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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 (Mr. LAHOOD).

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DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 25, 2000.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

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MESSAGE FROM THE SENATE

A message from the Senate by Mr. Cheek, one of its clerks, announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4365. An act to amend the Public Health Service Act with respect to children's health.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 430) ''An Act to amend the Alaska Native Claims Settlement Act to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes.''

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

S. 2511. An act to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

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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.

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RECESS

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

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

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□ 1400

AFTER RECESS

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

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PRAYER

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

Divine Wisdom and Eternal Goodness, be with us today as this Congress assembles. Help us to be enthusiastic in accomplishing what is good for Your people and strategic for the future of this Nation.

May our set purpose be rewarded by You alone, God of our salvation and our destiny.

For if we bear Your spirit of peace in our hearts as we go about our work, we will not veer off course or be disappointed.

In the end, we will have accomplished Your holy will by building Your kingdom of justice and lasting peace, now and forever. Amen.

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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.

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PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT 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.

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COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2000.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 22, 2000 at 1:55 p.m.

That the Senate agreed to Conference Report H.R. 4919.

That the Senate passed without amendment H. Con. Res. 405.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

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COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

Printed on recycled paper.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2000.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 22, 2000 at 12:42 p.m. and said to contain a message from the President whereby he notifies the Congress that he has extended the national emergency with respect to Angola (UNITA) beyond September 26, 2000, by Notice filed earlier with the Federal Register.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

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CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–294)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola (UNITA) is to continue in effect beyond September 26, 2000, to the *Federal Register* for publication.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolutions 864 (1993), 1127 (1997), 1173 (1998), and 1176 (1998) continue to oblige all member states to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the prospects for peace in Angola. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on UNITA to reduce its ability to pursue its military operations.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *September 22, 2000.*

RECOGNIZING THE MINING INDUSTRY

(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, last Tuesday, the Nevada Mining Association and two government agencies began closing the final 8 of 13 abandoned mine sites in Clark County, Nevada.

Six private mining companies are picking up 100 percent of the cost of making these abandoned shafts and caverns inaccessible and safe. The first five abandoned mines were backfilled 2 weeks ago, and these efforts show the willingness and the capability of our Nation's mining companies to work with the Federal and State governments to protect the public from any danger proposed by abandoned mines.

Mr. Speaker, our mining companies are dedicated to working with the government to protect the environment. We should encourage these efforts and support the mining industry in the United States. By supporting our mining industry, we will ensure that all Americans can maintain the quality of life style to which they have become accustomed, including advancements in medical research technology and communications.

Mr. Speaker, mining impacts our lives every day and in every way. And as the old saying goes, ''If it can't be grown, it has to be mined.''

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RUSSIA AND CHINA JOIN FORCES

(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, surprise, surprise. A new report says that even though Uncle Sam gave Russia $112 billion over the last 10 years, Russia and China are joining forces. The report says Russia sold missiles and submarines to China knowing full well that China would point those missiles at America. Now, if that is not enough to make you barf right here, the report further says that Russia will support China if Uncle Sam intervenes in Taiwan.

Unbelievable. What is even worse? While all this was going on, Janet Reno was investigating Monica Lewinsky. Beam me up. Congress better wake up and smell the treason around here.

I yield back the fact that Chinagate makes Watergate look like a toilet bowl commercial.

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IT IS TIME FOR HATE CRIMES LEGISLATION

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

Ms. NORTON. Mr. Speaker, last Friday a man named Edward Gay marched into a gay bar, killed a man, and wounded six others. He said he was tired of people making fun of his last name: Gay. No joke. He said he wanted to get rid of faggots.

What happened in that gay bar last Friday was the exact equivalent of lynchings, common in the South in the first half of this century. This House never passed an anti-lynching law. And there was no hate crimes in Texas when James Byrd, a black man, was dragged behind a truck to his death. George W. Bush opposed a hate crimes law in Texas.

James Byrd gave us all the reasons we ever needed for a Federal hate crimes law. Edward Gay's act of murder against gays is a mandate to pass the hate crimes act now. Bring it to the floor, Mr. Speaker.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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TWENTY-FIFTH ANNIVERSARY OF EDUCATION FOR ALL HANDICAPPED CHILDREN ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 399) recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

The Clerk read as follows:

H. CON. RES. 399

Whereas the Education for All Handicapped Children Act of 1975 (Public Law 94–142) was signed into law 25 years ago on November 29, 1975, and amended the State grant program under part B of the Education of the Handicapped Act;

Whereas the Education for All Handicapped Children Act of 1975 established the Federal policy of ensuring that all children, regardless of the nature or severity of their disability, have available to them a free appropriate public education in the least restrictive environment;

Whereas the Education of the Handicapped Act was further amended by the Education of the Handicapped Act Amendments of 1986 (Public Law 99–457) to create a preschool grant program for children with disabilities 3 to 5 years of age and an early intervention program for infants and toddlers with disabilities from birth through age 2;

Whereas the Education of the Handicapped Act Amendments of 1990 (Public Law 101–476) renamed the statute as the Individuals with Disabilities Education Act (IDEA);

Whereas IDEA currently serves an estimated 200,000 infants and toddlers, 600,000 preschoolers, and 5,400,000 children 6 to 21 years of age;

Whereas IDEA has assisted in a dramatic reduction in the number of children with developmental disabilities who must live in State institutions away from their families;

Whereas the number of children with disabilities who complete high school has grown significantly since the enactment of IDEA;

Whereas the number of children with disabilities who enroll in college as freshmen has more than tripled since the enactment of IDEA;

Whereas IDEA has raised the Nation's expectations about the abilities of children with disabilities by requiring access to the general education curriculum;

Whereas improvements to IDEA made in 1997 changed the focus of a child's individualized education program from procedural requirements placed upon teachers and related services personnel to educational results for that child, thus improving academic achievement;

Whereas changes made in 1997 also addressed the need to implement behavioral assessments and intervention strategies for children whose behavior impedes learning to ensure that they receive appropriate supports in order to receive a quality education;

Whereas IDEA ensures full partnership between parents of children with disabilities and education professionals in the design and implementation of the educational services provided to children with disabilities;

Whereas IDEA has supported the classrooms of this Nation by providing Federal resources to the States and local schools to help meet their obligation to educate all children with disabilities;

Whereas, while the Federal Government has not yet met its commitment to fund part B of IDEA at 40 percent of the average per pupil expenditure, it has made significant increases in part B funding by increasing the appropriation by 115 percent since 1995, which is an increase of over $2,600,000,000;

Whereas the 1997 amendments to IDEA increased the amount of Federal funds that have a direct impact on students through improvements such as capping allowable State administrative expenses, which ensures that nearly 99 percent of funding increases directly reach local schools, and requiring mediation upon request by parents in order to reduce costly litigation;

Whereas such amendments also ensured that students whose schools cannot serve them appropriately and students who choose to attend private, parochial, and charter schools have greater access to free appropriate services outside of traditional public schools;

Whereas IDEA has supported, through its discretionary programs, more than two decades of research, demonstration, and training in effective practices for educating children with disabilities, enabling teachers, related services personnel, and administrators effectively to meet the instructional needs of children with disabilities of all ages;

Whereas Federal and State governments can support effective practices in the classroom to ensure appropriate and effective services for children with disabilities; and

Whereas IDEA has succeeded in marshalling the resources of this Nation to implement the promise of full participation in society of children with disabilities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 (Public Law 94–142);

(2) acknowledges the many and varied contributions of children with disabilities, their parents, teachers, related services personnel, and administrators; and

(3) reaffirms its support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 399.

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

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

Today, I am pleased to bring to the floor for consideration House Concurrent Resolution 399, which recognizes and honors the 25th anniversary of the passage of the Individuals with Disabilities Education Act on November 29, 1975. I am pleased so many of my colleagues from both sides of the aisle have joined me in cosponsoring the resolution.

Since 1975, when Congress first authorized the original IDEA law, we have refined and improved the law several times. In 1990, the statute was named the Individuals with Disabilities Education Act. As most everyone knows, this act assists States and local school districts with the excess costs of educating students with disabilities.

In each reconsideration of the law, we have worked to ensure greater access to education for all students with disabilities. We also have worked increasingly to improve the quality of the education that children with disabilities receive. I am especially interested in quality education and am pleased by the progress that children with disabilities are making. For instance, children with disabilities are increasingly completing their high school education and embarking on postsecondary educations.

I believe strongly in the goal of IDEA, that every child should have the opportunity to receive a quality education. I note that teachers and school administrators also support this goal. However, we all realize that schools need additional funds to make this goal a reality. To this end, I have consistently fought for increased funding for IDEA during my years in Congress.

As a matter of fact, for the first 20 years in the minority, my colleague, the gentleman from Michigan (Mr. KILDEE), and I were the only two who were seeking additional funding, yet we all realize what it means to the local school districts to go without that funding, that 40 percent of the excess cost. That 40 percent is based on the per-pupil cost to educate children nationwide, and 1 or 2 years ago that was $6,300, which means we should have been sending $2,500 plus dollars. Instead, local districts have had to make up the money because we have not done the job.

This is why I kept saying to the President, like every other President, ''You do not need some new thing for a legacy; all you have to do is help me get this 40 percent, then the local districts could do everything they want to do because they would have the money to do it locally.''

Just a couple of examples. We have New York, Los Angeles, Chicago, Miami, and Washington, D.C. If Los Angeles had been getting 40 percent, they would be getting an additional $118 million a year. If New York City were getting their 40 percent, they would get $170 million extra every year. Now, imagine what they could have done in all these years to reduce class size, if that is what they wanted to do; or to maintain their buildings or even build new buildings?

These are big dollars we are talking about. Unfortunately, that did not happen. In fact, 2 years in a row the President sent budgets up to the Hill that actually cut the amount of money that would go to special ed. In the last 6 years, I am happy to show, and I am happy to show it because I have been chairman the last 6 years, but I am happy to show that we have doubled the amount of money that has gone back to local school districts, as my colleagues can see on this chart. On this chart we can see the President's request is in yellow and what the Congress has done is in red. So we have been able to double that funding, which means so much to that local school district.

We still have other work to do in relationship to having a perfect IDEA, if there is such a thing as perfect. In our 1997 amendments, we focused the law on the quality education a child with disabilities is to receive rather than upon process and bureaucracy; gave parents greater input in determining the best education for their child; and gave teachers the tools they need to teach all children well.

For instance, these amendments, the Individualized Education Program, is developed with the general curriculum in mind; and students with disabilities are taking district and State-wide assessments in greater numbers. Both of these improvements mean children with disabilities will receive a higher quality education.

□ 1415

We decreased the amount of paperwork required of teachers so that they have more time to spend with their students. We also dealt somewhat with the discipline problem.

So I am happy to say that, on this anniversary, we are now moving in the right direction both in how we present the program and also in the amount of funding that we are providing, getting closer to that 40 percent based on the per-pupil expenditure in each district.

I am also happy to say that during the first 20 years, as I indicated, there were only the gentleman from Michigan (Mr. KILDEE) and myself preaching, I thought, to the choir; but we were not preaching to the choir. I guess we were preaching to the heathen, as a matter of fact. But I am happy to say, in the last 6 years, we have people coming out of the woodwork on all sides of the aisle to get this money.

Why? Because I imagine they are hearing from their local school districts what a burden this is to a local school district to try to meet our mandate. It is not actually a mandate. However, if they do not provide a quality education to all children with disabilities, they are going to be in real trouble. So naturally they are going to take the Federal program because they hope they are going to get some Federal support.

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

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

Mr. Speaker, I join the gentleman from Pennsylvania (Chairman GOODLING) in urging support for H. Con. Res. 399. I want to commend the chairman for bringing this legislation before the House today.

Several years ago when we both sat on the Committee on the Budget, the gentleman from Pennsylvania (Chairman GOODLING) and I had the courage to voice support for full funding of IDEA. We were pretty lonely voices in those days, but we worked very closely together.

Mr. Speaker, the gentleman from Pennsylvania (Mr. GOODLING) is one of the very best friends I have here in the Congress of the United States. For several years, I was his chairman on the subcommittee. But in 1994, I discovered at about 2 in the morning that, for the first time in 40 years, the Republicans had taken control of the Congress of the United States. And I was a survivor, but I was a survivor in Cornwallis' army rather than in Washington's army. And I realized that the gentleman from Pennsylvania (Mr. GOODLING) now was going to be my chairman and not of a subcommittee, he was going to be my chairman of the full committee, of the full Committee on Education and Labor.

So I thought I should give him a call. I called him at 7 o'clock in the morning. And one never calls a politician at 7 o'clock in the morning the day after the election because we are pretty well wiped out from the day before and the night before. But I knew he would be up because the gentleman from Pennsylvania (Mr. GOODLING) is a farmer and he would be up. So I called him at 7 o'clock in the morning. He answered the phone at his home in York, Pennsylvania. I did not identify myself. I said, ''Mr. Chairman.'' And he responded, ''How sweet it is.'' And it was sweet. And I have enjoyed working with him as a member of the committee and he as chairman.

Despite opposition to our early efforts, we have doggedly pursued this goal together; and it has been a joy working with him.

While I am aware that IDEA is presently set to receive a $1.3 billion increase for the coming fiscal year, it is my hope that in the remaining days of this Congress that we can meet the goal of a $2 billion increase that the House established for the passage of the Goodling bill, H.R. 4055.

Clearly, the educational needs of children with disabilities and their access to a free, appropriate public education is a critical issue in ensuring that they become productive members of our society.

The work that we have done on IDEA in the past few years, Mr. Speaker, and the work that we will do in the coming Congresses has been so crucial to ensuring that children with disabilities receive the education to which they are entitled.

All of these efforts started with the passage of Public Law 94–142 on November 29, 1975. Prior to the passage of the Education for All Handicapped Children Act, IDEA's predecessor statute, millions of disabled children received substandard education or no education at all. Some were refused admission into our public schools.

After the passage of 94–142, disabled children were literally brought out of the closets and educated in regular classrooms.

Many individuals have had a role in creating and improving IDEA. I want to especially thank and recognize the parents and advocates of disabled children, for without their tireless efforts, we would not be where we are today.

As a matter of fact, when Michigan passed its Education for the Handicapped, it was passed only because of the advocacy of parents; and their advocacy has persisted to this day. This resolution is a fitting tribute to their many years of work.

In closing, I want to urge Members to support this bipartisan legislation and again commend my very, very dear friend, the gentleman from Pennsylvania (Mr. GOODLING), for constantly, constantly bringing this issue before us.

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

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), a very important member of the committee.

Mr. UPTON. Mr. Speaker, I know that my good friend, the gentleman from Michigan (Mr. KILDEE), and the gentleman from Pennsylvania (Chairman GOODLING), I was part of that choir that they were preaching to. They had me convinced early on that this bill and funding for IDEA was certainly the right way to go, particularly as I talked to my local school districts, parents, and families back home.

This bill, H. Con. Res. 399, recognizes and honors the 25th anniversary of the passage of IDEA. We strongly believe, everyone I think in this Chamber believes strongly, in the goal of IDEA that every child, every child, should have the opportunity to receive a quality education. We have worked hard to ensure greater access to education for all students with disabilities. We have also worked increasingly to improve the quality of the education that children with disabilities receive.

Over the last 4 fiscal years, IDEA has seen a dramatic increase of $2.6 billion. That is 115 percent increase in the Federal contribution. Prior to that, the Federal contribution was only 7 percent.

Now, in fact, the Federal Government contributes 13 percent of the average per-pupil expenditure to assist with the excess cost of educating a child with a disability. A lot of us would like to see that be increased even beyond 13 percent and get quite a bit closer to the original goal, which is 30 or 40 percent.

During this Congress, the House passed H. Con. Res. 84, the IDEA full-funding resolution that passed 413–2. The resolution stated that IDEA is the highest priority among Federal elementary and secondary education programs and that, in fact, it should provide full funding to school districts as originally promised by the Congress.

The House also passed H.R. 4055, the IDEA Full Funding Act of 2000, by a vote 421–3. This provides an authorization scheduled for reaching the Federal mandate to assist States and local school districts with the excess costs of educating children with disabilities. This bill sets a schedule for meeting the Federal Government's IDEA funding commitment within an achievable time frame.

In the last Congress, we completed the reauthorization of IDEA. The amendments of 1997 brought many improvements to the education that children with disabilities receive. It focused on three things. It focused the law on the education to a child it is to receive rather than upon process and bureaucracy. Amendments gave parents greater input in determining the best education for their children by boosting the role of their parents; and they gave the teachers the tools that they need to teach all children well by reducing the amount of paperwork expected of teachers so that now they will have more time to spend with the students.

This is important legislation. It is an important program, and the Congress should step up to the plate to help our local schools deal with the pressing need that continues to grow in all of our congressional districts.

Again, I compliment Members on both sides of the aisle, particularly the gentleman from Pennsylvania (Chairman GOODLING), for getting this bill to the floor; and I look forward to its passage.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BURR) who apparently

took one of our basketball prospects from the University of Maryland over the weekend, I am sorry to say.

Mr. BURR of North Carolina. Mr. Speaker, I thank the chairman for yielding me the time. And to steal a recruit from Maryland is an easy thing for those of us in North Carolina.

Mr. Speaker, I was not here 25 years ago; but our good chairman, the gentleman from Pennsylvania (Mr. GOODLING), was. Under his leadership, his commitment, and his determination, he has helped shape education policy for the better. He has been a teacher, a principal, a superintendent. We are lucky to have him fighting not just for disabled children but for all children.

Here we are today celebrating the enactment of the Education for All Handicapped Children Act, otherwise known as the Individuals With Disabilities Education Act, IDEA. As a result, we have more children with disabilities graduating from high school and at least three times the students with disabilities entering college.

When I read over the committee's report and floor proceedings from the 94th Congress for this legislation, I realized that this bill laid a foundation for the proper relationship between States and the Federal Government on the subject of education. Clearly, the right to a free public education is basic to equal opportunity and is vital to secure the future and prosperity of our people. The failure to provide this right was criminal and, thankfully, was corrected 25 years ago.

As we turn to the future, we must fulfill our commitment not just to the States but ultimately to the children. We must not simply vote to fully fund IDEA, but we must make sure that the money gets there.

We have increased funding for this program 115 percent since 1995, well over $2.6 billion. However, we can do better. We should be funding 40 percent of the average per-pupil expenditure to the State and not a penny less.

As leaders of this Nation, we expect so much from our teachers, our administrators, and our children. It is their turn to expect no less of us. We cannot let them down.

As we celebrate the 25th anniversary of this landmark legislation, we must remember its intent and continue to press for full funding.

Mr. Speaker, I commend the gentleman from Pennsylvania (Chairman GOODLING) for his dedication, for his focus, for his commitment not just to disabled children but to all children.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, I want to congratulate and commend the gentleman from Pennsylvania (Chairman GOODLING) and the ranking minority member, the gentleman from Michigan (Mr. KILDEE), for their hard work on this very important part of our children's education.

