ''would have been'' tax for 2000.

In addition, to the above-mentioned modifications to the 2000 Form 2210, the IRS will need to modify its tax year 2000 Form 1040 processing and estimated tax penalty processing to take into account the ''would have been'' 2000 tax for married taxpayers in determining their required installments for the first three quarters. While these modifications are not difficult, they will consume a significant amount of our programming resources over a short period of time (three staff years before the end of 2000). Since our programming resources for tax year 2000 processing (in 2001) are already fully committed, implementing Section 6 presents problems for the IRS.

If you have any questions, please call. I will be happy to meet with you to discuss any of these issues.

Sincerely,
CHARLES O. ROSSOTTI.

INTRODUCTION OF NO GUNS FOR VIOLENT PERPETRATORS ACT

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. MOORE. Mr. Speaker, today I join with ten of my colleagues in introducing legislation that will keep guns out of the hands of our most violent criminals.

In my twelve years as an elected District Attorney, I found that to the victim of a violent crime it makes little difference whether the perpetrator was an adult or a juvenile. I believe we all can agree that violent persons should not be able to legally possess a firearm.

We already have legislation that makes it illegal for convicted felons to possess a firearm. But a loophole allows people who were convicted of violent crimes when they were juveniles to possess firearms. This is a narrow loophole that should be closed.

This loophole was brought to my attention by one of my constituents, Bob Lockett, who owns a gun store in my district. An individual with a conviction for a shooting death as a juvenile in California tried to purchase gun parts at his store. I commend Mr. Lockett for bringing this serious matter to my attention, and I agree with him that these individuals with a violent past should be prohibited from possessing firearms. And although the state of Kansas has this law, I believe that this should be a federal law to prevent violent perpetrators from possessing firearms nationwide.

Mr. Speaker, persons who have a juvenile adjudication for a violent felony should not—should never—possess a firearm. I urge my colleagues to support this important legislation, the text of which appears below.

H.R. 5194

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 ''No Guns For Violent'' Perpetrators Act''.

SEC. 2. PROHIBITION ON POSSESSION OF A FIREARM BY AN INDIVIDUAL WHO HAS COMMITTED AN ACT OF JUVENILE DELINQUENCY THAT WOULD BE A VIOLENT FELONY IF COMMITTED BY AN ADULT.

Section 922(g)(1) of title 18, United States Code, is amended—

(1) by striking the comma; and

(2) by inserting '', or adjudicated as having committed an act of juvenile delinquency that would be a crime of violence (as defined in section 924(c)(3)) and punishable by imprisonment for such term if committed by an adult'' before the semi-colon.

VERMONT HIGH SCHOOL STUDENT CONGRESSIONAL TOWN MEETING

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. SANDERS. Mr. Speaker, today I recognize the outstanding work done by participants in my Student Congressional Town Meeting held this summer. These participants were part of a group of high school students from around Vermont who testified about the concerns they have as teenagers, and about what they would like to see the government do regarding these concerns.

I am asking that these statements be submitted into the CONGRESSIONAL RECORD, as I believe that the views of these young persons will benefit my colleagues.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF SCOTT DOBROWOLSKI

REGARDING GUN CONTROL—MAY 26, 2000

SCOTT DOBROWOLSKI: I come here this morning to speak on gun control, and as our schools have been noted, there is more and more shootings in our schools. Now legislation has been taking away handguns, assault rifles, many of the weapons that have been used to kill our students.

Now as I see it, I have been raised with firearms in my home and as part of this I have had a lot of training with them. I have been told right and wrong, whether or not to shoot, what to shoot. I deer hunt. Really a matter of my training as I have been told not to kill people.

As we have learned there is more and more students killing each other. A lot of these children have been decided and acquitted for not knowing the difference between killing their student and just merely playing around.

As I see it, there should be more education in school as to avoid the shooting of their classmates. If we started at a younger age, I believe that we could severely delay the risk of having all these shootings. I am not saying hand-on experience with firearms, but more or less just education on right and wrong in our schools because apparently as we have seen, parents no longer care or they are not doing their job.

My parents at a very young age taught me the difference between right and wrong and responsibility and I feel this is not being done anymore. Frankly, I went to France and instead of fearing the fact that my plane would go down I have a greater percentage of dying in my school because one of my friends might get ticked off because I told him he looked funny and he might shoot at me. I feel this is a great danger and should be stopped at a more recent time where children are more able to be influenced by what happens in their lives.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF NATHAN LOIZEAUX

REGARDING COLLEGE FINANCING—MAY 26, 2000

NATHAN LOIZEAUX: Thank you very much. I would like to talk to you about college financing. I am a Mt. Abraham senior

right now. I will graduate this year, and I have been trying to get together finances to go to college and I am just realizing how hard it is. Yes, there are a lot of scholarships out there today. I have actually a book about this thick.

Unfortunately, once you start whittling down parents, grandparents, what activities you are involved in, your heritage, all of a sudden you find out the white male does not have to many scholarships out there, and then not only to top that off, but he has got to compete with everybody else in the state for the exact same scholarships.

Also my parents and great grandparents started a college account for me. They started saving up money for me. My parents were severely penalized for having a college savings account. I think that is totally wrong. You and people in Congress, people in government want teenagers and high school students to be able to go on to college to get a better education, and in this day and age you need a better education to get a good job. Yes, there are thousands of jobs out there for $6 an hour.

Unfortunately, you are never going to make it out of that gene pool without a college education. Unfortunately, a college education is very expensive. Take UVM here, for instance. I work here as a temporary helper in the summer. This college just recently raised its tuition. Colleges all over the state are raising their tuition. It is harder and harder to get into a college. You want us to get a better education but are denying us the ability to do that by not giving us the funds. And when colleges are constantly bringing up their tuition to get in, it makes it all that much harder. When parents are being penalized for having the accounts for the children to set aside money to go to the college it is even worse.

In this day and age if you are on welfare you're better off. You can get into a college, no problem on welfare basically at this point because they will pay for everything to go to college. A friend of mine is on welfare right now and she got accepted to the university here, UVM, and she basically does not have to pay a thing while she is here the entire time. She has lower grades than I do, she is not involved in the community nearly as much as I am. I applied for the same place here, but I cannot get in even though I have better academic grades and I am involved in more things. That does not really matter to me, I do not care about their selection process. It is the fact that people like me are getting denied money for setting aside money for this time and because just the raising of funds to get into a college and the expenses. We need to get a better education but in order to do it we need to have the funds. The problem is we do not have the funds.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF KATHY UNGER, MEREDITH BLESS, CULLEN BOUVIER AND SCOTT WARD

REGARDING CIVIL UNIONS—MAY 26, 2000

KATIE UNGER: I am going to begin. Okay. We are here to support the Civil Union Law that Vermont passed recently, but we are of the opinion that it should have gone further, and we think that—basically we think that everyone should have a right to be joined in marriage. And when you define marriage it is sort of a celebration of life and of loving another person and it is just something that everyone should be able to do whether or not their partner is male or female.

MEREDITH BLESS: We also think that it should be forced on the church to marry two people. It should be separate from the church because it is kind of against the church for that. But somebody who could do it like a justice of the peace.

SCOTT WARD: As Katie said, we commend Vermont for taking the steps that it has, but we feel that it is more of a national issue and that other states need to be involved in this also. So we really feel it does need to be taken further and not just Vermont.

CULLEN BOUVIER: I take the standpoint of Scott as well. I think that Vermont is doing a great job taking the first steps in the Civil Union Bill and doing great things for people, but you see different things in the papers about—last week I can recall a man putting out a sign by his driveway that was not very kind words toward homosexual people, and you just realize that there is a lot more that can be done.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF THALIA SPARLING AND KATE EARLEY

REGARDING BIOENGINEERING—MAY 26, 2000

THALIA SPARLING: I wanted to raise the issue of genetically modified food which the FDA has refused to label on products. Genetically modified food has been on the market for six years now and there is very little awareness from the common people, the public about this issue. And there is a really strong grass roots movement in Vermont right now over this issue, and it is an issue that really needs to be addressed.

KATE EARLEY: I feel that we do not know enough about this issue that they should not be able to label it, because basically they are just feeding us things we do not know thinking about. And if they have to say how much of what is in certain foods and they have to label food now, they should not be able to not label this, because it does not give a person a choice of what they are putting in their body. And they do not know enough of what could happen 20 years from now from doing this or 30 years from now or generations from now how it could effect us physically or in the environment or anything. We need to do a lot more testing before they can be allowed to put this in the food, or label it, at least label it.