Mr. Speaker, I rise in proud support today of H. Con. Res. 399, to recognize the 25th anniversary of the Education for All Handicapped Children Act, later renamed the Individuals With Disabilities Education Act, or IDEA.

This law currently benefits 200,000 infants and toddlers, as well as 600,000 preschoolers and over 5.4 million school-aged children in the United States.

Mr. Speaker, these numbers are indeed impressive, but we must do more. We must look beyond these numbers to see how IDEA has improved and enriched education in America. IDEA has enabled millions of students with disabilities to stay in public school and receive a quality education. These students have the opportunity to learn and interact with other children in the classroom and on the playground. And these same children grow up and enroll in college and graduate programs, fully recognizing and realizing their potential and making a real difference in their communities and families.

IDEA has also united parents, teachers, and school administrators who work together to develop quality education programs that fully meet the needs of every child. IDEA provides the funds for these accomplishments to occur every day in every school across this country.

Mr. Speaker, as we celebrate this 25th anniversary, it is my hope that we can continue our work to fully fund IDEA so that millions more children will have the opportunity to receive the same quality public education.

□ 1430

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

Mr. Speaker, we have come a long, long way in the last 6 years toward meeting that goal of helping to fund special education back in the local school districts. Now that the ball is rolling, I will not be here but I hope those Members who will will keep that ball rolling so that we can get an extra $95 million to Los Angeles each year, an extra $76 million to Chicago, an extra $170 million to New York City, an extra $16 million to Dallas, an extra $23 million to Houston, an extra $8 million to San Antonio, an extra $5 million to Fort Worth, an extra $13 million to Tallahassee, an extra $30 million to Jacksonville, an extra $26 million to Orlando, an extra $29 million to Tampa, an extra $12 million to Washington, D.C., an extra $8 million to St. Louis, and yes, an extra $1 million to the little city of York of 49,000 people.

My colleagues have a big job ahead of them; and I know that those who will be left behind, I do not know whether that is being left behind because they are still here or not but those of them who will remain in the Congress have a big job to make sure that we get to that 40 percent.

All of those who spoke today, I would encourage them to lead that fight. It will be the greatest thing they can do, bar none, to help a local school district.

Mr. LANTOS. Mr. Speaker, I rise today to join my colleagues in honoring the 25th anniversary of the enactment of the Education for All Handicapped Children Act. This legislation was a great achievement in the fight for equality of education for all American children. For too long, children with special educational needs were neglected, ignored, or even confined to institutions. Congress made necessary and appropriate revisions to the law in 1997, renaming it the Individuals with Disabilities Education Act or IDEA. These amendments to the law kept the spirit of the original Education for All Handicapped Children Act, by reaffirming that handicapped and special needs children have the opportunity to the free public education that is available to other American children.

Unfortunately, Mr. Speaker, Congress has not lived up to its end of the agreement to provide an important part of the funds necessary to carry out the provisions of the legislation. As you know, Mr. Speaker, on May 2nd of this year, the House overwhelmingly adopted H.R. 4055, which authorized Congressional appropriators to increase fiscal year 2001 funding for IDEA by two billion dollars, and to continue to increase the funding for IDEA in each subsequent year until the year 2010 when the federal government should fund IDEA at 40% of the cost of the program. As you are aware, this is level of funding that is required by the 1997 revisions to the Education for All Handicapped Children Act.

Sadly, Mr. Speaker, my colleagues on the other side of the aisle have ignored the overwhelming support for meeting the federal obligation set under IDEA and instead offered a lower amount in the appropriations legislation being considered this year. The budgets of our school districts are being decimated because Congress is not funding IDEA at the mandated level. In California the budget gap state-wide is estimated to be 1.2 billion dollars. The San Mateo County School district has had to cover the 19 million dollars that full IDEA funding would have provided.

Mr. Speaker, I cannot fathom why Congress would want to make local school districts chose between education children with special needs or eliminating music and art programs, yet this is the path we are following. I urge my colleagues who are working on the Labor, Health and Human Services appropriations legislation to accept the funding levels established in H.R. 4055 and add the necessary 2 billion dollars to IDEA funding this year, and to ensure that IDEA is funded at the mandated level by 2010.

Mr. BEREUTER. Mr. Speaker, as a longtime supporter of fulfilling the Federal Government's commitment to fund the Individuals with Disabilities Education Act (IDEA) at 40 percent, this Member rises in strong support of H. Con. Res. 399, recognizing the 25th Anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

According to the Committee for Education Funding, before enactment of the Education for All Handicapped Children Act into law, more than one million children with disabilities were denied an education in America's public schools. This law incorporated all levels of government to ensure that children with disabilities had access to a ''free appropriate public education'' that requires special education and related services. Currently, more

than 6.2 million children, ages 3–21, with disabilities ranging from speech and language impediments to emotional disturbances, have benefitted from these services.

Within the State Grant Program of the IDEA, approximately $240 million is sent to 407 Nebraska school districts or approved cooperatives that serve children with disabilities, ages birth to five years. About $4.3 million supports discretionary projects to help meet IDEA requirements for children with disabilities, ages birth to 21 years, and approximately $800,000 is available for school improvement projects. In the 1999–2000 school year alone, 43,531 children and youth in the State of Nebraska benefitted from the IDEA State Grant program.

Mr. Speaker, while this improvement is good news, this Member will continue full funding of the Federal Government's forth percent commitment to IDEA. Meeting the IDEA requirements set by Congress 25 years ago will provide relief to our local school districts and will ensure the continued success of IDEA and its goal of creating productive members of society within the disability community.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to rise today as cosponsor and supporter of H. Con. Res. 399, which recognizes the 25th anniversary of the Education for All Handicapped Children Act, now know as the Individuals with Disabilities Education Act, or IDEA.

When the Education for All handicapped Children Act was first signed into law on November 29, 1975, it marked an historic milestone for children with disabilities. For the first time, special needs children were guaranteed access to a free and appropriate education.

Unfortunately, since this legislation was first signed into law, the Federal government has been remiss in paying for its full share of the costs associated with educating special needs children. The original act set forth a framework whereby 40 percent of the average costs of educating a special needs child would be paid by the Federal government. To date, that level has never been reached. As a result, state and local school districts have been forced to divert money from other needed services, including school construction and teacher training, to pay for the government's share of IDEA.

Congress, over the past six years, has done incredible work to provide additional funding for IDEA over and above the Administration's requested level, doubling the amount of money the Federal government is providing to state and local school districts to pay for the costs associated with this program. Unfortunately, the funding still falls short of the 40 percent the Federal government committed to paying for IDEA.

I am pleased that the House of Representatives passed H.R. 4055, the IDEA Full Funding Act, earlier this year. However, despite the importance of fully funding our obligation under IDEA, H.R. 4055 is still pending in the Senate.

I would hope that my colleagues in the other body will take the opportunity of the 25th Anniversary of this critical education program to pass H.R. 4055, and once and for all meet the Federal government's funding obligation to IDEA.

I thank the gentleman from Pennsylvania, Mr. GOODLING, for introducing this legislation, and for all his hard work toward ensuring the Federal government honors its commitment to special needs children. I urge my colleagues to support this bill.

Mr. PAUL. Mr. Speaker, I appreciate the opportunity to explain why I must oppose H. Con. Res. 399, which celebrates the 25th Anniversary of the Individuals with Disabilities Education Act (IDEA). My opposition to H. Con. Res. 399 is based on the simple fact that there is a better way to achieve the laudable goal of educating children with disabilities than through an unconstitutional program and thrusts children, parents, and schools into an administrative quagmire. Under the IDEA law celebrated by this resolution, parents and schools often become advisories and important decisions regarding a child's future are made via litigation. I have received complaints from a special education administrator in my district that unscrupulous trial lawyers are manipulating the IDEA process to line their pockets at the expenses of local school districts. Of course, every dollar a local school district has to spend on litigation is a dollar the district cannot spend educating children.

IDEA may also force local schools to deny children access to the education that best suits their unique needs in order to fulfill the federal command that disabled children be educated ''in the least restrictive setting,'' which in practice means mainstreaming. Many children may thrive in a mainstream classroom environment, however, some children may be mainstreamed solely because school officials believe it is required by federal law, even though the mainstream environment is not the most appropriate for that child.

On May 10, 1994, Dr. Mary Wagner testified before the Education Committee that disabled children who are not placed in a mainstream classroom graduate from high school at a much higher rate than disabled children who are mainstreamed. Dr. Wagner quite properly accused Congress of sacrificing children to ideology.

IDEA also provides school personal with incentives to over-identify children as learning disabled, thus unfairly stigmatizing many children and, in a vicious cycle, leading to more demands for increased federal spending on IDEA also IDEA encourages the use of the dangerous drug Retalin for the purpose of getting education subsidies. Instead of celebrating and increasing spending on a federal program that may actually damage the children it claims to help, Congress should return control over education to those who best know the child's needs: parents. In order to restore parental control to education, I have introduced the Family Education Freedom Act (HR 935), which provides parents with a $3,000 per child tax credit to pay for K–12 education expenses. My tax credit would be of greatest benefit to parents of children with learning disabilities because it would allow them to devote more of their resources to ensure their children get an education that meets the child's unique needs.

In conclusion, I would remind my colleagues that parents and local communities know their children so much better than any federal bureaucrat, and they can do a better job of meeting a child's needs than we in Washington. There is no way that my grandchildren, and some young boy or girl in Los Angeles, CA or New York City can be educated by some sort of ''Cookie Cutter'' approach. Thus, the best means of helping disabled children is to empower their parents with the resources to make sure their children receives an education suited to that child's special needs, instead of an education that scarifies that child's best interest on the altar of the ''Washington-knows-best'' ideology.

I therefore urge my colleagues to join with me in helping parents of special needs children provide their children with a quality education that meets the child's needs by repealing federal mandates that divert resources away from helping children and, instead, embrace my Family Education Freedom Act.

Mrs. KELLY. Mr. Speaker, in anticipation of the 25th Anniversary of the Individuals with Disabilities Education Act, I rise today to urge my colleagues to join with me in acknowledging the good this program has done for our children and their future.

Almost twenty-five years ago, Congress passed the Education for All Handicapped Children Act. This landmark legislation established the federal policy of ensuring that all children, regardless of nature or severity of their disability, have the right to a free appropriate public education in the least restrictive environment. Throughout the years, Congress has seen fit to update this legislation, first to create a preschool grant program and an early intervention program to serve the needs of children starting at birth and going through the age of five. Since 1990, this program has been known as the Individuals with Disabilities Education Act (IDEA). Improvements made to IDEA in 1997 changed the focus of the educational process of disabled children from the procedural requirements to individualized education programs to better serve our children. In 1997, we also implemented behavioral and intervention strategies for those children whose behavior impedes the learning process.

Today, IDEA serves approximately 200,000 infants and toddlers, 600,000 preschoolers, and 5,400,000 children from 6 to 21 years old. It is through efforts of this program that we have seen a substantial increase in the numbers of disabled students graduate high school, and the number of disabled students who enroll in college.

However, much still needs to be done to make this program reach its potential. Almost twenty-five years after its enactment, this program is only being funded at 13% of the federal share. Originally Congress committed itself to covering 40% of the costs of this program. Since 1995, the funding for this program has increased by almost 115%, which is an increase of over $2.6 billion. Yet, even after this sustained funding increase, this program is still grossly underfunded.

When I arrived in Congress in 1995, I began working with Chairman GOODLING to fight for increased funding for this program. Throughout the past six years, full funding for this program has remained one of my top education priorities. If the federal government fully funded its share of the costs of this program, my own state of New York would have received $1.087 billion for fiscal year 2000, instead of the $344.3 million it did get. Fully funding our part would help to ease the burdens on our local taxpayers who bear the brunt of education costs.

Mr. Speaker, I greatly appreciate the opportunity to have worked with Chairman GOODLING over the past several years. His commitment to education is clear through his long history as a school teacher, principal and superintendent and his efforts on behalf of our

children and our nation will not soon be forgotten.

Mr. Speaker, I urge my colleagues to support this resolution and continue to make full funding of IDEA a priority in the future. Our children deserve no less.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 399.

The question was taken.

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

The yeas and nays were ordered.

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

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COLLEGE SCHOLARSHIP FRAUD PREVENTION ACT OF 1999

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1455) to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes.

The Clerk read as follows:

S. 1455

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 ''College Scholarship Fraud Prevention Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) A substantial amount of fraud occurs in the offering of college education financial assistance services to consumers.

(2) Such fraud includes the following:

(A) Misrepresentations regarding the provision of sources from which consumers may obtain financial assistance (including scholarships, grants, loans, tuition, awards, and other assistance) for purposes of financing a college education.

(B) Misrepresentations regarding the provision of portfolios of such assistance tailored to the needs of specific consumers.

(C) Misrepresentations regarding the preselection of students as eligible to receive such assistance.

(D) Misrepresentations that such assistance will be provided to consumers who purchase specified services from specified entities.

(E) Misrepresentations regarding the business relationships between particular entities and entities that award or may award such assistance.

(F) Misrepresentations regarding refunds of processing fees if consumers are not provided specified amounts of such assistance, and other misrepresentations regarding refunds.

(3) In 1996, the Federal Trade Commission launched ''Project Scholarscam'', a joint law enforcement and consumer education campaign directed at fraudulent purveyors of so-called ''scholarship services''.

(4) Despite the efforts of the Federal Trade Commission, colleges and universities, and nongovernmental organizations, the continued lack of awareness about scholarship fraud permits a significant amount of fraudulent activity to occur.

SEC. 3. SENTENCING ENHANCEMENT FOR HIGHER EDUCATION FINANCIAL ASSISTANCE FRAUD.

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in order to provide for enhanced penalties for any offense involving fraud or misrepresentation in connection with the obtaining or providing of, or the furnishing of information to a consumer on, any scholarship, grant, loan, tuition, discount, award, or other financial assistance for purposes of financing an education at an institution of higher education, such that those penalties are comparable to the base offense level for misrepresentation that the defendant was acting on behalf of a charitable, educational, religious, or political organization, or a government agency.

SEC. 4. EXCLUSION OF DEBTS RELATING TO COLLEGE FINANCIAL ASSISTANCE SERVICES FRAUD FROM PERMISSIBLE EXEMPTIONS OF PROPERTY FROM ESTATES IN BANKRUPTCY.

Section 522(c) of title 11, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; or''; and

(3) by adding at the end the following:

''(4) a debt in connection with fraud in the obtaining or providing of any scholarship, grant, loan, tuition, discount, award, or other financial assistance for purposes of financing an education at an institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1954 (20 U.S.C. 1001)).''.

SEC. 5. SCHOLARSHIP FRAUD ASSESSMENT AND AWARENESS ACTIVITIES.

(a) ANNUAL REPORT ON SCHOLARSHIP FRAUD.—

(1) REQUIREMENT.—The Attorney General and the Secretary of Education, in conjunction with the Federal Trade Commission, shall jointly submit to Congress each year a report on fraud in the offering of financial assistance for purposes of financing an education at an institution of higher education. Each report shall contain an assessment of the nature and quantity of incidents of such fraud during the one-year period ending on the date of such report.

(2) INITIAL REPORT.—The first report under paragraph (1) shall be submitted not later than 18 months after the date of the enactment of this Act.

(b) NATIONAL AWARENESS ACTIVITIES.—The Secretary of Education shall, in conjunction with the Federal Trade Commission, maintain a scholarship fraud awareness site on the Internet web site of the Department of Education. The scholarship fraud awareness site may include the following:

(1) Appropriate materials from the Project Scholarscam awareness campaign of the Commission, including examples of common fraudulent schemes.

(2) A list of companies and individuals who have been convicted of scholarship fraud in Federal or State court.

(3) An Internet-based message board to provide a forum for public complaints and experiences with scholarship fraud.

(4) An electronic comment form for individuals who have experienced scholarship fraud or have questions about scholarship fraud, with appropriate mechanisms for the transfer of comments received through such forms to the Department and the Commission.

(5) Internet links to other sources of information on scholarship fraud, including Internet web sites of appropriate nongovernmental organizations, colleges and universities, and government agencies.

(6) An Internet link to the Better Business Bureau in order to assist individuals in assessing the business practices of other persons and entities.

(7) Information on means of communicating with the Federal Student Aid Information Center, including telephone and Internet contact information.

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

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

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1455.

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

There was no objection.

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, I rise today in support of S. 1455 which mirrors the provisions of H.R. 3210 introduced by my friend and as I said earlier a very important colleague on the Committee on Education and the Workforce the gentleman from Michigan (Mr. UPTON).

Scholarships, grant aid, student loans and other forms of financial assistance have long assisted our Nation's college students in pursuing a postsecondary education. The College Board in its Trends in Student Aid for 1999 estimated that $64.1 billion was awarded to students in the form of scholarships, grants, loans, and other student aid for the 1998–99 academic year. Student aid comes from various sources, including the Federal Government, States, private and public entities and postsecondary institutions.

Unfortunately, not all scholarship offers are legitimate. Phony scholarship offerings, scams and other fraudulent offerings do great harm to our Nation's students who are searching for ways to help pay the ever-increasing costs of a college education. This bill addresses this issue and allows for enhanced criminal penalties for offenses involving scholarship scams.

In addition, this bill directs the Secretary of Education, working with the Federal Trade Commission, to maintain a scholarship fraud awareness site on the department's Internet Web site. This Web site will provide valuable information with respect to scholarship fraud so students will have a source of information for verifying whether they are being offered legitimate scholarship aid.

Again, I congratulate and thank the gentleman from Michigan (Mr. UPTON) for presenting this legislation.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume. I rise in support of S. 1455.

Mr. Speaker, as we are all aware, the cost of a college education is becoming increasingly high, causing more and more students to seek some type of financial assistance. Fortunately there are a number of private and Federal scholarship opportunities available to needy and deserving students. However, some unscrupulous companies are making money off unsuspecting students and their families by imitating legitimate government agencies and grant-giving foundations.

Often these fraudulent companies guarantee scholarships in exchange for an advanced fee. Other times they trick students into divulging their checking account numbers and access their accounts without their consent. Whatever the particular scheme, more than 350,000 students and their families lose over $5 million to scholarship fraud every year.

To address this growing problem, in 1996 the Federal Trade Commission launched Project Scholarscam, a joint law enforcement and consumer education effort aimed at purveyors of fraudulent scholarship services. While the FTC should be commended for its efforts to educate and prevent the exploitation of students and their families, the agency lacks the authority to prosecute scholarship scam artists to the fullest extent of the law.