''THE GREAT HUNGER'' MEMORIAL AND THE IRISH POPULATION IN NORTHEAST OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. KUCINICH. Mr. Speaker, today I recognize Cleveland's new memorial, ''The Great Hunger,'' and honor the entire Northeast Ohio Irish community.

Mr. Speaker, as you are aware, the Irish Famine of 1845–50, known as ''An Gorta Mor,'' or the ''Great Hunger,'' was devastating to the people of Ireland. One-hundred fifty years ago, during the Irish Potato Famine, Ireland was exporting tons of grain and cattle to great Britain during the industrial revolution. This left most Irish peasants feeding on one crop—the potato. When the potato famine broke out, the majority of Irish went hungry or starved to death; those lucky enough to make the voyage across the Atlantic often died in the coffin ships common of the time.

Of those who survived, many fled to the United States for freedom from the poverty, disease and hunger which claimed as many as one million lives. Large quantities of settlers, moved to the Cleveland area, where they were relegated to the swampy banks of the Cuyahoga River, an area which came to be known as ''The Irishtown Bend.'' Many died here, succumbing to cholera, tuberculosis and infections while living a harsh existence in terribly inadequate, tarpaper shacks.

In memory of those who died and in recognition of the many who survived the horrors of poverty and disease, the memorial of ''The Great Hunger'' will be dedicated on September the sixteenth. After years of work, the Monument will finally be erected on the banks of the Cuyahoga River. Thanks to the effort of many Northeast Ohioans who worked earnestly on 'Cleveland's Memorial to the Great Hunger Committee,' led by co-chairs Bishop James Quinn and former Congressman and Commissioner Robert E. Sweeney, this 11-ton monument will be a source of pride for all Clevelanders. Because of the work of countless county and city officials, especially Cuyahoga County Commissioners Jane Campbell, Jimmy Dimora and Tim McCormack, we can appropriately honor the Irish who enrich our Cleveland shores.

Today, many of the two million Ohioans who claim Irish Ancestry are descendants of those brave souls who struggled through a famine and made the long journey to the United States. For the courage displayed by the Irish, and for the rich tradition they have provided the Cleveland area, I ask that my colleagues to honor with me and recognize these great peoples and the great monument, ''An Gorta Mor.''

TRIBUTE TO JOE C. FOWLER

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. DUNCAN. Mr. Speaker, Joe C. Fowler has just retired after more than 50 years of service to this Nation in law enforcement.

He served as a Patrolman, Detective, and Chief of the Knoxville Police Department, Sheriff of Knox County, and for the past six years as United States Marshal for the Eastern District of Tennessee.

Marshal Fowler has served in each of these positions with great honor and distinction.

More importantly, he has never lost his humility and has always supported and remembered the importance of the officer on the beat.

As high as Marshal Fowler rose, he never became too big to help serve pancakes at the annual fund raising breakfast for the Northside Kiwanis Club.

He is a dedicated family man, having been married to his wife Sue for 44 years, and they have two sons and four grandchildren.

This County would be a much better place if we had more men life Joe Fowler.

I submit for the RECORD an article about Marshal Fowler's career from the September 18th issue of the Knoxville News-Sentinel and call it to the attention of my Colleagues and other readers of the RECORD.

[From the Knoxville News-Sentinel, Sept. 18, 2000]

FOWLER RETIRES AFTER 50 YEARS IN LAW ENFORCEMENT

(By Laura Ayo)

It was a Sunday morning in August 1974 when one of Chief Joe C. Fowler's Knoxville Police Department officers was shot in the chest while struggling with a burglary suspect.

''By the time they got me to the hospital, he was already there,'' the officer, John Guider, recalled about the man who went on to head two more law enforcement agencies in Knoxville.

Guider, now senior deputy U.S. Marshal in the Knoxville district office, described the incident as his fondest memory of Fowler.

''No one could have asked for anything better than the way he treated my family,'' Guider said. ''He really took care of my mother and (ex) wife, more than you'd expect somebody would.''

On Aug. 31, Fowler retired as U.S. Marshal for the Eastern District of Tennessee, ending a unique, 50-year career in law enforcement that saw him hold the titles of police chief, sheriff, state warden and federal marshal—the only man to do so, according to colleagues.

Fresh out of the military and not finding what he wanted in college, Fowler found his calling with a badge and uniform.

''It's been a very interesting career,'' the 73–year–old Knoxville native said. ''I wouldn't trade it for anything.''

In 1970, the year he became chief of the KPD, Fowler hired 21-year-old Phil Keith as a rookie officer.

''I grew up in this police department,'' said Keith, who is now police chief, ''Next to my dad, Joe Fowler was right up there at the top.''

At an Aug. 28 retirement party Keith presented Fowler a citation of merit for distinguished service in law enforcement and one of the department's millennium badges with the word ''chief'' on it.

Mayor Victor Ashe proclaimed Aug. 28, 2000, Joe Fowler Day in Knoxville.

''He told me one time the most important goal you can have in life as a police officer is to make a difference, not just with citizens, but also with police officers,'' Keith recalled.

Keith credited Fowler with giving him the opportunities, skills and friendship that enabled him to work his way through the ranks to chief.

''He always told me to be responsible to the citizens and try to better the profession,'' Keith said. ''He's one of these fellows who didn't have to speak the loudest in the room. I learned from that. He taught me a lot of tolerance and being compassionate.''

Much of what Fowler set in motion as chief through resource building, planning and setting standards has made the police department what it is today, Keith added.

''He was not afraid to go against the grain if it was the right thing to do,'' he said.

Deputy U.S. Marshal Chuck Pittman worked as a sheriff's deputy for four years while Fowler served as sheriff in the 1980s.

''First of all, the thing he brought to the sheriff's department was a sense of integrity,'' Pittman said. ''He's always been an honorable, honorable man.''

After being defeated by Tim Hutchison in 1990 for a third term as sheriff, Fowler served as warden of a state-operated work-release facility in Knoxville.

Pittman and Guider were pleased when they heard their former boss would again be their boss in the Marshals Service. President Bill Clinton appointed Fowler in 1994 to his last post, where he oversaw the protection of the federal courts, judges and witnesses, and the custody of federal prisoners.

''He's the first good marshal I've worked for, and he's my third presidential appointee,'' Guider said. ''He has good investigative experience. But what I liked about him best was he was new to the Marshals Service and if he didn't know something, he would ask somebody instead of making snap judgments and I like that.''

Guider said Fowler knew how to show he cared about his employee's personal lives without interfering. He drank coffee with his staff each morning and loved to discuss the University of Tennessee football team.

''The whole office is going to miss him,'' Pittman said.

Looking back on his career, Fowler said his most rewarding times were when he worked with juveniles or got to hand over a large forfeiture check to a small, poorly funded sheriff's department involved in an arrest.

''It gives your heart a good feeling when you can be there and help,'' he said.

At one time, college panty raids were the most frustrating thing an officer had to endure. Now, Fowler said officers have to worry about making split-second decisions they'll likely have to defend in a courtroom later.

''When I came in on the police department, the general public and even criminals respected you for what you were,'' the white-haired, gentle-voiced Fowler recalled. ''We didn't have the problems we have today.''

Fowler said he'll miss the deputies, judges, court staff and people in the various agencies the Marshals Service works with daily.

''These are just great people,'' he said. ''They're dedicated; they love their job.''

Chief Deputy U.S. Marshal Don Benson will serve as interim U.S. Marshal until a new appointment is made, Fowler said. It's not known how long it will be until a new marshal is appointed, but he said probably nothing will happen until a new president is elected.

Although Fowler described his years as a motorcycle officer as the most fun he had in law enforcement, he won't be jumping on a bike and hitting the open road any time soon. Other than getting to odd jobs around the house and spending time with Sue, his wife of 44 years, two sons and four grandchildren, Fowler has no specific plans for how he'll spend his retirement.

''I've got things to do,'' he said. ''I'm looking forward to relaxing.''