S. 1455 not only increases the criminal penalties for fraud in connection with the provision of scholarship services, it removes the shield of bankruptcy that many financial assistance services hide behind when prosecuted. In addition, S. 1455 requires the Department of Education, in conjunction with the FTC, to create a Web site of legitimate sources of scholarship information.

I urge Members to support this legislation.

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

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

Mr. Speaker, I commend the speakers that have spoken on this bill and those who helped lead the way in the Senate as well. Again we have seen bipartisan cooperation.

I rise today in support of S. 1455, the College Scholarship Fraud Prevention Act of 1999. This bill will prevent unscrupulous businesses from defrauding vulnerable students and their families seeking to finance their education. In essence we identified a scam that needs to be corrected and we have done it with common sense, bipartisan legislation. I urge my colleagues to follow the lead of the other body and pass this legislation this afternoon.

Students in Michigan and across the Nation are targeted by corrupt companies who prey on their hopes and dreams for a college education. A college education is one of the most important investments a person will ever make. College is not only a place where students decide what professions to follow but, more importantly, a place that begins their journey into adulthood. While education is central to students, it is even more vital to our Nation. Our political system depends on an educated citizenry who are able to make informed decisions. Also in light of the continual technological advances, businesses require an educated workforce. Thus, we want to encourage more students to in fact pursue a college education.

But each year crooked companies send literally thousands of letters out to hopeful students offering bogus scholarships. Scam artists target some of the most vulnerable members of our society. They collect millions of dollars, not thousands but millions of dollars, by preying on the hopes and dreams of students who desire to improve their life through higher education.

The FTC, the Federal Trade Commission, has been aware of this growing problem. In fact, in 1996 the FTC initiated Project Scholarship Scam, a nationwide crackdown on fraudulent scholarship search services. Though the FTC is dedicated to stopping these con artists, the FTC can only file civil charges that include redress to defrauded consumers and injunctions prohibiting or restricting future market activity. In most cases, the defendants settle with the FTC because evidence of their fraudulent conduct is so overwhelming. For example, in one case Student Assistance Services paid $300,000 to defrauded consumers and agreed not to offer further scholarship services and to pose, in fact, a $75 bond before telemarketing. Reluctantly, the FTC can only use injunctions to deter these con artists from their activities because they lack the authority to prosecute them on criminal charges.

It is clear that what this bill will do is in fact provide more protection for the most vulnerable members of our community, needy students and their families, than ever before. I urge my colleagues to support this bipartisan legislation and commend the remarks of my previous colleagues who spoke in support of this bill.

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

Mr. KILDEE. 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 Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 1455.

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

A motion to reconsider was laid on the table.

CORRECTING TECHNICAL ERRORS IN THE ENROLLMENT OF S. 1455, COLLEGE SCHOLARSHIP FRAUD PREVENTION ACT OF 1999

Mr. UPTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 407) to direct the Secretary of the Senate to correct technical errors in the enrollment of S. 1455, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. KILDEE. Mr. Speaker, reserving the right to object, and I do not intend to object, I yield to the gentleman from Michigan for an explanation of his request.

Mr. UPTON. I thank the gentleman from the great State of Michigan for yielding.

Mr. Speaker, this concurrent resolution allows the enrolling clerk to make technical corrections and citation changes.

Mr. KILDEE. I thank the gentleman for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 407

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (S. 1455), to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 1, strike ''of 1999'' and insert ''of 2000''.

(2) In section 3, strike ''base level offense for'' and insert ''enhanced penalty the guidelines establish for a''.

(3) In section 522(c)(4) of title 11, United States Code, as amended by section 4(3) of the bill—

(A) strike ''obtaining or''; and

(B) strike ''Higher Education Act of 1954'' and insert ''Higher Education Act of 1965''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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HMONG VETERANS' NATURALIZATION ACT AMENDMENTS OF 2000

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5234) to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

The Clerk read as follows:

H.R. 5234

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

SECTION 1. EXTENSION OF HMONG VETERANS' NATURALIZATION ACT OF 2000 TO CERTAIN FORMER SPOUSES OF DECEASED HMONG VETERANS.

(a) IN GENERAL.—Section 2 of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 114 Stat. 316; 8 U.S.C. 1423 note) is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

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

''(3) who—

''(A) satisfies the requirement of paragraph (1)(A); and

''(B) is the surviving spouse of a person described in paragraph (1)(B) which described person was killed or died in Laos, Thailand, or Vietnam.''.

(b) CONFORMING AMENDMENT.—Section 3 of such Act is amended by striking ''or (2)'' and inserting '', (2), or (3)''.

(c) DEADLINE FOR APPLICATION.—Section 6 of such Act is amended by adding at the end the following new sentence: ''In the case of a person described in section 2(3), the application referred to in the preceding sentence, and appropriate fees, shall be filed not later than 18 months after the date of the enactment of this sentence.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

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

GENERAL LEAVE

Mr. HYDE. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, earlier this year Congress enacted legislation facilitating naturalization for Hmong veterans who were admitted to the United States as refugees. Recruited to assist our combat effort in Indochina, the Hmong had made great sacrifices on our behalf and faced persecution because of their association with us.

Many Hmong in the United States today continue to face unique language problems that can be traced to the fact that they grew up in a predominantly preliterate society without educational opportunities. By enacting Public Law 106–207, the Hmong Veterans Naturalization Act of 2000, this Congress very appropriately sought to remove insurmountable obstacles to citizenship by providing an exemption from the English language requirement and authorizing special consideration relating to the civics requirement. The potential beneficiaries, Hmong veterans and spouses who came to the United States as refugees, were limited to 45,000.

The bill before us today corrects an omission in Public Law 106–207's description of spouses without raising the ceiling on total potential beneficiaries. Under H.R. 5234, surviving spouses of Hmong who served with special guerrilla units or irregular forces and were killed or died in Laos, Thailand or Vietnam can qualify for facilitated naturalization.

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The equities in favor of helping these widows certainly are as great as the equities in favor of helping widows who already benefit from Public Law 106–207, namely, those whose husbands were able to apply for refugee status and make it to the United States. The widows in both groups are living permanently in this country after having been admitted as refugees.

The surviving spouses we seek to help now, like the widows who benefitted from Public Law 106–207, are survivors of those who made common cause with us at great personal peril to themselves and their families.

I commend the gentleman from California (Mr. RADANOVICH) for introducing this important bill and the gentleman from Minnesota (Mr. VENTO), the author of the bill that became Public Law 106–207 and the cosponsor of H.R. 5234, who also deserves great credit for his tireless efforts on behalf of the Hmong over the years.

This is a humane measure that merits the support of my colleagues.

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

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

(Mr. KILDEE asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. KILDEE. Mr. Speaker, as is his custom, the gentleman from Illinois (Mr. HYDE) has given a very, very thorough explanation of this bill, and I concur with what the gentleman has said.

Mr. Speaker, this is an important bill because the Hmong have stood by the U.S. at a crucial time in our history and now is the time to repay and honor the loyalty of Hmong veterans. The Hmong were a pre-literate society. They had no written language in use when the United States recruited them during the Vietnam War. The best symbol of why H.R. 5234 is necessary is the Hmong ''story cloth,'' the Pandau cloth, that is their embroidered cloth record of important historical events and oral traditions.

Mr. Speaker, I approve of the new correction language which allows the spouses of the Hmong veterans who made it to the United States, but for whatever reason their husbands did not and remained in Laos. This additional correction which is being initiated by the House will waive the language and civics requirements for these widows who have been granted legal permanent residency.

I join Chairman SMITH and the Ranking Member of the Subcommittee on Immigration and Claims in commending the Lao Veterans of America for its tireless efforts for the Hmong. I too also commend our colleague, the gentleman from Minnesota, Mr. VENTO, for his sponsorship of this legislation.

The Hmong were critical to the American war strategy in S.E. Asia—especially the U.S. air strategy. Mr. Speaker, this legislation provides for the expedited naturalization of Hmong veterans of the U.S. Secret Army currently residing in the United States (as legal aliens) who served with U.S. clandestine and special forces during the Vietnam War by allowing them to take the citizenship test with a translator since the Hmong are a tribal people with no written language, thus relying solely on the ''story cloths''.

The bill is capped at 45,000, in terms of the total of number of Hmong veterans, their widows and orphans who currently reside in the United States who would fall under the legislation. This correction legislation will not count against the cap. This cap is supported by the Hmong veterans in the United States and is considered to be a generous cap. I support this legislation to provide relief to the Hmong heroes.

Mr. GILMAN. Mr. Speaker, I rise in strong support for H.R. 5234, the Hmong Veterans Naturalization Act. I commend Representative RADANOVICH, the gentleman from California, for crafting this important bill.

The spouses of the brave Hmong freedom fighters who were our allies during the Vietnam War deserve to be given special consideration for naturalization. The Hmong Veterans Naturalization Act, H.R. 371 was signed into law on May 26 of this year. That historic legislation assists Hmong and Laotian veterans of the U.S. secret army that fought in Laos. Currently, however, several thousand Laotian and Hmong widows living in the United States whose husbands died in Southeast Asia during the Vietnam War were excluded under the new law. H.R. 5234 would rectify this problem.

It is the very least that we can do for these people who had to flee their homeland because they protected our downed fighter pilots and fought by the sides of our soldiers.

Accordingly, I urge our colleagues to support H.R. 5234.

Mr. KIND. Mr. Speaker, I rise today in support of H.R. 5234, legislation to amend The Hmong Veterans' Naturalization Act of 2000.

I am pleased with the passage of H.R. 5234, the Hmong Veterans' Naturalization Act, and the president signing it into law. It was a necessary step in assisting the Hmong, a special group of legal immigrants who served with the U.S. Armed Forces and now require help in obtaining U.S. citizenship. It waives the residency requirement for those Hmong and their spouses. Additionally, it waives the English language test and residency requirement for attainment of U.S. citizenship.

The Hmong Veterans' Naturalization was an important piece of legislation that will impact thousands of people in the United States, including the large Lao-Hmong community in my home district of western Wisconsin. H.R. 5234, however, extends the applicability of the Hmong Veterans' Naturalization Act to widows of the veterans covered by that law. They were inadvertently left out under the original legislation. Under this measure, therefore, the widows of those veterans would be exempt from certain citizenship requirements. This bill will help many more Hmong families and that is why I support this legislation.

Mr. Speaker, the Hmong people need our help. It is wrong to abandon these men and women who served as valuable allies to us

during the Southeastern Asian conflict. I urge all my colleagues to support this legislation. And I want to especially commend and thank Representative BRUCE VENTO for his leadership and hard work on behalf of the Hmong and this legislation. I'm sure all my colleagues join me in wishing him a speedy recovery and a happy retirement.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this is an important bill because the Hmong have stood by the U.S. at a crucial time in our history and now is the time to repay and honor the loyalty of Hmong veterans. The Hmong were a pre-literate society. They had no written language in use when the United States recruited them during the Vietnam War. The best symbol of why H.R. 5234 is necessary is the Hmong ''story cloth,'' the Pandau cloth, that is their embroidered cloth record of important historical events and oral traditions.

Mr. Speaker, I approve of the new correction language which allows the spouses of the Hmong veterans who made it to the United States, but for whatever reason their husbands did not and they remained in Laos. This additional correction which is being initiated by the House will waive the language and civics requirements for these widows who have been granted legal permanent residency.

I join Chairman SMITH in commending the Lao Veterans of America for its tireless efforts for the Hmong. I too also commend our colleague, the gentleman from Minnesota, Mr. VENTO, for his sponsorship of this legislation.

The Hmong were critical to the American war strategy in S.E. Asia—especially the U.S. air strategy. Mr. Speaker, this legislation provides for the expedited naturalization of Hmong veterans of the U.S. Secret Army currently residing in the United States (as legal aliens) who served with U.S. clandestine and special forces during the Vietnam War by allowing them to take the citizenship test with a translator since the Hmong are a tribal people with no written language, thus relying solely on the ''story cloths.'' The bill is capped at 45,000, in terms of the total of number of Hmong veterans, their widows and orphans who currently reside in the United States who would fall under this legislation. This correction legislation will not count against the cap. This cap is supported by the Hmong veterans in the United States and is considered to be a generous cap. I support this legislation to provide relief to the Hmong heroes.

Mr. VENTO. Mr. Speaker, I support H.R. 5234, a measure that would extend the applicability of the Hmong Veteran's Naturalization Act (PL 106–207) to widows of the veterans covered by that law.

As I've stated in the past, the Lao-Hmong people stood honorably by the United States at a critical time in our nation's history. Approximately 60,000 Lao-Hmong know the Minnesota region as their new home and I have long championed efforts to help ease their adjustment into our society. Many of the older Lao-Hmong patriots who made it to the U.S. are separated from their family members and have had a difficult time adjusting to many aspects of life and culture in the U.S., including passing aspects of the required citizenship test.

I appreciate the efforts of those in my district and nationwide to clarify an unintended oversight of the Hmong Veteran's Naturalization Act. Clearly, this Congress did not intend to exclude the widows of those veterans who sacrificed for our country. It is my hope that this technical bill will clear the confusion, and that the Immigration and Naturalization Service (INS) and Department of Justice (DOJ) will work to ensure full and proper implementation of the language and spirit of this law.

I was greatly heartened when my colleagues joined me earlier this year to stand with the Lao-Hmong in their struggle to become U.S. citizens and to live a good life in the United States. We were right to recognize their dedication and service. Now we must guarantee that no one is inadvertently left out. I strongly urge your support of this bill.

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

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 5234.

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

A motion to reconsider was laid on the table.

□

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess for approximately 10 minutes.

Accordingly (at 2 o'clock and 55 minutes p.m.), the House stood in recess for approximately 10 minutes.

□

□ 1458

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 2 o'clock and 58 minutes p.m.

□

SMALL BUSINESS INNOVATION RESEARCH PROGRAM REAUTHORIZATION ACT OF 2000

Mrs. KELLY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 590) providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 2392.

The Clerk read as follows:

H. RES. 590

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. 2392, with the amendment of the Senate thereto, and to have concurred in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Extension of SBIR program.
Sec. 104. Annual report.
Sec. 105. Third phase assistance.
Sec. 106. Report on programs for annual performance plan.
Sec. 107. Output and outcome data.
Sec. 108. National Research Council reports.
Sec. 109. Federal agency expenditures for the SBIR program.
Sec. 110. Policy directive modifications.
Sec. 111. Federal and State technology partnership program.
Sec. 112. Mentoring networks.
Sec. 113. Simplified reporting requirements.
Sec. 114. Rural outreach program extension.

TITLE II—GENERAL BUSINESS LOAN PROGRAM

Sec. 201. Short title.
Sec. 202. Levels of participation.
Sec. 203. Loan amounts.
Sec. 204. Interest on defaulted loans.
Sec. 205. Prepayment of loans.
Sec. 206. Guarantee fees.
Sec. 207. Lease terms.

TITLE III—CERTIFIED DEVELOPMENT COMPANY PROGRAM

Sec. 301. Short title.
Sec. 302. Women-owned businesses.
Sec. 303. Maximum debenture size.
Sec. 304. Fees.
Sec. 305. Premier certified lenders program.
Sec. 306. Sale of certain defaulted loans.
Sec. 307. Loan liquidation.

TITLE IV—CORRECTIONS TO THE SMALL BUSINESS INVESTMENT ACT OF 1958

Sec. 401. Short title.
Sec. 402. Definitions.
Sec. 403. Investment in small business investment companies.
Sec. 404. Subsidy fees.
Sec. 405. Distributions.
Sec. 406. Conforming amendment.

TITLE V—REAUTHORIZATION OF SMALL BUSINESS PROGRAMS

Sec. 501. Short title.
Sec. 502. Reauthorization of small business programs.
Sec. 503. Additional reauthorizations.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Loan application processing.
Sec. 602. Application of ownership requirements.
Sec. 603. Eligibility for HUBZone program.
Sec. 604. Subcontracting preference for veterans.
Sec. 605. Small business development center program funding.
Sec. 606. Surety bonds.

TITLE I—SMALL BUSINESS INNOVATION RESEARCH PROGRAM

SECTION 101. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Small Business Innovation Research Program Reauthorization Act of 2000''.

SEC. 102. FINDINGS.

Congress finds that—

(1) the small business innovation research program established under the Small Business Innovation Development Act of 1982, and reauthorized by the Small Business Research and Development Enhancement Act of 1992 (in this Act referred to as the ''SBIR program'') is highly successful in involving small businesses in federally funded research and development;

(2) the SBIR program made the cost-effective and unique research and development capabilities possessed by the small businesses of the Nation available to Federal agencies and departments;

(3) the innovative goods and services developed by small businesses that participated in the SBIR program have produced innovations of critical importance in a wide variety of high-technology fields, including biology, medicine, education, and defense;

(4) the SBIR program is a catalyst in the promotion of research and development, the commercialization of innovative technology, the development of new products and services, and the continued excellence of this Nation's high-technology industries; and

(5) the continuation of the SBIR program will provide expanded opportunities for one

of the Nation's vital resources, its small businesses, will foster invention, research, and technology, will create jobs, and will increase this Nation's competitiveness in international markets.

SEC. 103. EXTENSION OF SBIR PROGRAM.

Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended to read as follows:

''(m) TERMINATION.—The authorization to carry out the Small Business Innovation Research Program established under this section shall terminate on September 30, 2008.''.

SEC. 104. ANNUAL REPORT.

Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended by striking ''and the Committee on Small Business of the House of Representatives'' and inserting '', and to the Committee on Science and the Committee on Small Business of the House of Representatives,''.

SEC. 105. THIRD PHASE ASSISTANCE.

Section 9(e)(4)(C)(i) of the Small Business Act (15 U.S.C. 638(e)(4)(C)(i)) is amended by striking ''; and'' and inserting ''; or''.

SEC. 106. REPORT ON PROGRAMS FOR ANNUAL PERFORMANCE PLAN.

Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

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

''(9) include, as part of its annual performance plan as required by subsections (a) and (b) of section 1115 of title 31, United States Code, a section on its SBIR program, and shall submit such section to the Committee on Small Business of the Senate, and the Committee on Science and the Committee on Small Business of the House of Representatives; and''.

SEC. 107. OUTPUT AND OUTCOME DATA.

(a) COLLECTION.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)), as amended by section 106 of this Act, is further amended by adding at the end the following new paragraph:

''(10) collect, and maintain in a common format in accordance with subsection (v), such information from awardees as is necessary to assess the SBIR program, including information necessary to maintain the database described in subsection (k).''.

(b) REPORT TO CONGRESS.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)), as amended by section 104 of this Act, is further amended by inserting before the period at the end '', including the data on output and outcomes collected pursuant to subsections (g)(10) and (o)(9), and a description of the extent to which Federal agencies are providing in a timely manner information needed to maintain the database described in subsection (k)''.