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 19, 2000 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 20

9 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine food safety issues.
SR–328A

9:30 a.m.
Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430

Environment and Public Works
Transportation and Infrastructure Subcommittee
To hold hearings to examine the GAO investigation of the Everglades and water quality issues.
SD–406

Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings to examine the impact of antimicrobial resistance.
SD–124

Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SR–253

10 a.m.
Energy and Natural Resources
To hold oversight hearings to examine the current outlook for supply of heating and transportation fuels this winter.
SD–366

Finance
Business meeting to markup proposed legislation to amend the Internal Revenue Code of 1986 to provide tax incentives for the renewal of distressed communities, to provide for 9 additional empowerment zones and increased tax incentives for empowerment zone development, to encourage investments in new markets.
SD–215

Judiciary
To hold hearings to examine antitrust law and entertainment industry efforts to restrict marketing and sales of violent entertainment to children.
SD–226

Governmental Affairs
Business meeting to consider pending calendar business.
SD–342

2 p.m.
Indian Affairs
Business meeting to markup S. 2920, to amend the Indian Gaming Regulatory Act; S. 1840, to provide for the transfer of public lands to certain California Indian Tribes; S. 2688, to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools; and S. 2615, to establish a program to promote child literacy by making books available through early learning and other child care programs.
SR–485

2:30 p.m.
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold hearings on S. 2933, to amend provisions of the Energy Policy Act of 1992 relating to remedial action of uranium and thorium processing sites.
SD–366

Foreign Relations
To hold hearings to examine issues relating to Fidel Castro.
SD–419

SEPTEMBER 21

9:30 a.m.
Governmental Affairs
Oversight of Government Management, Restructuring and the District of Columbia
Subcommittee
To hold hearings to examine meeting the management challenges of the next Administration.
SD–342

Aging
Small Business
To hold joint hearings to examine issues relating to pension benefits guaranty cooperation delivery with retirees.
SD–562

Commerce, Science, and Transportation
To hold hearings on global warming issues.
SR–253

Environment and Public Works
Business meeting to consider pending calendar business.
SD–406

10 a.m.
Judiciary
Business meeting to consider pending calendar business.
SD–226

10:15 a.m.
Environment and Public Works
Clean Air, Wetlands, Private Property, and Nuclear Safety Subcommittee
To hold hearings to examine the EPA's proposed regulations for diesel fuel.
SD–406

2:30 p.m.
Armed Services
Personnel Subcommittee
To hold hearings on the recruiting initiatives of the Department of Defense and the military services and to receive an update on the status of recruiting and retention goals.
SR–222

Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings to examine Iranian proliferation.
SD–342

3 p.m.
Agriculture, Nutrition, and Forestry
Forestry, Conservation, and Rural Revitalization Subcommittee
To hold hearings on S. 2709, to establish a Beef Industry Compensation Trust Fund with the duties imposed on products of countries that fail to comply with certain WTO dispute resolution decisions.
SR–328A

Foreign Relations
African Affairs Subcommittee
To hold hearings on certain anti-corruption efforts relating to African economic development.
SD–419

SEPTEMBER 22

10 a.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine the status of policing reforms in Northern Ireland as envisioned by the Good Friday Agreement.
2172 Rayburn Building

SEPTEMBER 25

1 p.m.
Judiciary
Administrative Oversight and the Courts Subcommittee
To hold oversight hearings on the USDA's administrative procedures regarding the Packers and Stockyards Act.
SD–226

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

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 3052, to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon; and S. 3044, to establish the Las Cienegas National Conservation Area in the State of Arizona.
SD–366

SEPTEMBER 27

9:30 a.m.
Armed Services
To hold hearings to examine the status of U.S. military readiness.
SH–216

2:30 p.m.
Foreign Relations
Business meeting to consider pending calendar business.
SD–419

SEPTEMBER 28

9:30 a.m.
Armed Services
To resume hearings on United States policy towards Iraq.
SH–216

POSTPONEMENTS

SEPTEMBER 20

9:30 a.m.
Small Business
To hold hearings on the United States Forest Service compliance with the Regulatory Flexibility Act.
SR–428A

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8641–S8665

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 3062–3063, and S. Res. 358. **Pages S8657–58**

Measures Passed:

Lackawanna Valley National Heritage Area Act: Senate passed H.R. 940, to designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, after agreeing to a committee amendment in the nature of a substitute. **Pages S8659–62**

Wheeling National Heritage Area Act: Senate passed S. 2247, to establish the Wheeling National Heritage Area in the State of West Virginia, after agreeing to committee amendments. **Pages S8662–63**