(c) DATABASE.—Section 9(k) of the Small Business Act (15 U.S.C. 638(k)) is amended to read as follows:

''(k) DATABASE.—

''(1) PUBLIC DATABASE.—Not later than 180 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall develop, maintain, and make available to the public a searchable, up-to-date, electronic database that includes—

''(A) the name, size, location, and an identifying number assigned by the Administrator, of each small business concern that has received a first phase or second phase SBIR award from a Federal agency;

''(B) a description of each first phase or second phase SBIR award received by that small business concern, including—

''(i) an abstract of the project funded by the award, excluding any proprietary information so identified by the small business concern;

''(ii) the Federal agency making the award; and

''(iii) the date and amount of the award;

''(C) an identification of any business concern or subsidiary established for the commercial application of a product or service for which an SBIR award is made; and

''(D) information regarding mentors and Mentoring Networks, as required by section 35(d).

''(2) GOVERNMENT DATABASE.—Not later than 180 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator, in consultation with Federal agencies required to have an SBIR program pursuant to subsection (f)(1), shall develop and maintain a database to be used solely for SBIR program evaluation that—

''(A) contains for each second phase award made by a Federal agency—

''(i) information collected in accordance with paragraph (3) on revenue from the sale of new products or services resulting from the research conducted under the award;

''(ii) information collected in accordance with paragraph (3) on additional investment from any source, other than first phase or second phase SBIR or STTR awards, to further the research and development conducted under the award; and

''(iii) any other information received in connection with the award that the Administrator, in conjunction with the SBIR program managers of Federal agencies, considers relevant and appropriate;

''(B) includes any narrative information that a small business concern receiving a second phase award voluntarily submits to further describe the outputs and outcomes of its awards;

''(C) includes for each applicant for a first phase or second phase award that does not receive such an award—

''(i) the name, size, and location, and an identifying number assigned by the Administration;

''(ii) an abstract of the project; and

''(iii) the Federal agency to which the application was made;

''(D) includes any other data collected by or available to any Federal agency that such agency considers may be useful for SBIR program evaluation; and

''(E) is available for use solely for program evaluation purposes by the Federal Government or, in accordance with policy directives issued by the Administration, by other authorized persons who are subject to a use and nondisclosure agreement with the Federal Government covering the use of the database.

''(3) UPDATING INFORMATION FOR DATABASE.—

''(A) IN GENERAL.—A small business concern applying for a second phase award under this section shall be required to update information in the database established under this subsection for any prior second phase award received by that small business concern. In complying with this paragraph, a small business concern may apportion sales or additional investment information relating to more than one second phase award among those awards, if it notes the apportionment for each award.

''(B) ANNUAL UPDATES UPON TERMINATION.—A small business concern receiving a second phase award under this section shall—

''(i) update information in the database concerning that award at the termination of the award period; and

''(ii) be requested to voluntarily update such information annually thereafter for a period of 5 years.

''(4) PROTECTION OF INFORMATION.—Information provided under paragraph (2) shall be considered privileged and confidential and not subject to disclosure pursuant to section 552 of title 5, United States Code.

''(5) RULE OF CONSTRUCTION.—Inclusion of information in the database under this subsection shall not be considered to be publication for purposes of subsection (a) or (b) of section 102 of title 35, United States Code.''.

SEC. 108. NATIONAL RESEARCH COUNCIL REPORTS.

(a) STUDY AND RECOMMENDATIONS.—The head of each agency with a budget of more than $50,000,000 for its SBIR program for fiscal year 1999, in consultation with the Small Business Administration, shall, not later than 6 months after the date of enactment of this Act, cooperatively enter into an agreement with the National Academy of Sciences for the National Research Council to—

(1) conduct a comprehensive study of how the SBIR program has stimulated technological innovation and used small businesses to meet Federal research and development needs, including—

(A) a review of the value to the Federal research agencies of the research projects being conducted under the SBIR program, and of the quality of research being conducted by small businesses participating under the program, including a comparison of the value of projects conducted under the SBIR program to those funded by other Federal research and development expenditures;

(B) to the extent practicable, an evaluation of the economic benefits achieved by the SBIR program, including the economic rate of return, and a comparison of the economic benefits, including the economic rate of return, achieved by the SBIR program with the economic benefits, including the economic rate of return, of other Federal research and development expenditures;

(C) an evaluation of the noneconomic benefits achieved by the SBIR program over the life of the program;

(D) a comparison of the allocation for fiscal year 2000 of Federal research and development funds to small businesses with such allocation for fiscal year 1983, and an analysis of the factors that have contributed to such allocation; and

(E) an analysis of whether Federal agencies, in fulfilling their procurement needs, are making sufficient effort to use small businesses that have completed a second phase award under the SBIR program; and

(2) make recommendations with respect to—

(A) measures of outcomes for strategic plans submitted under section 306 of title 5, United States Code, and performance plans submitted under section 1115 of title 31, United States Code, of each Federal agency participating in the SBIR program;

(B) whether companies who can demonstrate project feasibility, but who have not received a first phase award, should be eligible for second phase awards, and the potential impact of such awards on the competitive selection process of the program;

(C) whether the Federal Government should be permitted to recoup some or all of its expenses if a controlling interest in a company receiving an SBIR award is sold to a foreign company or to a company that is not a small business concern;

(D) how to increase the use by the Federal Government in its programs and procurements of technology-oriented small businesses; and

(E) improvements to the SBIR program, if any are considered appropriate.

(b) PARTICIPATION BY SMALL BUSINESS.—

(1) IN GENERAL.—In a manner consistent with law and with National Research Council

study guidelines and procedures, knowledgeable individuals from the small business community with experience in the SBIR program shall be included—

(A) in any panel established by the National Research Council for the purpose of performing the study conducted under this section; and

(B) among those who are asked by the National Research Council to peer review the study.

(2) CONSULTATION.—To ensure that the concerns of small business are appropriately considered under this subsection, the National Research Council shall consult with and consider the views of the Office of Technology and the Office of Advocacy of the Small Business Administration and other interested parties, including entities, organizations, and individuals actively engaged in enhancing or developing the technological capabilities of small business concerns.

(c) PROGRESS REPORTS.—The National Research Council shall provide semiannual progress reports on the study conducted under this section to the Committee on Science and the Committee on Small Business of the House of Representatives, and to the Committee on Small Business of the Senate.

(d) REPORT.—The National Research Council shall transmit to the heads of agencies entering into an agreement under this section and to the Committee on Science and the Committee on Small Business of the House of Representatives, and to the Committee on Small Business of the Senate—

(1) not later than 3 years after the date of enactment of this Act, a report including the results of the study conducted under subsection (a)(1) and recommendations made under subsection (a)(2); and

(2) not later than 6 years after that date of enactment, an update of such report.

SEC. 109. FEDERAL AGENCY EXPENDITURES FOR THE SBIR PROGRAM.

Section 9(i) of the Small Business Act (15 U.S.C. 638(i)) is amended—

(1) by striking ''(i) Each Federal'' and inserting the following:

''(i) ANNUAL REPORTING.—

''(1) IN GENERAL.—Each Federal''; and

(2) by adding at the end the following:

''(2) CALCULATION OF EXTRAMURAL BUDGET.—

''(A) METHODOLOGY.—Not later than 4 months after the date of enactment of each appropriations Act for a Federal agency required by this section to have an SBIR program, the Federal agency shall submit to the Administrator a report, which shall include a description of the methodology used for calculating the amount of the extramural budget of that Federal agency.

''(B) ADMINISTRATOR'S ANALYSIS.—The Administrator shall include an analysis of the methodology received from each Federal agency referred to in subparagraph (A) in the report required by subsection (b)(7).''.

SEC. 110. POLICY DIRECTIVE MODIFICATIONS.

Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended by adding at the end the following:

''(3) ADDITIONAL MODIFICATIONS.—Not later than 120 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall modify the policy directives issued pursuant to this subsection—

''(A) to clarify that the rights provided for under paragraph (2)(A) apply to all Federal funding awards under this section, including the first phase (as described in subsection (e)(4)(A)), the second phase (as described in subsection (e)(4)(B)), and the third phase (as described in subsection (e)(4)(C));

''(B) to provide for the requirement of a succinct commercialization plan with each application for a second phase award that is moving toward commercialization;

''(C) to require agencies to report to the Administration, not less frequently than annually, all instances in which an agency pursued research, development, or production of a technology developed by a small business concern using an award made under the SBIR program of that agency, and determined that it was not practicable to enter into a follow-on non-SBIR program funding agreement with the small business concern, which report shall include, at a minimum—

''(i) the reasons why the follow-on funding agreement with the small business concern was not practicable;

''(ii) the identity of the entity with which the agency contracted to perform the research, development, or production; and

''(iii) a description of the type of funding agreement under which the research, development, or production was obtained; and

''(D) to implement subsection (v), including establishing standardized procedures for the provision of information pursuant to subsection (k)(3).''.

SEC. 111. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) programs to foster economic development among small high-technology firms vary widely among the States;

(2) States that do not aggressively support the development of small high-technology firms, including participation by small business concerns in the SBIR program, are at a competitive disadvantage in establishing a business climate that is conducive to technology development; and

(3) building stronger national, State, and local support for science and technology research in these disadvantaged States will expand economic opportunities in the United States, create jobs, and increase the competitiveness of the United States in the world market.

(b) FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 34 as section 36; and

(2) by inserting after section 33 the following new section:

''SEC. 34. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

''(a) DEFINITIONS.—In this section and section 35, the following definitions apply:

''(1) APPLICANT.—The term 'applicant' means an entity, organization, or individual that submits a proposal for an award or a cooperative agreement under this section.

''(2) BUSINESS ADVICE AND COUNSELING.—The term 'business advice and counseling' means providing advice and assistance on matters described in section 35(c)(2)(B) to small business concerns to guide them through the SBIR and STTR program process, from application to award and successful completion of each phase of the program.

''(3) FAST PROGRAM.—The term 'FAST program' means the Federal and State Technology Partnership Program established under this section.

''(4) MENTOR.—The term 'mentor' means an individual described in section 35(c)(2).

''(5) MENTORING NETWORK.—The term 'Mentoring Network' means an association, organization, coalition, or other entity (including an individual) that meets the requirements of section 35(c).

''(6) RECIPIENT.—The term 'recipient' means a person that receives an award or becomes party to a cooperative agreement under this section.

''(7) SBIR PROGRAM.—The term 'SBIR program' has the same meaning as in section 9(e)(4).

''(8) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

''(9) STTR PROGRAM.—The term 'STTR program' has the same meaning as in section 9(e)(6).

''(b) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program to be known as the Federal and State Technology Partnership Program, the purpose of which shall be to strengthen the technological competitiveness of small business concerns in the States.

''(c) GRANTS AND COOPERATIVE AGREEMENTS.—

''(1) JOINT REVIEW.—In carrying out the FAST program under this section, the Administrator and the SBIR program managers at the National Science Foundation and the Department of Defense shall jointly review proposals submitted by applicants and may make awards or enter into cooperative agreements under this section based on the factors for consideration set forth in paragraph (2), in order to enhance or develop in a State—

''(A) technology research and development by small business concerns;

''(B) technology transfer from university research to technology-based small business concerns;

''(C) technology deployment and diffusion benefiting small business concerns;

''(D) the technological capabilities of small business concerns through the establishment or operation of consortia comprised of entities, organizations, or individuals, including—

''(i) State and local development agencies and entities;

''(ii) representatives of technology-based small business concerns;

''(iii) industries and emerging companies;

''(iv) universities; and

''(v) small business development centers; and

''(E) outreach, financial support, and technical assistance to technology-based small business concerns participating in or interested in participating in an SBIR program, including initiatives—

''(i) to make grants or loans to companies to pay a portion or all of the cost of developing SBIR proposals;

''(ii) to establish or operate a Mentoring Network within the FAST program to provide business advice and counseling that will assist small business concerns that have been identified by FAST program participants, program managers of participating SBIR agencies, the Administration, or other entities that are knowledgeable about the SBIR and STTR programs as good candidates for the SBIR and STTR programs, and that would benefit from mentoring, in accordance with section 35;

''(iii) to create or participate in a training program for individuals providing SBIR outreach and assistance at the State and local levels; and

''(iv) to encourage the commercialization of technology developed through SBIR program funding.

''(2) SELECTION CONSIDERATIONS.—In making awards or entering into cooperative agreements under this section, the Administrator and the SBIR program managers referred to in paragraph (1)—

''(A) may only consider proposals by applicants that intend to use a portion of the Federal assistance provided under this section to provide outreach, financial support, or technical assistance to technology-based small business concerns participating in or interested in participating in the SBIR program; and

''(B) shall consider, at a minimum—

''(i) whether the applicant has demonstrated that the assistance to be provided would address unmet needs of small business concerns in the community, and whether it is important to use Federal funding for the proposed activities;

''(ii) whether the applicant has demonstrated that a need exists to increase the number or success of small high-technology businesses in the State, as measured by the number of first phase and second phase SBIR awards that have historically been received by small business concerns in the State;

''(iii) whether the projected costs of the proposed activities are reasonable;

''(iv) whether the proposal integrates and coordinates the proposed activities with other State and local programs assisting small high-technology firms in the State; and

''(v) the manner in which the applicant will measure the results of the activities to be conducted.

''(3) PROPOSAL LIMIT.—Not more than 1 proposal may be submitted for inclusion in the FAST program under this section to provide services in any one State in any 1 fiscal year.

''(4) PROCESS.—Proposals and applications for assistance under this section shall be in such form and subject to such procedures as the Administrator shall establish.

''(d) COOPERATION AND COORDINATION.—In carrying out the FAST program under this section, the Administrator shall cooperate and coordinate with—

''(1) Federal agencies required by section 9 to have an SBIR program; and

''(2) entities, organizations, and individuals actively engaged in enhancing or developing the technological capabilities of small business concerns, including—

''(A) State and local development agencies and entities;

''(B) State committees established under the Experimental Program to Stimulate Competitive Research of the National Science Foundation (as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g));

''(C) State science and technology councils; and

''(D) representatives of technology-based small business concerns.

''(e) ADMINISTRATIVE REQUIREMENTS.—

''(1) COMPETITIVE BASIS.—Awards and cooperative agreements under this section shall be made or entered into, as applicable, on a competitive basis.

''(2) MATCHING REQUIREMENTS.—

''(A) IN GENERAL.—The non-Federal share of the cost of an activity (other than a planning activity) carried out using an award or under a cooperative agreement under this section shall be—

''(i) 50 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in one of the 18 States receiving the fewest SBIR first phase awards (as described in section 9(e)(4)(A));

''(ii) except as provided in subparagraph (B), 1 dollar for each Federal dollar, in the case of a recipient that will serve small business concerns located in one of the 16 States receiving the greatest number of such SBIR first phase awards; and

''(iii) except as provided in subparagraph (B), 75 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in a State that is not described in clause (i) or (ii) that is receiving such SBIR first phase awards.

''(B) LOW-INCOME AREAS.—The non-Federal share of the cost of the activity carried out using an award or under a cooperative agreement under this section shall be 50 cents for each Federal dollar that will be directly allocated by a recipient described in subparagraph (A) to serve small business concerns located in a qualified census tract, as that term is defined in section 42(d)(5)(C)(ii) of the Internal Revenue Code of 1986. Federal dollars not so allocated by that recipient shall be subject to the matching requirements of subparagraph (A).

''(C) TYPES OF FUNDING.—The non-Federal share of the cost of an activity carried out by a recipient shall be comprised of not less than 50 percent cash and not more than 50 percent of indirect costs and in-kind contributions, except that no such costs or contributions may be derived from funds from any other Federal program.

''(D) RANKINGS.—For purposes of subparagraph (A), the Administrator shall reevaluate the ranking of a State once every 2 fiscal years, beginning with fiscal year 2001, based on the most recent statistics compiled by the Administrator.

''(3) DURATION.—Awards may be made or cooperative agreements entered into under this section for multiple years, not to exceed 5 years in total.

''(f) REPORTS.—

''(1) INITIAL REPORT.—Not later than 120 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall prepare and submit to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives a report, which shall include, with respect to the FAST program, including Mentoring Networks—

''(A) a description of the structure and procedures of the program;

''(B) a management plan for the program; and

''(C) a description of the merit-based review process to be used in the program.

''(2) ANNUAL REPORTS.—The Administrator shall submit an annual report to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives regarding—

''(A) the number and amount of awards provided and cooperative agreements entered into under the FAST program during the preceding year;

''(B) a list of recipients under this section, including their location and the activities being performed with the awards made or under the cooperative agreements entered into; and

''(C) the Mentoring Networks and the mentoring database, as provided for under section 35, including—

''(i) the status of the inclusion of mentoring information in the database required by section 9(k); and

''(ii) the status of the implementation and description of the usage of the Mentoring Networks.

''(g) REVIEWS BY INSPECTOR GENERAL.—

''(1) IN GENERAL.—The Inspector General of the Administration shall conduct a review of—

''(A) the extent to which recipients under the FAST program are measuring the performance of the activities being conducted and the results of such measurements; and

''(B) the overall management and effectiveness of the FAST program.

''(2) REPORT.—During the first quarter of fiscal year 2004, the Inspector General of the Administration shall submit a report to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives on the review conducted under paragraph (1).

''(h) PROGRAM LEVELS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out the FAST program, including Mentoring Networks, under this section and section 35, $10,000,000 for each of fiscal years 2001 through 2005.

''(2) MENTORING DATABASE.—Of the total amount made available under paragraph (1) for fiscal years 2001 through 2005, a reasonable amount, not to exceed a total of $500,000, may be used by the Administration to carry out section 35(d).

''(i) TERMINATION.—The authority to carry out the FAST program under this section shall terminate on September 30, 2005.''.

(c) COORDINATION OF TECHNOLOGY DEVELOPMENT PROGRAMS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(u) COORDINATION OF TECHNOLOGY DEVELOPMENT PROGRAMS.—

''(1) DEFINITION OF TECHNOLOGY DEVELOPMENT PROGRAM.—In this subsection, the term 'technology development program' means—

''(A) the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

''(B) the Defense Experimental Program to Stimulate Competitive Research of the Department of Defense;

''(C) the Experimental Program to Stimulate Competitive Research of the Department of Energy;

''(D) the Experimental Program to Stimulate Competitive Research of the Environmental Protection Agency;

''(E) the Experimental Program to Stimulate Competitive Research of the National Aeronautics and Space Administration;

''(F) the Institutional Development Award Program of the National Institutes of Health; and

''(G) the National Research Initiative Competitive Grants Program of the Department of Agriculture.

''(2) COORDINATION REQUIREMENTS.—Each Federal agency that is subject to subsection (f) and that has established a technology development program may, in each fiscal year, review for funding under that technology development program—

''(A) any proposal to provide outreach and assistance to 1 or more small business concerns interested in participating in the SBIR program, including any proposal to make a grant or loan to a company to pay a portion or all of the cost of developing an SBIR proposal, from an entity, organization, or individual located in—

''(i) a State that is eligible to participate in that program; or

''(ii) a State described in paragraph (3); or

''(B) any proposal for the first phase of the SBIR program, if the proposal, though meritorious, is not funded through the SBIR program for that fiscal year due to funding restraints, from a small business concern located in—

''(i) a State that is eligible to participate in a technology development program; or

''(ii) a State described in paragraph (3).

''(3) ADDITIONALLY ELIGIBLE STATE.—A State referred to in subparagraph (A)(ii) or (B)(ii) of paragraph (2) is a State in which the total value of contracts awarded to small business concerns under all SBIR programs is less than the total value of contracts awarded to small business concerns in a majority of other States, as determined by the Administrator in biennial fiscal years, beginning with fiscal year 2000, based on the most recent statistics compiled by the Administrator.''.

SEC. 112. MENTORING NETWORKS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 34, as added by section 111(b)(2) of this Act, the following new section:

"SEC. 35. MENTORING NETWORKS.

''(a) FINDINGS.—Congress finds that—

''(1) the SBIR and STTR programs create jobs, increase capacity for technological innovation, and boost international competitiveness;

''(2) increasing the quantity of applications from all States to the SBIR and STTR programs would enhance competition for such awards and the quality of the completed projects; and

''(3) mentoring is a natural complement to the FAST program of reaching out to new companies regarding the SBIR and STTR programs as an effective and low-cost way to improve the likelihood that such companies will succeed in such programs in developing and commercializing their research.

''(b) AUTHORIZATION FOR MENTORING NETWORKS.—The recipient of an award or participant in a cooperative agreement under section 34 may use a reasonable amount of such assistance for the establishment of a Mentoring Network under this section.

''(c) CRITERIA FOR MENTORING NETWORKS.—A Mentoring Network established using assistance under section 34 shall—

''(1) provide business advice and counseling to high technology small business concerns located in the State or region served by the Mentoring Network and identified under section 34(c)(1)(E)(ii) as potential candidates for the SBIR or STTR programs;

''(2) identify volunteer mentors who—

''(A) are persons associated with a small business concern that has successfully completed one or more SBIR or STTR funding agreements; and

''(B) have agreed to guide small business concerns through all stages of the SBIR or STTR program process, including providing assistance relating to—

''(i) proposal writing;

''(ii) marketing;

''(iii) Government accounting;

''(iv) Government audits;

''(v) project facilities and equipment;

''(vi) human resources;

''(vii) third phase partners;

''(viii) commercialization;

''(ix) venture capital networking; and

''(x) other matters relevant to the SBIR and STTR programs;

''(3) have experience working with small business concerns participating in the SBIR and STTR programs;

''(4) contribute information to the national database referred to in subsection (d); and

''(5) agree to reimburse volunteer mentors for out-of-pocket expenses related to service as a mentor under this section.

''(d) MENTORING DATABASE.—The Administrator shall—

''(1) include in the database required by section 9(k)(1), in cooperation with the SBIR, STTR, and FAST programs, information on Mentoring Networks and mentors participating under this section, including a description of their areas of expertise;

''(2) work cooperatively with Mentoring Networks to maintain and update the database;

''(3) take such action as may be necessary to aggressively promote Mentoring Networks under this section; and

''(4) fulfill the requirements of this subsection either directly or by contract.''.

SEC. 113. SIMPLIFIED REPORTING REQUIREMENTS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is further amended by adding at the end the following new subsection:

''(v) SIMPLIFIED REPORTING REQUIREMENTS.—The Administrator shall work with the Federal agencies required by this section to have an SBIR program to standardize reporting requirements for the collection of data from SBIR applicants and awardees, including data for inclusion in the database under subsection (k), taking into consideration the unique needs of each agency, and to the extent possible, permitting the updating of previously reported information by electronic means. Such requirements shall be designed to minimize the burden on small businesses.''.

SEC. 114. RURAL OUTREACH PROGRAM EXTENSION.

(a) EXTENSION OF TERMINATION DATE.—Section 501(b)(2) of the Small Business Reauthorization Act of 1997 (15 U.S.C. 638 note; 111 Stat. 2622) is amended by striking ''2001'' and inserting ''2005''.

(b) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.—Section 9(s)(2) of the Small Business Act (15 U.S.C. 638(s)(2)) is amended by striking ''for fiscal year 1998, 1999, 2000, or 2001'' and inserting ''for each of the fiscal years 2000 through 2005,''.

TITLE II—GENERAL BUSINESS LOAN PROGRAM

SEC. 201. SHORT TITLE.

This title may be cited as the ''Small Business General Business Loan Improvement Act of 2000''.

SEC. 202. LEVELS OF PARTICIPATION.

Section 7(a)(2)(A) of the Small Business Act (15 U.S.C. 636(a)(2)(A)) is amended—

(1) in paragraph (i) by striking ''$100,000'' and inserting ''$150,000''; and

(2) in paragraph (ii)—

(A) by striking ''80 percent'' and inserting ''85 percent''; and

(B) by striking ''$100,000'' and inserting ''$150,000''.

SEC. 203. LOAN AMOUNTS.

Section 7(a)(3)(A) of the Small Business Act (15 U.S.C. 636(a)(3)(A)) is amended by striking ''$750,000,'' and inserting, ''$1,000,000 (or if the gross loan amount would exceed $2,000,000),''.

SEC. 204. INTEREST ON DEFAULTED LOANS.

Subparagraph (B) of section 7(a)(4) of the Small Business Act (15 U.S.C. 636(a)(4)) is amended by adding at the end the following:

''(iii) APPLICABILITY.—Clauses (i) and (ii) shall not apply to loans made on or after October 1, 2000.''.

SEC. 205. PREPAYMENT OF LOANS.

Section 7(a)(4) of the Small Business Act (15 U.S.C. 636(a)(4)) is further amended—

(1) by striking ''(4) INTEREST RATES AND FEES.—'' and inserting ''(4) INTEREST RATES AND PREPAYMENT CHARGES.—''; and

(2) by adding at the end the following:

''(C) PREPAYMENT CHARGES.—

''(i) IN GENERAL.—A borrower who prepays any loan guaranteed under this subsection shall remit to the Administration a subsidy recoupment fee calculated in accordance with clause (ii) if—

''(I) the loan is for a term of not less than 15 years;

''(II) the prepayment is voluntary;

''(III) the amount of prepayment in any calendar year is more than 25 percent of the outstanding balance of the loan; and

''(IV) the prepayment is made within the first 3 years after disbursement of the loan proceeds.

''(ii) SUBSIDY RECOUPMENT FEE.—The subsidy recoupment fee charged under clause (i) shall be—

''(I) 5 percent of the amount of prepayment, if the borrower prepays during the first year after disbursement;

''(II) 3 percent of the amount of prepayment, if the borrower prepays during the second year after disbursement; and

''(III) 1 percent of the amount of prepayment, if the borrower prepays during the third year after disbursement.''.

SEC. 206. GUARANTEE FEES.

Section 7(a)(18)(B) of the Small Business Act (15 U.S.C. 636(a)(18)(B)) is amended to read as follows:

''(B) EXCEPTION FOR CERTAIN LOANS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), if the total deferred participation share of a loan guaranteed under this subsection is less than or equal to $150,000, the guarantee fee collected under subparagraph (A) shall be in an amount equal to 2 percent of the total deferred participation share of the loan.

''(ii) RETENTION OF FEES.—Lenders participating in the programs established under this subsection may retain not more than 25 percent of the fee collected in accordance with this subparagraph with respect to any loan not exceeding $150,000 in gross loan amount.''.

SEC. 207. LEASE TERMS.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is further amended by adding at the end the following:

''(28) LEASING.—In addition to such other lease arrangements as may be authorized by the Administration, a borrower may permanently lease to one or more tenants not more than 20 percent of any property constructed with the proceeds of a loan guaranteed under this subsection, if the borrower permanently occupies and uses not less than 60 percent of the total business space in the property.''.

TITLE III—CERTIFIED DEVELOPMENT COMPANY PROGRAM

SEC. 301. SHORT TITLE.

This title may be cited as the ''Certified Development Company Program Improvements Act of 2000''.

SEC. 302. WOMEN-OWNED BUSINESSES.

Section 501(d)(3)(C) of the Small Business Investment Act (15 U.S.C. 695(d)(3)(C)) is amended by inserting before the comma ''or women-owned business development''.

SEC. 303. MAXIMUM DEBENTURE SIZE.

Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)) is amended to read as follows:

''(2) Loans made by the Administration under this section shall be limited to $1,000,000 for each such identifiable small business concern, except loans meeting the criteria specified in section 501(d)(3), which shall be limited to $1,300,000 for each such identifiable small business concern.''.

SEC. 304. FEES.

Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) is amended to read as follows:

''(f) EFFECTIVE DATE.—The fees authorized by subsections (b) and (d) shall apply to financings approved by the Administration on or after October 1, 1996, but shall not apply to financings approved by the Administration on or after October 1, 2003.''.

SEC. 305. PREMIER CERTIFIED LENDERS PROGRAM.

Section 217(b) of the Small Business Reauthorization and Amendments Act of 1994 (relating to section 508 of the Small Business Investment Act) is repealed.

SEC. 306. SALE OF CERTAIN DEFAULTED LOANS.

Section 508 of the Small Business Investment Act of 1958 (15 U.S.C. 697e) is amended—

(1) in subsection (a), by striking ''On a pilot program basis, the'' and inserting ''The'';

(2) by redesignating subsections (d) though (i) as subsections (e) though (j), respectively;

(3) in subsection (f) (as redesignated by paragraph (2)), by striking ''subsection (f)'' and inserting ''subsection (g)'';

(4) in subsection (h) (as redesignated by paragraph (2)), by striking ''subsection (f)'' and inserting ''subsection (g)''; and

(5) by inserting after subsection (c) the following:

''(d) SALE OF CERTAIN DEFAULTED LOANS.—

''(1) NOTICE.—If, upon default in repayment, the Administration acquires a loan guaranteed under this section and identifies such loan for inclusion in a bulk asset sale of defaulted or repurchased loans or other financings, it shall give prior notice thereof to any certified development company which has a contingent liability under this section. The notice shall be given to the company as soon as possible after the financing is identified, but not less than 90 days before the date the Administration first makes any records on such financing available for examination by prospective purchasers prior to its offering in a package of loans for bulk sale.

''(2) LIMITATIONS.—The Administration shall not offer any loan described in paragraph (1) as part of a bulk sale unless it—

''(A) provides prospective purchasers with the opportunity to examine the Administration's records with respect to such loan; and

''(B) provides the notice required by paragraph (1).''.

SEC. 307. LOAN LIQUIDATION.

(a) LIQUIDATION AND FORECLOSURE.—Title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) is amended by adding at the end the following:

''SEC. 510. FORECLOSURE AND LIQUIDATION OF LOANS.

''(a) DELEGATION OF AUTHORITY.—In accordance with this section, the Administration shall delegate to any qualified State or local development company (as defined in section 503(e)) that meets the eligibility requirements of subsection (b)(1) the authority to foreclose and liquidate, or to otherwise treat in accordance with this section, defaulted loans in its portfolio that are funded with the proceeds of debentures guaranteed by the Administration under section 503.

''(b) ELIGIBILITY FOR DELEGATION.—

''(1) REQUIREMENTS.—A qualified State or local development company shall be eligible for a delegation of authority under subsection (a) if—

''(A) the company—

''(i) has participated in the loan liquidation pilot program established by the Small Business Programs Improvement Act of 1996 (15 U.S.C. 695 note), as in effect on the day before promulgation of final regulations by the Administration implementing this section;

''(ii) is participating in the Premier Certified Lenders Program under section 508; or

''(iii) during the 3 fiscal years immediately prior to seeking such a delegation, has made an average of not less than 10 loans per year that are funded with the proceeds of debentures guaranteed under section 503; and

''(B) the company—

''(i) has one or more employees—

''(I) with not less than 2 years of substantive, decision-making experience in administering the liquidation and workout of problem loans secured in a manner substantially similar to loans funded with the proceeds of debentures guaranteed under section 503; and

''(II) who have completed a training program on loan liquidation developed by the Administration in conjunction with qualified State and local development companies that meet the requirements of this paragraph; or

''(ii) submits to the Administration documentation demonstrating that the company has contracted with a qualified third-party to perform any liquidation activities and secures the approval of the contract by the Administration with respect to the qualifications of the contractor and the terms and conditions of liquidation activities.

''(2) CONFIRMATION.—On request the Administration shall examine the qualifications of any company described in subsection (a) to determine if such company is eligible for the delegation of authority under this section. If the Administration determines that a company is not eligible, the Administration shall provide the company with the reasons for such ineligibility.

''(c) SCOPE OF DELEGATED AUTHORITY.—

''(1) IN GENERAL.—Each qualified State or local development company to which the Administration delegates authority under section (a) may with respect to any loan described in subsection (a)—

''(A) perform all liquidation and foreclosure functions, including the purchase in accordance with this subsection of any other indebtedness secured by the property securing the loan, in a reasonable and sound manner according to commercially accepted practices, pursuant to a liquidation plan approved in advance by the Administration under paragraph (2)(A);

''(B) litigate any matter relating to the performance of the functions described in subparagraph (A), except that the Administration may—

''(i) defend or bring any claim if—

''(I) the outcome of the litigation may adversely affect the Administration's management of the loan program established under section 502; or

''(II) the Administration is entitled to legal remedies not available to a qualified State or local development company and such remedies will benefit either the Administration or the qualified State or local development company; or

''(ii) oversee the conduct of any such litigation; and

''(C) take other appropriate actions to mitigate loan losses in lieu of total liquidation or foreclosures, including the restructuring of a loan in accordance with prudent loan servicing practices and pursuant to a workout plan approved in advance by the Administration under paragraph (2)(C).

''(2) ADMINISTRATION APPROVAL.—

''(A) LIQUIDATION PLAN.—

''(i) IN GENERAL.—Before carrying out functions described in paragraph (1)(A), a qualified State or local development company shall submit to the Administration a proposed liquidation plan.

''(ii) ADMINISTRATION ACTION ON PLAN.—

''(I) TIMING.—Not later than 15 business days after a liquidation plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

''(II) NOTICE OF NO DECISION.—With respect to any plan that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall within such period provide in accordance with subparagraph (E) notice to the company that submitted the plan.

''(iii) ROUTINE ACTIONS.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company may undertake routine actions not addressed in a liquidation plan without obtaining additional approval from the Administration.

''(B) PURCHASE OF INDEBTEDNESS.—

''(i) IN GENERAL.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company shall submit to the Administration a request for written approval before committing the Administration to the purchase of any other indebtedness secured by the property securing a defaulted loan.

''(ii) ADMINISTRATION ACTION ON REQUEST.—

''(I) TIMING.—Not later than 15 business days after receiving a request under clause (i), the Administration shall approve or deny the request.

''(II) NOTICE OF NO DECISION.—With respect to any request that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall within such period provide in accordance with subparagraph (E) notice to the company that submitted the request.

''(C) WORKOUT PLAN.—

''(i) IN GENERAL.—In carrying out functions described in paragraph (1)(C), a qualified State or local development company shall submit to the Administration a proposed workout plan.

''(ii) ADMINISTRATION ACTION ON PLAN.—

''(I) TIMING.—Not later than 15 business days after a workout plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

''(II) NOTICE OF NO DECISION.—With respect to any workout plan that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall within such period provide in accordance with subparagraph (E) notice to the company that submitted the plan.

''(D) COMPROMISE OF INDEBTEDNESS.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company may—

''(i) consider an offer made by an obligor to compromise the debt for less than the full amount owing; and

''(ii) pursuant to such an offer, release any obligor or other party contingently liable, if the company secures the written approval of the Administration.

''(E) CONTENTS OF NOTICE OF NO DECISION.—Any notice provided by the Administration under subparagraphs (A)(ii)(II), (B)(ii)(II), or (C)(ii)(II)—

''(i) shall be in writing;

''(ii) shall state the specific reason for the Administration's inability to act on a plan or request;

''(iii) shall include an estimate of the additional time required by the Administration to act on the plan or request; and

''(iv) if the Administration cannot act because insufficient information or documentation was provided by the company submitting the plan or request, shall specify the nature of such additional information or documentation.

''(3) CONFLICT OF INTEREST.—In carrying out functions described in paragraph (1), a qualified State or local development company shall take no action that would result in an actual or apparent conflict of interest between the company (or any employee of the company) and any third party lender, associate of a third party lender, or any other person participating in a liquidation, foreclosure, or loss mitigation action.

''(d) SUSPENSION OR REVOCATION OF AUTHORITY.—The Administration may revoke or suspend a delegation of authority under this section to any qualified State or local development company, if the Administration determines that the company—

''(1) does not meet the requirements of subsection (b)(1);

''(2) has violated any applicable rule or regulation of the Administration or any other applicable law; or

''(3) fails to comply with any reporting requirement that may be established by the Administration relating to carrying out of functions described in paragraph (1).

''(e) REPORT.—

''(1) IN GENERAL.—Based on information provided by qualified State and local development companies and the Administration, the Administration shall annually submit to the Committees on Small Business of the House of Representatives and of the Senate a report on the results of delegation of authority under this section.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following information:

''(A) With respect to each loan foreclosed or liquidated by a qualified State or local development company under this section, or for which losses were otherwise mitigated by the company pursuant to a workout plan under this section—

''(i) the total cost of the project financed with the loan;

''(ii) the total original dollar amount guaranteed by the Administration;

''(iii) the total dollar amount of the loan at the time of liquidation, foreclosure, or mitigation of loss;

''(iv) the total dollar losses resulting from the liquidation, foreclosure, or mitigation of loss; and

''(v) the total recoveries resulting from the liquidation, foreclosure, or mitigation of loss, both as a percentage of the amount guaranteed and the total cost of the project financed.

''(B) With respect to each qualified State or local development company to which authority is delegated under this section, the totals of each of the amounts described in clauses (i) through (v) of subparagraph (A).

''(C) With respect to all loans subject to foreclosure, liquidation, or mitigation under this section, the totals of each of the amounts described in clauses (i) through (v) of subparagraph (A).

''(D) A comparison between—

''(i) the information provided under subparagraph (C) with respect to the 12-month period preceding the date on which the report is submitted; and

''(ii) the same information with respect to loans foreclosed and liquidated, or otherwise treated, by the Administration during the same period.

''(E) The number of times that the Administration has failed to approve or reject a liquidation plan in accordance with subparagraph (A)(i), a workout plan in accordance with subparagraph (C)(i), or to approve or deny a request for purchase of indebtedness under subparagraph (B)(i), including specific information regarding the reasons for the Administration's failure and any delays that resulted.''.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 150 days after the date of enactment of this Act, the Administrator shall issue such regulations as may be necessary to carry out section 510 of the Small Business Investment Act of 1958, as added by subsection (a) of this section.