Relative to the Death of Murray Zweben: Senate agreed to S. Res. 358, relative to the Death of Murray Zweben, Parliamentarian Emeritus of the United States Senate. **Pages S8663–64**

Appointments:

National Commission to Ensure Consumer Information and Choice in the Airline Industry: The Chair, on behalf of the Majority Leader, pursuant to Public Law 106–181, appointed the following individuals to serve as members of the National Commission to Ensure Consumer Information and Choice in the Airline Industry: Ann B. Mitchell, of Mississippi; and Joyce Rogge, of New York. **Page S8664**

Measures Placed on Calendar: **Page S8656**

Communications: **Pages S8656–57**

Statements on Introduced Bills: **Page S8658**

Additional Cosponsors: **Pages S8658–59**

Notices of Hearings: **Page S8659**

Authority for Committees: **Page S8659**

Additional Statements: **Pages S8654–56**

Adjournment: Senate convened at 12:01 p.m., and as a further mark of respect to the memory of the late Murray Zweben, Parliamentarian Emeritus of the U.S. Senate, in accordance with S. Res. 358, adjourned at 4:16 p.m., until 9:30 a.m., on Tuesday, September 19, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8664.)

Committee Meetings

(Committees not listed did not meet)

HOSPICE CARE USE

Special Committee on Aging: Committee concluded hearings to examine barriers to wider use of hospice, including the question of why Medicare-covered hospice stays are getting shorter, and options for Congress to strengthen the program for current and future generations, after receiving testimony from former Senator Robert J. Dole; William J. Scanlon, Director, Health Financing and Public Health Issues, Health, Education and Human Services Division, General Accounting Office; Nicholas A. Christakis, University of Chicago Department of Medicine, Chicago, Illinois, on behalf of Horizon Hospice; Frances Hoffman, Hospice of North Iowa, Mason City; Kathryn Grigsby, Hospice of Baton Rouge, Baton Rouge, Louisiana; Karen Wood Bell, Providence Health System, Portland, Oregon; and Ruby Tooks, Carroll City, Florida.

House of Representatives

Chamber Action

Bills Introduced: 8 public bills, H.R. 5193–5200; 2 private bills, H.R. 5201–5202; and 3 resolutions, H. Con. Res. 403, and H. Res. 579–580, were introduced. **Pages H7722–23**

Reports Filed: Reports were filed today as follows.

H.R. 4643, to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians (H. Rept. 106–855);

H.R. 4847, to direct the Secretary of the Interior to refund certain amounts received by the United States pursuant to the Reclamation Reform Act of 1982 (H. Rept. 106–856);

S. 1694, to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, amended (H. Rept. 106–857);

H.R. 4945, to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process (H. Rept. 106–858);

H.R. 3235, to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours, amended (H. Rept. 106–859);

H.R. 5106, to make technical corrections in copyright law, amended (H. Rept. 106–860);

H.R. 5107, to make certain corrections in copyright law (H. Rept. 106–861);

H.R. 5173, to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt, amended (H. Rept. 106–862, Pt. 1); and

H.R. 5109, to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, amended (H. Rept. 106–863). **Page H7722**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Biggert to act as Speaker pro tempore for today. **Page H7653**

Recess: The House recessed at 12:43 p.m. and reconvened at 2 p.m. **Page H7654**

Committee to Attend the Funeral of the Late Honorable Herbert H. Bateman: Pursuant to H. Res. 573, the Chair announced the Speaker's additional appointment of the following members to attend the funeral of the late Honorable Herbert H. Bateman from the Commonwealth of Virginia: Representatives Goodling, Lewis of California, and Taylor of Mississippi. **Page H7655**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Fishermen's Protective Act Amendments: H. Res. 579, providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 1651, to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country; **Pages H7655–56**

Salmon Habitat Restoration Projects: H.R. 2798, amended, to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, and California for salmon habitat restoration projects in coastal waters and upland drainages. Agreed to amend the title; **Pages H7656–59**

Black Hills National Forest and Rocky Mountain Research Station Improvement: H.R. 4226, amended, to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest; **Pages H7659–61**

Colusa Basin Watershed Integrated Resources Management Act: H.R. 1113, amended, to assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California; **Pages H7661–62**

Conveyance of the Assets of the Middle Loup Division of The Missouri River Basin Project, Nebraska: H.R. 2984, amended, to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska; **Pages H7662–63, H7688**

Torres-Martinez Desert Cahuilla Indian Claims Settlement: H.R. 4643, amended, to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians; **Pages H7663–67**

El Camino Real de Tierra Adentro National Historic Trail: H.R. 2271, amended, to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail; **Pages H7667–69**

White Clay Creek Wild and Scenic Rivers System: S. 1849, amended, to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; **Pages H7669–72**

District of Columbia and United States Territories Circulating Quarter Dollar Program: H.R. 5010, amended, to provide for a circulating quarter dollar coin program to commemorate the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands (passed by a yea and nay vote of 377 yeas to 6 nays, Roll No. 478); **Pages H7672–76, H7688**

Defense Production Act Amendments: H.R. 1715, amended, to extend the expiration date of the Defense Production Act of 1950. Agreed to amend the title; **Page H7677**

Bureau of Engraving and Printing Security Printing Amendments: H.R. 4096, to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments, and security documents at the request of the individual States or any political subdivision thereof, on a reimbursable basis; **Pages H7677–79**

Debt Relief Lock-Box Reconciliation Act: H.R. 5173, amended, to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt (passed by a yea and nay vote of 381 yeas to 3 nays, Roll No. 477); and **Pages H7679–87, H7687–88**

Clear Creek County, Colorado, Public Lands Transfer: H.R. 2799, to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act. **Pages H7689–90**

Labor, HHS, Education, and Related Agencies—Motion to Instruct Conferees: Representative Coburn announced his intention to offer a motion to instruct conferees on H.R. 4577, to recede to Section 517 of the Senate amendment that prohibits the use of funds to distribute postcoital emergency contraception (the morning-after pill) to minors on the premises or in the facilities of any elementary or secondary school. **Page H7688**

Intercountry Adoption Act: The House agreed to the Senate amendment with an amendment to H.R. 2909, to provide for implementation by the United States of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. **Pages H7690–95**

Tributes to a Retiring Member of the Senate: Agreed that Members be permitted to refer to a retiring Member of the other body in tributes during morning-hour debate on Tuesday, Sept. 19. **Page H7700**

Recess: The House recessed at 5:03 p.m. and reconvened at 6:02 p.m. **Page H7687**

Senate Messages: Message received from the Senate today appears on page H7653.

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of the House today and appear on pages H7687–88 and H7688. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:20 p.m.

Committee Meetings

RECIPROCAL COMPENSATION ADJUSTMENT ACT

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection approved, as amended.

H.R. 4445, Reciprocal Compensation Adjustment Act of 2000.

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 19, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings on United States policy towards Iraq, 9:30 a.m., SH–216.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold hearings on H.R. 3577, to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho; S. 2906, to authorize the Secretary of the Interior to enter into contracts with the city of Loveland, Colorado, to use Colorado-Big Thompson Project facilities for the impounding, storage, and carriage of nonproject

water for domestic, municipal, industrial, and other beneficial purposes; S. 2942, to extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia; S. 2951, to authorize the Commissioner of Reclamation to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River; and S. 3022, to direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District, 2:30 p.m., SD–366.

Committee on Finance: business meeting to mark up H.R. 4986, to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income; and H.R. 4868, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, 10 a.m., SD–215.

Committee on Governmental Affairs: to hold hearings on the nomination of George A. Omas, of Mississippi, to be a Commissioner of the Postal Rate Commission, 9:30 a.m., SD–342.

Subcommittee on International Security, Proliferation and Federal Services, to resume hearings on the state of foreign language capabilities in national security and the Federal Government, 10 a.m., SD–342.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing on H.R. 4646, to designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas, 10 a.m., 1300 Longworth.

Committee on Banking and Financial Services, Subcommittee on Domestic and International Monetary Policy, hearing on the Future of Electronic Payments: Roadblocks and Emerging Practices, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Finance and Hazardous Materials, to continue hearings on Improving Insurance for Consumers—Increasing Uniformity and Efficiency in Insurance Regulation, 10 a.m., 2123 Rayburn.