(2) TERMINATION OF PILOT PROGRAM.—Beginning on the date which the final regulations are issued under paragraph (1), section 204 of the Small Business Programs Improvement Act of 1996 (15 U.S.C. 695 note) shall cease to have effect.

TITLE IV—CORRECTIONS TO THE SMALL BUSINESS INVESTMENT ACT OF 1958

SEC. 401. SHORT TITLE.

This title may be cited as the ''Small Business Investment Corrections Act of 2000''.

SEC. 402. DEFINITIONS.

(a) SMALL BUSINESS CONCERN.—Section 103(5)(A)(i) of the Small Business Investment Act of 1958 (15 U.S.C. 662(5)(A)(i)) is amended by inserting ''regardless of the allocation of control during the investment period under any investment agreement between the business concern and the entity making the investment'' before the semicolon at the end.

(b) LONG TERM.—Section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662) is amended—

(1) in paragraph (15), by striking ''and'' at the end;

(2) in paragraph (16), by striking the period at the end and inserting ''; and''; and

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

''(17) the term 'long term', when used in connection with equity capital or loan funds invested in any small business concern or smaller enterprise, means any period of time not less than 1 year.''.

SEC. 403. INVESTMENT IN SMALL BUSINESS INVESTMENT COMPANIES.

Section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) is amended—

(1) by striking ''(b) Notwithstanding'' and inserting the following:

''(b) FINANCIAL INSTITUTION INVESTMENTS.—

''(1) CERTAIN BANKS.—Notwithstanding''; and

(2) by adding at the end the following:

''(2) CERTAIN SAVINGS ASSOCIATIONS.—Notwithstanding any other provision of law, any Federal savings association may invest in any 1 or more small business investment companies, or in any entity established to invest solely in small business investment companies, except that in no event may the total amount of such investments by any such Federal savings association exceed 5 percent of the capital and surplus of the Federal savings association.''.

SEC. 404. SUBSIDY FEES.

(a) DEBENTURES.—Section 303(b) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)) is amended by striking ''plus an additional charge of 1 percent per annum which shall be paid to and retained by the Administration'' and inserting ''plus, for debentures issued after September 30, 2000, an additional charge, in an amount established annually by the Administration, of not more than 1 percent per year as necessary to reduce to zero the cost (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) to the Administration of purchasing and guaranteeing debentures under this Act, which shall be paid to and retained by the Administration''.

(b) PARTICIPATING SECURITIES.—Section 303(g)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(2)) is amended by striking ''plus an additional charge of 1 percent per annum which shall be paid to and retained by the Administration'' and inserting ''plus, for participating securities issued after September 30, 2000, an additional charge, in an amount established annually by the Administration, of not more than 1 percent per year as necessary to reduce to zero the cost (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) to the Administration of purchasing and guaranteeing participating securities under this Act, which shall be paid to and retained by the Administration''.

SEC. 405. DISTRIBUTIONS.

Section 303(g)(8) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(8)) is amended—

(1) by striking ''subchapter s corporation'' and inserting ''subchapter S corporation'';

(2) by striking ''the end of any calendar quarter based on a quarterly'' and inserting ''any time during any calendar quarter based on an''; and

(3) by striking ''quarterly distributions for a calendar year,'' and inserting ''interim distributions for a calendar year,''.

SEC. 406. CONFORMING AMENDMENT.

Section 310(c)(4) of the Small Business Investment Act of 1958 (15 U.S.C. 687b(c)(4)) is amended by striking ''five years'' and inserting ''1 year''.

TITLE V—REAUTHORIZATION OF SMALL BUSINESS PROGRAMS

SEC. 501. SHORT TITLE.

This title may be cited as the ''Small Business Reauthorization Act of 2000''.

SEC. 502. REAUTHORIZATION OF SMALL BUSINESS PROGRAMS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by adding at the end the following:

''(g) FISCAL YEAR 2001.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2001:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $45,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $60,000,000 in direct loans, as provided in 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $19,050,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $14,500,000,000 in general business loans as provided in section 7(a);

''(ii) $4,000,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $500,000,000 in loans as provided in section 7(a)(21); and

''(iv) $50,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $2,500,000,000 in purchases of participating securities; and

''(ii) $1,500,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $4,000,000,000 of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter cooperative agreements for a total amount of $5,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2001 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out title IV of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding any other provision of this paragraph, for fiscal year 2001—

''(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

''(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(h) FISCAL YEAR 2002.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2002:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $60,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $80,000,000 in direct loans, as provided in 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $20,050,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $15,000,000,000 in general business loans as provided in section 7(a);

''(ii) $4,500,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $500,000,000 in loans as provided in section 7(a)(21); and

''(iv) $50,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $3,500,000,000 in purchases of participating securities; and

''(ii) $2,500,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $5,000,000,000 of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter cooperative agreements for a total amount of $6,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2002 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out title IV of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding any other provision of this paragraph, for fiscal year 2002—

''(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

''(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(i) FISCAL YEAR 2003.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2003:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $70,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $100,000,000 in direct loans, as provided in 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $21,550,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $16,000,000,000 in general business loans as provided in section 7(a);

''(ii) $5,000,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $500,000,000 in loans as provided in section 7(a)(21); and

''(iv) $50,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $4,000,000,000 in purchases of participating securities; and

''(ii) $3,000,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $6,000,000,000 of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter into cooperative agreements for a total amount of $7,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2003 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out title IV of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding any other provision of this paragraph, for fiscal year 2003—

''(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

''(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.''.

SEC. 503. ADDITIONAL REAUTHORIZATIONS.

(a) SMALL BUSINESS DEVELOPMENT CENTERS PROGRAM.—Section 21(a)(4)(C)(iii)(III) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(iii)(III)) is amended by striking ''$95,000,000'' and inserting ''$125,000,000''.

(b) DRUG-FREE WORKPLACE PROGRAM.—Section 27 of the Small Business Act (15 U.S.C. 654) is amended—

(1) in the section heading, by striking ''**DRUG-FREE WORKPLACE DEMONSTRATION PROGRAM**'' and inserting ''**PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM**''; and

(2) in subsection (g)(1), by striking ''$10,000,000 for fiscal years 1999 and 2000'' and inserting ''$5,000,000 for each of fiscal years 2001 through 2003''.

(c) HUBZONE PROGRAM.—Section 31 of the Small Business Act (15 U.S.C. 657a) is amended by adding at the end the following new subsection:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program established by this section $10,000,000 for each of fiscal years 2001 through 2003.''.

(d) WOMEN'S BUSINESS ENTERPRISE DEVELOPMENT PROGRAMS.—Section 411 of the Women's Business Ownership Act (Public Law 105–135; 15 U.S.C. 631 note) is amended by striking ''$600,000, for each of fiscal years 1998 through 2000,'' and inserting ''$1,000,000 for each of fiscal years 2001 through 2003,''.

(e) VERY SMALL BUSINESS CONCERNS PROGRAM.—Section 304(i) of the Small Business Administration Reauthorization and Amendments Act of 1994 (Public Law 103–403; 15 U.S.C. 644 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

(f) SOCIALLY AND ECONOMICALLY DISADVANTAGED BUSINESSES PROGRAM.—Section 7102(c) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355; 15 U.S.C. 644 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. LOAN APPLICATION PROCESSING.

(a) STUDY.—The Administrator of the Small Business Administration shall conduct a study to determine the average time that the Administration requires to process an application for each type of loan or loan guarantee made under the Small Business Act (15 U.S.C. 631 et seq.).

(b) TRANSMITTAL.—Not later than 1 year after the date of the enactment of this title, the Administrator shall transmit to Congress the results of the study conducted under subsection (a).

SEC. 602. APPLICATION OF OWNERSHIP REQUIREMENTS.

Section 2 of the Small Business Act (15 U.S.C. 631) is amended by adding at the end the following new subsection:

''(k) APPLICATION OF OWNERSHIP REQUIREMENTS.—Each ownership requirement established under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) shall be applied without regard to any possible future ownership interest of a spouse arising from the application of any State community property law established for the purpose of determining marital interest.''.

SEC. 603. ELIGIBILITY FOR HUBZONE PROGRAM.

Section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) is amended by adding at the end the following new subparagraph:

''(E) EXTENSION OF ELIGIBILITY.—If a geographic area that qualified as a HUBZone under this subsection ceases to qualify as a result of a change in official government data or boundary designations, each small business concern certified as HUBZone small business concern in connection with such geographic area shall remain certified as such for a period of 1 year after the effective date of the change in HUBZone status, if the small business concern continues to meet each of the other qualifications applicable to a HUBZone small business concern.''.

SEC. 604. SUBCONTRACTING PREFERENCE FOR VETERANS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) in paragraph (1), by inserting ''small business concerns owned and controlled by veterans,'' after ''small business concerns,'' the first place that term appears in each of the first and second sentences;

(2) in paragraph (3)—

(A) in subparagraph (A), by inserting ''small business concerns owned and controlled by service-disabled veterans,'' after ''small business concerns owned and controlled by veterans,'' in each of the first and second sentences; and

(B) in subparagraph (F), by inserting ''small business concern owned and controlled by service-disabled veterans,'' after ''small business concern owned and controlled by veterans,''; and

(3) in each of paragraphs (4)(D), (4)(E), (6)(A), (6)(C), (6)(F), and (10)(B), by inserting ''small business concern owned and controlled by service-disabled veterans,'' after ''small business concerns owned and controlled by veterans,''.

SEC. 605. SMALL BUSINESS DEVELOPMENT CENTER PROGRAM FUNDING.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Section 20(a)(1) of the Small Business Act (15 U.S.C. 631 note) is amended by striking ''For fiscal year 1985'' and all that follows through ''expended.'' and inserting the following: ''For fiscal year 2000 and each fiscal year thereafter, there are authorized to be appropriated such sums as may be necessary and appropriate, to remain available until expended, and to be available solely—

''(A) to carry out the Small Business Development Center Program under section 21, but not to exceed the annual funding level, as specified in section 21(a);

''(B) to pay the expenses of the National Small Business Development Center Advisory Board, as provided in section 21(i);

''(C) to pay the expenses of the information sharing system, as provided in section 21(c)(8);

''(D) to pay the expenses of the association referred to in section 21(a)(3)(A) for conducting the certification program, as provided in section 21(k)(2); and

''(E) to pay the expenses of the Administration, including salaries of examiners, for conducting examinations as part of the certification program conducted by the association referred to in section 21(a)(3)(A).''.

(2) TECHNICAL AMENDMENT.—Section 20(a) of the Small Business Act (15 U.S.C. 631 note) is further amended by moving paragraphs (3) and (4), including subparagraphs (A) and (B) of paragraph (4), 2 ems to the left.

(b) FUNDING FORMULA.—Section 21(a)(4)(C) of the Small Business Act (15 U.S.C. 648(a)(4)(C)) is amended to read as follows:

''(C) FUNDING FORMULA.—

''(i) IN GENERAL.—Subject to clause (iii), the amount of a formula grant received by a State under this subparagraph shall be equal to an amount determined in accordance with the following formula:

''(I) The annual amount made available under section 20(a) for the Small Business Development Center Program, less any reductions made for expenses authorized by clause (v) of this subparagraph, shall be divided on a pro rata basis, based on the percentage of the population of each State, as compared to the population of the United States.

''(II) If the pro rata amount calculated under subclause (I) for any State is less than the minimum funding level under clause (iii), the Administration shall determine the aggregate amount necessary to achieve that minimum funding level for each such State.

''(III) The aggregate amount calculated under subclause (II) shall be deducted from the amount calculated under subclause (I) for States eligible to receive more than the minimum funding level. The deductions shall be made on a pro rata basis, based on the population of each such State, as compared to the total population of all such States.

''(IV) The aggregate amount deducted under subclause (III) shall be added to the grants of those States that are not eligible to receive more than the minimum funding level in order to achieve the minimum funding level for each such State, except that the eligible amount of a grant to any State shall not be reduced to an amount below the minimum funding level.

''(ii) GRANT DETERMINATION.—The amount of a grant that a State is eligible to apply for under this subparagraph shall be the amount determined under clause (i), subject to any modifications required under clause (iii), and shall be based on the amount available for the fiscal year in which performance of the grant commences, but not including amounts distributed in accordance with clause (iv). The amount of a grant received by a State under any provision of this subparagraph shall not exceed the amount of matching funds from sources other than the Federal Government, as required under subparagraph (A).

''(iii) MINIMUM FUNDING LEVEL.—The amount of the minimum funding level for each State shall be determined for each fiscal year based on the amount made available for that fiscal year to carry out this section, as follows:

''(I) If the amount made available is not less than $81,500,000 and not more than $90,000,000, the minimum funding level shall be $500,000.

''(II) If the amount made available is less than $81,500,000, the minimum funding level shall be the remainder of $500,000 minus a percentage of $500,000 equal to the percentage amount by which the amount made available is less than $81,500,000.

''(III) If the amount made available is more than $90,000,000, the minimum funding level shall be the sum of $500,000 plus a percentage of $500,000 equal to the percentage amount by which the amount made available exceeds $90,000,000.

''(iv) DISTRIBUTIONS.—Subject to clause (iii), if any State does not apply for, or use, its full funding eligibility for a fiscal year, the Administration shall distribute the remaining funds as follows:

''(I) If the grant to any State is less than the amount received by that State in fiscal year 2000, the Administration shall distribute such remaining funds, on a pro rata basis, based on the percentage of shortage of each such State, as compared to the total amount of such remaining funds available, to the extent necessary in order to increase the amount of the grant to the amount received by that State in 2000, or until such funds are exhausted, whichever first occurs.

''(II) If any funds remain after the application of subclause (I), the remaining amount may be distributed as supplemental grants to any State, as the Administration determines, in its discretion, to be appropriate, after consultation with the association referred to in subsection (a)(3)(A).

''(v) USE OF AMOUNTS.—

''(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section—

''(aa) not more than $500,000 may be used by the Administration to pay expenses enumerated in subparagraphs (B) through (D) of section 20(a)(1); and

''(bb) not more than $500,000 may be used by the Administration to pay the examination expenses enumerated in section 20(a)(1)(E).

''(II) LIMITATION.—No funds described in subclause (I) may be used for examination expenses under section 20(a)(1)(E) if the usage would reduce the amount of grants made available under clause (i)(I) to less than $85,000,000 (after excluding any amounts provided in appropriations Acts for specific institutions or for purposes other than the general small business development center program) or would further reduce the amount of such grants below such amount.

''(vi) EXCLUSIONS.—Grants provided to a State by the Administration or another Federal agency to carry out subsection (c)(3)(G) or (a)(6) or supplemental grants set forth in clause (iv)(II) of this subparagraph, shall not be included in the calculation of maximum funding for a State under clause (ii) of this subparagraph.

''(vii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $125,000,000 for each of fiscal years 2001, 2002, and 2003.

''(viii) STATE DEFINED.—In this subparagraph, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.''.

SEC. 606. SURETY BONDS.

(a) CONTRACT AMOUNTS.—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—

(1) in subsection (a)(1), by striking ''$1,250,000'' and inserting ''$2,000,000''; and

(2) in subsection (e)(2), by striking ''$1,250,000'' and inserting ''$2,000,000''.

(b) EXTENSION OF CERTAIN AUTHORITY.—Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking ''2000'' and inserting ''2003''.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentlewoman from New York (Mrs. KELLY) and the gentlewoman from New York (Ms. VELAZQUEZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. KELLY).

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

Mr. Speaker, the resolution before us combines the reauthorization of the Small Business Innovation and Research Program with overall Small Business Administration authorizations and technical amendments passed by the House earlier this Congress.

The purpose of this is quite simple, to provide a vehicle for the reauthorization of the Small Business Administration and its programs before the fiscal year ends on September 30.

Mr. Speaker, this is a noncontroversial piece of legislation. Its components are bills that already passed this House by overwhelming margins. We are simply acting now to fulfill our responsibility to keep the Small Business Administration and its programs authorized for the next 3 years.

Mr. Speaker, let me briefly describe to my colleagues the provisions in the bill before us. The base legislation for this bill is reauthorization of the Small Business Innovation and Research Program. Established in 1982, SBIR serves as a vehicle for helping small business, the most dynamic and innovative segment of our economy, gain access to millions of dollars of Federal research and development funds.

The SBIR program operates at every Federal agency with an extramural research budget of more than $100 million and offers funding to small businesses in three phases. Phase one is initial research and development; phase two, continuing research for the most promising projects; and, phase three, final assistance moving new technologies to the Federal procurement marketplace and the private sector. The result has been an unqualified success.

Small businesses given access to these Federal dollars have created exciting new technologies, created new jobs along with them, and helped expand their business and the economy. The bill before us expresses the sense of Congress regarding the overwhelming success of the SBIR program and reauthorizes the SBIR program for 8 years.

H.R. 2392 also includes the Committee on Science in reporting requirements for the SBIR program, clarifies the funding requirements for third-phase participation in the SBIR program, and the rights in technical data granted to SBIR awardees.

H.R. 2392 will also add new provisions to the program requiring agencies participating in SBIR to include the program in their annual performance plans, creating a database to compile information on the projects funded through the SBIR program, and technical corrections to improve the data collection currently required by the program.

Finally, the bill contains a program added by the Senate to establish technical assistance programs at the State level to assist small businesses in working with the SBIR program.

Mr. Speaker these are all simple, common sense improvements to a successful program with strong congressional support. The additions to this bill concerning SBA reauthorization are also simple and common sense. The first and most important is the language from H.R. 3843, the 3-year reauthorization for the Small Business Administration and its programs.

This is a straight, numbers-only reauthorization. There are no modifications to the programs, no new programs, just the authorization levels for the next 3 years and extensions of existing programs. We passed this very measure in March of this year by a vote of 410 to 11.

In addition to the reauthorization language of H.R. 3843, the amendment to H.R. 2392 will include the language from H.R. 2614, H.R. 2615, and H.R. 3845.

These bills will respectively make technical corrections to the section 504 loan program, the 7(a) loan program, and the Small Business Investment Company program. All three of these bills passed the House under suspension in the beginning of this year and were supported overwhelmingly by my colleagues. These technical corrections are matters that will improve the function of the programs and assist the SBA in continuing to provide financial support to the small business community.

Mr. Speaker, I believe this legislation represents a good package for small business. It is simple, straightforward, and uncomplicated. In essence, it represents good government. The resolution contains what we need to do in order to fulfill our responsibility to the small business community, and I urge its passage.

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

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

Mr. Speaker, I rise in strong support of H.R. 2392, which includes the Small Business Reauthorization Act of 2000. The passage of this bipartisan legislation will reconfirm this Nation's commitment to the present and future of our economic foundation: America's small businesses.

As many in this Chamber are well aware, we are currently experiencing the greatest period of economic growth in our history. But I will go one step farther. I say the best of America is still to come.

Mr. Speaker, as we stand here today to pass this critical legislation, we have taken one more giant step forward toward ensuring our small businesses remain the engine of our Nation's economic prosperity.

America's small companies and entrepreneurs are providing 51 percent of the gross domestic product, contributing 47 percent of all sales, while at the same time leading the Nation to all-time highs in job creation and business growth.

Because as we all know, if small business has been the engine of America's prosperity, then the Small Business Administration with its loan and technical assistance programs has been the fuel feeding this powerful engine.

The legislation before us today also provides record levels of funding for many of the SBA programs that have helped launch millions of businesses throughout America.

To help provide those opportunities, SBA has built several loan and technical assistance programs aimed at helping entrepreneurs establishing their businesses and provide a solid foundation for the future. Through programs such as the 7(a), SBIR, the 504 and Microloans, this bill is providing hundreds of billions in dollars for new and existing businesses. Because as any business owner knows, access to capital is access to opportunity.

While providing capital is crucial to business success, we are also preparing businesses to plant the seeds for long-term success through technical assistance loans. The revised funding formula in this legislation will allow America's network of Small Business Development Centers to assist small companies and entrepreneurs with expert advice on developing strong business and accounting plans. This assistance will prove to be the deciding factor in future business success.

And speaking of the future, this legislation also recognizes the changing face of the world marketplace. From new business technologies to the expansion of e-commerce, we are looking to bridge the frontiers of this brave new world. To help meet these new challenges, the Small Business Innovation Research Program will give small businesses an unrivaled opportunity to produce cutting-edge research and development products for the wider marketplace. And whether that marketplace is in the private sector or in the Federal Government, small businesses will always have a place at the table.

By working together on this bill, we have also provided critical funding for the National Women's Business Council, ensured valuable minority development tools like the 8(a) program are secure for the next generation of minority business owners and entrepreneurs, and reiterated our continued support for the success of the HUBZone program.

However, in the end, this reauthorization program focuses on one thing: the ability of small businesses to concur the new frontier of the 21st century new economy with all the new opportunities the future will surely bring to our business owners and entrepreneurs. Because we do not need to read the Wall Street Journal to know that the business world has changed dramatically over the last decade. With the passage of this bill, we are helping to guarantee that our small businesses will be fully capable of conquering the challenges of tomorrow.

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

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

Mr. Speaker, in closing, I would like to thank the gentlewoman from New York (MS. VELAZQUEZ), my colleague and fellow New Yorker, the ranking member of the committee, for her assistance. This is an excellent and much-needed piece of legislation, and we appreciate her assistance and the assistance of her staff.

This legislation is an important effort to finish the business of Congress and reauthorize programs vital to the small business community. The staff has worked hard on this. I urge my colleagues to support the resolution.

Mr. HALL of Texas. Mr. Speaker, I am pleased that we finally have an opportunity to consider the reauthorization of the Small Business Innovation Research [SBIR] program. It is a shame that we have waited until the very week the program is scheduled to expire to bring a compromise text here for our consideration. This is a program that has done a great deal of good over the past 18 years. There are numerous companies, both large and small, in my State of Texas and throughout the Nation, that got their first big breaks through this program. There are many more emerging high technology companies around the country that need a helping hand today. They have the ideas that will lead to tomorrow's prosperity, and we need to give them the chance to get started.

A lot of hard work went into developing the SBIR portion of H.R. 2392. We carefully debated our ideas over the last year and a half in Committees, on the House and Senate floors, and in negotiations between House and Senate. We have come up with a revitalized program that builds on the SBIR program's historic strengths while attempting to address a number of recommendations for improvement. We have a good work product—one that should lead to even more successful small businesses over the next 8 years.

There is just one cloud on the horizon. Despite time being short, other small business provisions have been added to the bill. While in principle, there is nothing wrong with considering related bills together, the more complicated a bill is, the more chance we have to slip up. I therefore urge my colleagues, who are in negotiations with the Senate Small Business Committee, to do all in their power

to work out the final details. We need to make every effort to submit this important legislation to the President promptly enough that the SBIR program and the small businesses that are depending on it are not disrupted.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of H.R. 2392, the Small Business Innovation Research [SBIR] Program Reauthorization, and urge its adoption.

Mr. Speaker, Colorado is home to many cutting-edge small businesses. As creative as these companies are, they often struggle to come up with the funds necessary to refine their ideas, turn them into products, and to take those products to the commercial marketplace. Along the Front Range of Colorado we have experienced tremendous growth in high-tech businesses during the last decade. I feel that the tremendous high-tech growth we have enjoyed can be directly traced to the hundreds of SBIR recipients working in our region.

The Small Business Innovation Research Program has filed a real need for these companies over the years. Although the main purpose of the program remains meeting the Federal Government's research and development needs, small businesses have turned SBIR-inspired research into commercial products that have improved our economy and scientific advances that have helped to improve the health of people everywhere.

Mr. Speaker, the SBIR program simply seeks to level the playing field for small businesses. Small businesses might not have the colossal R and D departments that some larger businesses have, but they do have the colossal ideas. SBIR makes sure those ideas are looked at and funded.

In addition to SBIR, this bill reauthorizes funding for the Small Business Administration [SBA]. The SBA reauthorization contains funding for primary lending programs, such as the 7(a), 504 and microloan programs. It also includes provisions to authorize and fund disaster loan surety bond guarantees, Small Business Development Centers (SBDCs), the Historically Underutilized Business Zone [HUBZone] program, the National Women's Business Council, the Service Corps of Retired Executives [SCORE] program, and the Drug Free Workplace program. These important programs have played a large role in creating and maintaining this country's unprecedented economic growth.

I urge my colleagues to vote yes on extending these important programs.

Mr. WAMP. Mr. Speaker, I am pleased to rise today in support of H.R. 2392, the Small Business Innovation Research Program Reauthorization Act of 2000. H.R. 2392 would reauthorize and expand the successful Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Programs. The SBIR and STTR program provides over a billion dollars annually in grants and contracts for research and development.

Since the establishment of the SBIR program in 1982, many small, innovative companies have helped change the way we live. While producing everything from medicines and computer applications to toothbrushes and the guardrails on our highways these companies have developed products for the Departments of Defense, Energy, Health and Human Services and National Science Foundation and NASA. Other agencies that participate include the Departments of Transportation, Education, Agriculture, Commerce and the Environmental Protection Agency.

With the reauthorization of the SBIR program, we encourage other agencies to fully use the SBIR and STTR concepts. In the Third District of Tennessee, SBIR is a very important program. The Oak Ridge National Laboratory monitors and works with these SBIR and STTR companies and I congratulate these hard-working federal employees on getting these products out of the lab and into the marketplace. Twenty-five companies have been funded in my home district and nearly one thousand people have been put to work developing these innovative technologies.

The Tennessee Tibbetts Awards honor excellence in technical achievement. The SBA has awarded 4 of the 6 of these awards to small businesses in my home district. These companies include: iPIX, Cryomagnetics, Inc., Atom Sciences, and Accurate Automation Corporation.

One of these companies, iPIX, formerly known as Telerobotics International, went public last year. They took camera technology from robots and are now applying this to everything from real estate to 360 degree views of the Super Bowl.

Another company, Accurate Automation, has developed a technology for reducing drag on aircraft. This technology will revolutionize future commercial and military aircraft as well as space transportation.

This year's Tibbetts Award winner from Tennessee is Cryomagnetics, Inc. The company is developing a super-conducting magnet that will enable biotechnological researchers to achieve higher resolution measurements.

The General Accounting Office has done extensive studies on the SBIR and STTR programs over the years. Their many reports have found this to be one of the best programs in the country's technology portfolio. Many of these companies are now practically household names like Optiva, Qualcomm and Symantec. All of these companies started out as SBIR technologies.

This reauthorization will have the National Academy of Science examine how the SBIR gets these American-made technologies out of our laboratories and the commercial market place. The National Academy of Science will be looking at an excellent tool for keeping America's edge on the forefront of the emerging global marketplace.

Mr. Speaker, I urge adoption of H.R. 2392.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. KELLY) that the House suspend the rules and agree to the resolution, H. Res. 590.

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.

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GENERAL LEAVE

Mrs. KELLY. 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. Res. 590.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

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FREDERICK L. DEWBERRY, JR. POST OFFICE BUILDING

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4451) to designate the facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, as the ''Frederick L. Dewberry, Jr. Post Office Building''.

The Clerk read as follows:

H.R. 4451

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

SECTION 1. FREDERICK L. DEWBERRY, JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, shall be known and designated as the ''Frederick L. Dewberry, Jr. Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Frederick L. Dewberry, Jr. Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT).

GENERAL LEAVE

Mrs. BIGGERT. 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. 4451.

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

There was no objection.

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

Mr. Speaker, the bill before us, H.R. 4451, was introduced by the gentleman from Maryland (Mr. CUMMINGS). This legislation designates the post office located at 1001 Frederick Road in Baltimore, Maryland, as the Frederick L. Dewberry Post Office. H.R. 4451 is cosponsored by the entire House delegation of the State of Maryland.

Frederick L. Dewberry, Jr. was born and raised in the City of Baltimore. He received his undergraduate degree from Loyola College and his law degree from the University of Baltimore.

Mr. Dewberry served with distinction during World War II. He became the chairman of the Baltimore County Council from 1964 and was appointed deputy secretary of the Maryland Department of Transportation from 1979 to 1984.

Mr. Speaker, I urge our colleagues to support H.R. 4451 and commend the gentleman from Maryland for introducing this legislation. Mr. Dewberry is most deserving of being honored by having a post office named after him in the city which he grew up in and spent much of his life.

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

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

Mr. Speaker, I would like to thank the gentlewoman from Illinois (Mrs. BIGGERT), and I want to thank the gentleman from New York (Mr. MCHUGH), our subcommittee chairman, and the gentleman from Pennsylvania (Mr. FATTAH), our ranking member of the Committee on Government Reform, Subcommittee on the Postal Service, for their support in bringing this bill to the floor.

Mr. Speaker, I believe that persons who have made meaningful contributions to society should be recognized. The naming of a postal building in one's honor is truly a salute to the accomplishments and public service of an individual. H.R. 4451 designates the United States Post Office building located at 1001 Frederick Road in Baltimore, Maryland, as the Frederick L. Dewberry, Jr. Post Office Building.

Frederick L. Dewberry, Jr., was born and raised in Baltimore City. He is a graduate of Loyola College and received a law degree from the University of Baltimore.

A lieutenant in World War II, Dewberry served courageously in the United States Navy on small ships and destroyers in the Pacific Ocean.

After returning from this war, Mr. Dewberry returned to Catonsville, Maryland, where he and his wife, Anne, raised their five children. The Baltimore County resident held the post of chairman of the Baltimore County Council from 1964 to 1966. He was also Baltimore county executive in 1974. From 1979 to 1984, he was the deputy secretary of the Maryland Department of Transportation; and he served as secretary of the Maryland Department of Licensing and Regulation from 1984 to 1986.

In addition to his government service, he was also involved in health care, serving on the advisory board of St. Agnes Hospital for 20 years from 1970 to 1990. He also served as president of Blind Industries and Services of Maryland from 1986 to 1989 and held positions on the various boards and commissions far too numerous to mention at this time.

Frederick Dewberry was a tremendous administrator. People loved to work for him because he was fair. He also used to tell his employees that he wanted no surprises and all work needed to be done above board. This philosophy stemmed from his days in the service. In the Navy, where he was given the name ''Ping,'' he was a sonar operator checking for submarines in the water.

He served this country with valor and with the expectation that all work would be done with pride and excellence. In fact, his son, Delegate Tom Dewberry, who, by the way, is speaker pro tem of the Maryland House of Delegates, said that his father always told his brothers and his sister that ''if you do what is right, then you will be all right.'' He certainly lived by this motto.

□ 1515

This veteran and public servant died on July 9, 1990. Service to the Nation and community is to be commended. Without such service, many would be left without a voice or advocate and our Nation would not be the world leader it is today.

Citizens like Frederick Dewberry, who give such service by giving of their time and talents, should be saluted. I urge my colleagues to support this postal naming bill that salutes a person from my district who has spent his life giving service to others and lifting up his neighbors and lifting up his country.

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

Mrs. BIGGERT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. MCHUGH), the chairman of the Subcommittee on Postal Service, of the Committee on Government Reform.

Mr. MCHUGH. Mr. Speaker, I thank the gentlewoman from Illinois (Mrs. BIGGERT) for yielding the time to me.

Mr. Speaker, I want to begin by expressing my appreciation to her for being here for filling in so capably in my absence, and we certainly want to thank her for the very eloquent job she did in speaking about this very deserving individual.

Mr. Speaker, I also wanted to rise and express my appreciation to the gentleman from Maryland (Mr. CUMMINGS) for bringing this bill to our attention, for bringing this man and his wonderful life to our attention. This is a rare honor. It is one that we try to protect and we try to preserve in a way that when it is extended, it is bestowed upon those individuals who in their lives have made a difference and who have by example helped us all to learn a little bit more about our lives and our proper perspective and role in those lives.

I think Mr. Dewberry, as was so very thoroughly and eloquently expressed by the gentleman from Maryland (Mr. CUMMINGS), has lived that life; that kind of example, starting with his service to his country during World War II and spanning decades and decades of service to his neighbors, to his community, to his county and State, not just in an official capacity, but in those kinds of organizations and those kinds of efforts we heard about just a few moments ago.

I think most significantly in this kind of an endeavor, we find the primary good of someone's existence in one of the comments the gentleman made in speaking about their father, how a son says he, or it certainly could have been a daughter, she learned to do the right thing, to be a good citizen. It is those kinds of perhaps less publicized but so very important ways that this country becomes a better place.

Again, I want to thank the gentleman from Maryland (Mr. CUMMINGS) for bringing us such a deserving individual, and I certainly want to add my words of encouragement to all of our colleagues here on both sides of the aisle in urging their acceptance and vote in favor of this very, very worthy designation, and also a final word of appreciation, again, to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I urge our colleagues to vote and pass this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 4451.

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.

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RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 4:30 p.m.

Accordingly (at 3 o'clock and 18 minutes p.m.), the House stood in recess until approximately 4:30 p.m.

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□ 1705

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RYAN of Wisconsin) at 5 o'clock and 5 minutes p.m.

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MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

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INTERNATIONAL FOOD RELIEF PARTNERSHIP ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5224) to amend the Agricultural Trade Development and Assistance Act of 1954 to authorize assistance for the stockpiling and rapid transportation, delivery, and distribution of shelf stable prepackaged foods to needy individuals in foreign countries, as amended.

The Clerk read as follows:

H.R. 5224

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 ''International Food Relief Partnership Act of 2000''.

SEC. 2. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF STABLE PREPACKAGED FOODS.

Title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.) is amended by adding at the end the following:

"SEC. 208. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF STABLE PREPACKAGED FOODS.

''(a) AUTHORIZATION.—The Administrator is authorized to provide grants to—

''(1) United States nonprofit organizations (described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of the Internal Revenue Code of 1986) for the preparation of shelf stable prepackaged foods requested by eligible organizations and the establishment and maintenance of stockpiles of such foods in the United States; and

''(2) private voluntary organizations and international organizations for the rapid transportation, delivery, and distribution of such shelf stable prepackaged foods to needy individuals in foreign countries.

''(b) GRANTS FOR ESTABLISHMENT OF STOCKPILES.—

''(1) IN GENERAL.—Not more than 70 percent of the amount made available to carry out this section shall be used to provide grants under subsection (a)(1).

''(2) PRIORITY.—In providing grants under subsection (a)(1), the Administrator shall give preference to a United States nonprofit organization that agrees to provide non-Federal funds in an amount equal to 50 percent of the funds received under a grant under subsection (a)(1), an in kind contribution equal to such percent, or a combination thereof, for the preparation of shelf stable prepackaged foods and the establishment and maintenance of stockpiles of such foods in the United States in accordance with such subsection.

''(c) GRANTS FOR RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION.—Not less than 20 percent of the amount made available to carry out this section shall be used to provide grants under subsection (a)(2).

''(d) ADMINISTRATION.—Not more than 10 percent of the amount made available to carry out this section may be used by the Administrator for the administration of grants under subsection (a).

''(e) REGULATIONS OR GUIDELINES.—Not later than 180 days after the date of the enactment of this section, the Administrator, in consultation with the Secretary of Agriculture, shall issue such regulations or guidelines as the Administrator determines to be necessary to carry out this section, including regulations or guidelines that provide to United States nonprofit organizations eligible to receive grants under subsection (a)(1) guidance with respect to the requirements for qualified shelf stable prepackaged foods and the amount of such foods to be stockpiled by such organizations.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Administrator for the purpose of carrying out this section, in addition to amounts otherwise available for such purposes, $3,000,000 for each of the fiscal years 2001 and 2002.

''(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.''.

SEC. 3. PREPOSITIONING OF COMMODITIES.

Section 407(c) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)) is amended by adding at the end the following new paragraph:

''(4) PREPOSITIONING.—Funds made available for fiscal years 2001 and 2002 to carry out titles II and III of this Act may be used by the Administrator to procure, transport, and store agricultural commodities for prepositioning within the United States and in foreign countries, except that for each such fiscal year not more than $2,000,000 of such funds may be used to store agricultural commodities for prepositioning in foreign countries.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from North Dakota (Mr. POMEROY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GILMAN. 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. 5224, as amended.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise today to urge my colleagues to support the International Food Relief Partnership Act, H.R. 5224, a bill that I introduced to authorize the stockpiling and rapid transportation, delivery and distribution of shelf stable prepackaged goods to needy individuals in foreign nations.

This bill serves to create a public-private partnership to leverage the donation of nutritious food by volunteers to needy families around the globe at times of famine, disaster and critical needs.

H.R. 5224 was cosponsored by the gentleman from Texas (Mr. COMBEST), Chairman of the Committee on Agriculture; the gentleman from Nebraska (Mr. BEREUTER), Chairman of the Subcommittee on Asia and the Pacific; and the gentleman from Texas (Mr. STENHOLM), the ranking member of the Committee on Agriculture. I am pleased that the gentleman from Ohio (Mr. HALL) has also lent his support for this important measure.

Mr. Speaker, there is a gap in the United States' traditional international food relief effort and food reserve program that makes participation by nonprofit organizations that want to contribute donated food more difficult than it should be. The major barrier to these volunteer contributions is the high cost of providing these donated food products to international relief organizations that transport and distribute these foods overseas.

It is unquestionable that agri-business efficiently and effectively provides assistance at times of greatest need through international food relief organizations that work through the Agency for International Development.