Subcommittee on Health and Environment, hearing on the Implementation of the 1996 Safe Drinking Water Act Amendments and Funding of State Drinking Water Programs, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on the National Labor Relations Board: Recent Trends and Their Implications, 10:30 a.m., 2261 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Financial Management Issues at the Department of Education, 9:30 a.m., 2175 Rayburn.

Subcommittee on Workforce Protections, to mark up H.R. 5178, Needlestick Safety and Prevention Act, 2 p.m., 2175 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on Is Drug Use Up or Down? 10 a.m., 2203 Rayburn.

Subcommittee on Postal Service, hearing on General Oversight of the U.S. Postal Service, 1 p.m., 2154 Rayburn.

Committee on International Relations, hearing on GAO Assessment of U.S. Judicial and Police Reform Assistance in Haiti, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific and the Subcommittee on International Economic Policy and Trade, joint hearing on Prelude to New Directions in U.S. Vietnam Relations: The 2000 Bilateral Trade Agreement, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, to mark up the following bills: H.R. 4548, Agricultural Opportunities Act; H.R. 604, to amend the charter of the AMVETS organization; H.R. 5136, to make permanent the authority of the Marshal of the Supreme Court and the Supreme Court Police to provide security beyond the Supreme Court building and grounds; H.R. 4827, Enhanced Federal Security Act of 2000; H.R. 3484, Child Sex Crimes Wiretapping Act of 1999; H.R. 3312, Merit Systems Protection Board Administrative Dispute Resolution Act of 1999; H.R. 1924, Federal Agency Compliance Act; H.R. 1293, Transportation Employee Fair Taxation Act of 1999; H.R. 5018, Electronic Communications Privacy Act of 2000; and private bills, 10 a.m., 2141 Rayburn.

Committee on Rules, to consider H.R. 4945, Small Business Competition Preservation Act of 2000, 5 p.m., H–313 Capitol.

Next Meeting of the **SENATE**

9:30 a.m., Tuesday, September 19

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 4444, PNTR for China, with a vote on final passage to occur at 2:15 p.m.; following which, Senate will vote on the motion to close further debate on the motion to proceed to the consideration of S. 2045, H–1B Non-immigrant Visa.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Tuesday, September 19

House Chamber

Program for Tuesday: Consideration of 23 Suspensions:

(1) H.R. 5193, FHA Down Payment Simplification Extension;

(2) H.R. 3834, Homeowners Financing Protection;

(3) H.R. 3986, Feasibility Study Relating to Water Exchange of the Chandler Pumping Plant at Prosser Diversion Dam, Washington;

(4) H. Con. Res. 345, Cataloging and Maintaining Public Memorials Commemorating Military Conflicts of the United States and the Service of Individuals in the Armed Forces;

(5) H.R. 4673, Support for Overseas Cooperative Development;

(6) H. Con. Res. 257, Concerning the emancipation of the Iranian Baha'i community;

(7) S. 2460, Rewards to Individuals Furnishing Information on Violations of Humanitarian Law in Rwanda;

(8) H.R. 4975, Frank R. Lautenberg Post Office and Courthouse, Newark, New Jersey;

(9) H.R. 4625, Gertrude A. Barber Post Office Building, Erie, Pennsylvania;

(10) H.R. 4786, Samuel P. Roberts Post Office Building, Carrollton, Georgia;

(11) H.R. 4450, Judge Harry Augustus Cole Post Office Building Baltimore, Maryland;

(12) H.R. 2842, Federal Employees Health Benefits Children's Equity Act;

(13) H.R. 4642, General Accounting Office Personnel Flexibilities;

(14) H.R. 3679, 2002 Winter Olympic Commemorative Coin Act;

(15) H.R. 5062, Eligibility of Certain Aliens Lawfully Admitted for Permanent Residence;

(16) H.R. 4999, Local Government Law Enforcement Block Grants Act;

(17) H.R. 1349, Federal Prisoner Health Care Copayment Act;

(18) S. 1638, retroactive Eligibility Dates for Financial Assistance for Higher Education for Certain Spouses and Children;

(19) H.R. 2883, Adopted Orphans Citizenship;

(20) H.R. 4068, Religious Workers Act;

(21) H.R. 4870, Intellectual Property Technical Amendments Act;

(22) H.R. 5106, Copyright Technical Corrections; and

(23) H.R. 5107, Work Made For Hire and Copyright Corrections Act.

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