However, nonprofits have a much more difficult time reaching international relief organizations to provide food assistance because of the high cost of processing, packaging, maintaining and shipping donated food. Consequently, food donated by nonprofits is often delayed from reaching affected populations or is simply not used for that purpose.

The International Food Relief Partnership Act will fill this gap by providing grant assistance outside the traditional food relief program to nonprofits that should be matched by 50 cents on the dollar by funds raised by nonprofits.

These grant monies will be used by nonprofits to ensure that food donated by farmers can be processed, packaged, stored and transported overseas at the time of need.

AID would be responsible for the administration of this program, and although funding for it would be made available through the U.S. Department of Agriculture's Food for Peace Program.

Nonprofits such as Breedlove, Child Life International, Feed the Starving Children provide direct hunger assistance at times of disaster, famine or other critical needs. Organizations such as these are located throughout the United States. These organizations accept gleaned crops donated by regional farmers, and they help to transport them and distribute this food overseas. And once the donated food is processed, it can be stored for years for use in food emergencies.

Donated food reduces the cost of famine and disaster assistance, because these products cost only pennies to process and ship and supplement the traditional food basket. We need to encourage more volunteer efforts from nonprofits.

Mr. Speaker, the International Food Relief Partnership Act accomplishes this objective by providing a means for nonprofits to accept donated food and to process it into a product for use in times of disaster, famine or other critical needs.

Mr. Speaker, through the enactment of this bill we create an inexpensive mechanism that provides more food relief for less money. The 50 percent matching preference included in this legislation also makes certain that viable and deserving organizations earn the grant funds that they seek.

Accordingly, Mr. Speaker, I urge our colleagues to support the spirit of volunteerism and goodwill by passage of this bill.

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

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

Mr. Speaker, I rise in support of this bill. I want to commend the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, my friend; and also the gentleman from Nebraska (Mr. BEREUTER), chairman of the Subcommittee on Asia and the Pacific; as well as the gentleman from Texas (Mr. COMBEST), the chairman of the Committee on Agriculture; and the gentleman from Texas (Mr. STENHOLM), the ranking member of the Committee on Agriculture, for introducing the International Food Relief Partnership Act of 2000.

The International Food Relief Partnership Act of 2000 authorizes, as was

described by the gentleman from New York (Chairman GILMAN), the stockpiling, rapid transportation, delivery and distribution of shelf stabled prepackaged foods to needy individuals in foreign countries.

Mr. Speaker, this bill creates a public-private partnership to leverage the donation of nutritious food by volunteers to needy families around the globe at times of famine, disaster, and other critical needs.

The bill also seeks to increase participation by nonprofit organizations in the provision of donated food to populations in need around the world.

Finally, I want to take this opportunity, although not specifically on point with the matter before us, to reiterate my concern about the funding source for our food relief, title II of the fiscal year 2001 Agriculture Appropriations bill passed by the House.

This bill now is in conference committee, but it is important to note that House funding is not adequate to meet our commitment to countries during famines, droughts and other disasters.

Mr. Speaker, I hope my colleagues on the Committee on Appropriations will follow the example set by the Senate and that we ultimately will end up fully funding the administration's requests for PL–480 Title II at $837 million, ultimately, that relates directly to the bill before us.

Mr. Speaker, I urge my colleagues to support H.R. 5224.

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

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. COMBEST), the chairman of the Committee on Agriculture.

□ 1715

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

Mr. Speaker, I rise today in strong support as an original cosponsor of H.R. 5224, the International Food Relief Partnership Act of 2000. Because of our agricultural productivity, the United States is able to aid the victims of famine, drought, and natural disasters all around the world.

Many of the groups that assist in feeding hungry people around the world are faith based and private nonprofit organizations that donate their services. For years, these groups, who want to contribute food aid to victims of international disasters, have been prevented from fully participating in these efforts.

H.R. 5224 would authorize the administrator of the U.S. Agency for International Development to provide grants to private, nonprofit, and private voluntary organizations for the stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods to needy individuals in foreign countries.

This legislation also provides an incentive for farmers and ranchers to donate their surplus. Preference is given to U.S. nonprofit organizations that can provide 50 percent matching funds. This will improve our food relief efforts by enabling nonprofit organizations to contribute more food to international disaster sites, decrease the cost of the Federal Government, and increase the public participation.

One example of a nonprofit organization that provides food assistance in the United States and around the world is Breedlove Dehydrated Foods. Breedlove Dehydrated Foods, an unusually committed group of people, have energized my home community and are simply looking for a way to help the needy around the world. This organization accepts food donations from farmers and then dehydrates the food and packages it. The product Breedlove creates is a nutritious blend of vegetables and legumes that serve as a great source of protein. This product has been used before by private voluntary organizations in North Korea, Iraq, Kosovo, Turkey, Russia, Belarus, and Iran.

Several other nonprofit organizations support this legislation. I ask my colleagues to support H.R. 5224.

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

Mr. Speaker, I want to at this point extend my congratulations to the gentleman from Texas (Chairman COMBEST). As a member of the House Committee on Agriculture, I believe that he has had a very distinguished term in leading that committee and is personally responsible for the restoration of a constructive bipartisan spirit in that committee. His other major ally in achieving that progress has been the gentleman from Texas (Mr. STENHOLM), the ranking member.

Mr. Speaker, I am proud to yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from North Dakota (Mr. POMEROY) for yielding me the time. I, too, commend the gentleman from New York (Chairman GILMAN) and the gentleman from Texas (Chairman COMBEST) for their leadership in bringing this legislation to the floor today.

Mr. Speaker, I rise in support of the International Food Relief Partnership Act because it fundamentally addresses the long-term and long-standing desire among farmers and ranchers in our country to provide food directly to those overseas that need it most.

For years now, many farmers and ranchers have wanted to donate agricultural products to feed the hungry, both here and abroad. Yet, there is currently no mechanism in place in our food aid programs to accommodate a farmer who wants to donate a truckload of produce and no means to get that produce overseas to those in need.

That was true until a nonprofit organization named Breedlove began testing the concept of accepting donated vegetables from local farmers for dehydration and shipment overseas. These dehydrated vegetable packages are lightweight enough to be efficiently shipped and provide a nutritious and cost-efficient meal. The Breedlove product has been used successfully for private voluntary organizations in seven countries around the world.

This bill will provide incentives to further test the use of prepackaged shelf-stable food and will also provide limited authority to test the concept of prepositioning commodities overseas for use in emergencies.

With this authority, we hope to provide the Agency for International Development with incentives it can use to encourage more farmers and ranchers to make donations that will leverage scarce Federal resources and improve the diets of food aid recipients around the world.

I urge my colleagues to support H.R. 5224, the International Food Relief Partnership Act.

Mr. GILMAN. Mr. Speaker, I have no further requests for time.

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

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 5224, 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.

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EXPORT ADMINISTRATION MODIFICATION AND CLARIFICATION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5239) to provide for increased penalties for violations of the Export Administration Act of 1979 and for other purposes, as amended.

The Clerk read as follows:

H.R. 5239

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 ''Export Administration Modification and Clarification Act of 2000''.

SEC. 2. CONTINUATION OF THE EXPORT CONTROL REGULATIONS UNDER IEEPA.

To the extent that the President exercises the authorities of the International Emergency Economic Powers Act to carry out the provisions of the Export Administration Act of 1979 in order to continue in full force and effect the export control system maintained by the Export Administration Regulations issued under that Act, including regulations issued under section 8 of that Act, the following shall apply:

(1)(A) Subject to subparagraph (B), the penalties for violations of the regulations continued pursuant to the International Emergency Economic Powers Act shall be the same as the penalties for violations under section 11 of the Export Administration Act of 1979, as if that section were amended—

(i) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—Except as provided in subsection (b), whoever knowingly violates or conspires to or attempts to violate any provision of this Act or any license, order, or regulation issued under this Act—

''(1) except in the case of an individual, shall be fined not more than $500,000 or 5 times the value of any exports involved, whichever is greater; and

''(2) in the case of an individual, shall be fined not more than $250,000 or 5 times the value of any exports involved, whichever is greater, or imprisoned not more than 5 years, or both.'';

(ii) in subsection (b)—

(I) in paragraphs (1)(A) and (2)(A), by striking ''five times'' and inserting ''10 times'';

(II) in paragraph (1)(B), by striking ''$250,000'' and inserting ''$500,000''; and

(III) in paragraph (2)(B), by striking ''$250,000, or imprisoned not more than 5 years'' and inserting ''$500,000, or imprisoned not more than 10 years'';

(iii) in subsection (c)(1)—

(I) by striking ''$10,000'' and inserting ''$250,000''; and

(II) by striking ''except that the civil penalty'' and all that follows through the end of the paragraph and inserting ''except that the civil penalty for a violation of the regulations issued pursuant to section 8 may not exceed $50,000.''; and

(iv) in subsection (h)(1), by striking ''or section 38 of the Arms Export Control Act (22 U.S.C. 2778)'' and inserting ''section 38 of the Arms Export Control Act (22 U.S.C. 2778), section 16 of the Trading with the enemy Act (50 U.S.C. 16), or, to the extent the violation involves the export of goods or technology controlled under this or any other Act or defense articles or defense services controlled under the Arms Export Control Act, section 371 of title 18, United States Code,''.

(B) The penalties in effect on the day before the date of enactment of this Act for violations of the Export Administration Regulations, as continued in effect under the International Emergency Economic Powers Act, shall continue to apply in the case of any penalty assessed for, or violations based on, voluntary disclosures of information made by a person before such date of enactment.

(2) The authorities set forth in section 12(a) of the Export Administration Act of 1979 may be exercised in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(3) The provisions of sections 12(c) and 13 of the Export Administration Act of 1979 shall apply in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(4) The continuation of the provisions of the Export Administration Regulations pursuant to the International Emergency Economic Powers Act shall not be construed as not having satisfied the requirements of that Act.

SEC. 3. APPLICABILITY.

Paragraphs (2), (3), and (4) of section 2 shall be applied as if enacted on August 20, 1994.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Commerce to carry out the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, $72,000,000 for fiscal year 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from North Dakota (Mr. POMEROY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GILMAN. 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. 5239, as amended.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 5239, the Export Administration Modification and Clarification Act of 2000, that will strengthen the enforcement of our export control system by increasing the penalties against those who would knowingly violate its regulations and provisions.

This bipartisan measure was approved by voice vote last week by the Committee on International Relations.

H.R. 5239 is virtually identical to a provision, H.R. 973, a security assistance bill, which passed the House in June of last year also with bipartisan support. Since the Export Administration Act, or EAA, lapsed in August of 1994, the Administration has used the authorities in the International Emergency Economic Powers Act to administer our export control system. But in some key areas, the administration has less authority under HEEPA than under the EAA of 1979.

For example, the penalties for violations of the Export Administration Regulations that occur under IEEPA, both criminal and civil, are substantially lower than those available for violations that occur under the EAA. Even these penalties are too low, having been eroded by inflation over the last 20 years.

This measure that we are introducing today significantly increases the penalties available to our enforcement authorities at the Bureau of Export Administration in the Department of Commerce. It also ensures that the Department can maintain its ability to protect from public disclosure information concerning export license applications, the licenses themselves, and related export enforcement information.

In view of the lapse of the EAA over the past 5½ years, the Department is coming under mounting legal challenges and is currently defending against two separate lawsuits seeking public release of export licensing information subject to the confidentiality provisions of section 12(c) of the EAA.

The text includes a technical and perfecting amendment which, one, adds a reference to the Department of Commerce's authority to deny export privileges for those persons providing false statements and export control cases; and, two, removes a provision providing for the retroactive application of higher penalties in certain instances.

Accordingly, I urge my colleagues to support the passage of this bill.

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

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

Mr. Speaker, we see this matter very much as the gentleman from New York (Chairman GILMAN) has outlined. The Export Administration Act has been the principle authority for the regulation in the export of dual-use items from the United States. When this bill lapsed in August of 1994, the President invoked the International Emergency Economic Powers Act and other authorities to continue the export control system, including the Export Administration Regulations.

Now, there has been a recent court ruling that calls into question whether or not the government can essentially hide behind emergency powers to revive an expired law. This calls into question the Commerce Department's ability to keep sensitive export information provided by exporters from public disclosure using the EAA's confidentiality provision.

We have got to pass this law to make sure that they can keep the information confidential so that the exporters will fully use the Commerce Department's assistance in exporting our products.

We have got a record trade-in balance. We need to export more. We need to pass this law as an important part of making certain that the Commerce Department is there to provide as much assistance as possible in moving products overseas.

For that reason, we fully concur that this is passed.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 5239, 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.

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SERBIA DEMOCRATIZATION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1064) to authorize a coordinated program to promote the development of democracy in Serbia and Montenegro, as amended.

The Clerk read as follows:

H.R. 1064

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Serbia Democratization Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—SUPPORT FOR THE DEMOCRATIC FORCES

Sec. 101. Findings and policy.
Sec. 102. Assistance to promote democracy and civil society in Yugoslavia.
Sec. 103. Authority for radio and television broadcasting.
Sec. 104. Development of political contacts relating to the Republic of Serbia and the Republic of Montenegro.

TITLE II—ASSISTANCE TO THE VICTIMS OF OPPRESSION

Sec. 201. Findings.
Sec. 202. Sense of Congress.
Sec. 203. Assistance.

TITLE III—''OUTER WALL'' SANCTIONS

Sec. 301. ''Outer Wall'' sanctions.
Sec. 302. International financial institutions not in compliance with ''Outer Wall'' sanctions.

TITLE IV—OTHER MEASURES AGAINST YUGOSLAVIA

Sec. 401. Blocking assets in the United States.
Sec. 402. Suspension of entry into the United States.
Sec. 403. Prohibition on strategic exports to Yugoslavia.
Sec. 404. Prohibition on loans and investment.
Sec. 405. Prohibition of military-to-military cooperation.
Sec. 406. Multilateral sanctions.
Sec. 407. Exemptions.
Sec. 408. Waiver; termination of measures against Yugoslavia.
Sec. 409. Statutory construction.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. International Criminal Tribunal for the former Yugoslavia.
Sec. 502. Sense of Congress with respect to ethnic Hungarians of Vojvodina.
Sec. 503. Ownership and use of diplomatic and consular properties.
Sec. 504. Transition assistance.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) COMMERCIAL EXPORT.—The term ''commercial export'' means the sale of an agricultural commodity, medicine, or medical equipment by a United States seller to a foreign buyer in exchange for cash payment on market terms without benefit of concessionary financing, export subsidies, government or government-backed credits or other nonmarket financing arrangements.

(3) INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA OR TRIBUNAL.—The term ''International Criminal Tribunal for the former Yugoslavia'' or the ''Tribunal'' means the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991, as established by United Nations Security Council Resolution 827 of May 25, 1993.

(4) YUGOSLAVIA.—The term ''Yugoslavia'' means the so-called Federal Republic of Yugoslavia (Serbia and Montenegro), and the term ''Government of Yugoslavia'' means the central government of Yugoslavia.

TITLE I—SUPPORT FOR THE DEMOCRATIC FORCES

SEC. 101. FINDINGS AND POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The President of Yugoslavia, Slobodan Milosevic, has consistently engaged in undemocratic methods of governing.

(2) Yugoslavia has passed and implemented a law strictly limiting freedom of the press and has acted to intimidate and prevent independent media from operating inside Yugoslavia.

(3) Although the Yugoslav and Serbian constitutions provide for the right of citizens to change their government, citizens of Serbia in practice are prevented from exercising that right by the Milosevic regime's domination of the mass media and manipulation of the electoral process.

(4) The Yugoslav and Serbian governments have orchestrated attacks on academics at institutes and universities throughout the country in an effort to prevent the dissemination of opinions that differ from official state propaganda.

(5) The Yugoslav and Serbian governments hinder the formation of nonviolent, democratic opposition through restrictions on freedom of assembly and association.

(6) The Yugoslav and Serbian governments use control and intimidation to control the judiciary and manipulate the country's legal framework to suit the regime's immediate political interests.

(7) The Government of Serbia and the Government of Yugoslavia, under the direction of President Milosevic, have obstructed the efforts of the Government of Montenegro to pursue democratic and free-market policies.

(8) At great risk, the Government of Montenegro has withstood efforts by President Milosevic to interfere with its government.

(9) The people of Serbia who do not endorse the undemocratic actions of the Milosevic government should not be the target of criticism that is rightly directed at the Milosevic regime.

(b) POLICY; SENSE OF CONGRESS.—

(1) POLICY.—It is the policy of the United States to encourage the development of a government in Yugoslavia based on democratic principles and the rule of law and that respects internationally recognized human rights.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States should actively support the democratic forces in Yugoslavia, including political parties and independent trade unions, to develop a legitimate and viable alternative to the Milosevic regime;

(B) all United States Government officials, including individuals from the private sector acting on behalf of the United States Government, should meet regularly with representatives of democratic forces in Yugoslavia and minimize to the extent practicable any direct contacts with officials of the Yugoslav or Serbian governments, and not meet with any individual indicted by the International Criminal Tribunal for the former Yugoslavia, particularly President Slobodan Milosevic; and

(C) the United States should emphasize to all political leaders in Yugoslavia the importance of respecting internationally recognized human rights for all individuals residing in Yugoslavia.

SEC. 102. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN YUGOSLAVIA.

(a) ASSISTANCE FOR THE SERBIAN DEMOCRATIC FORCES.—

(1) PURPOSE OF ASSISTANCE.—The purpose of assistance under this subsection is to promote and strengthen institutions of democratic government and the growth of an independent civil society in Serbia, including ethnic tolerance and respect for internationally recognized human rights.

(2) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of paragraph (1), the President is authorized to furnish assistance and other support for the activities described in paragraph (3).

(3) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under paragraph (2) include the following:

(A) Democracy building.

(B) The development of nongovernmental organizations.

(C) The development of independent Serbian media.

(D) The development of the rule of law, to include a strong, independent judiciary, the impartial administration of justice, and transparency in political practices.

(E) International exchanges and advanced professional training programs in skill areas central to the development of civil society and a market economy.

(F) The development of all elements of the democratic process, including political parties and the ability to administer free and fair elections.

(G) The development of local governance.

(H) The development of a free-market economy.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to the President $50,000,000 for the period beginning October 1, 2000, and ending September 30, 2001, to be made available for activities in support of the democratization of the Republic of Serbia (excluding Kosovo) pursuant to this subsection.

(B) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subparagraph (A) are authorized to remain available until expended.

(b) PROHIBITION ON ASSISTANCE TO GOVERNMENT OF YUGOSLAVIA OR OF SERBIA.—In carrying out subsection (a), the President should take all necessary steps to ensure that no funds or other assistance is provided to the Government of Yugoslavia or to the Government of Serbia, except for purposes permitted under this title.

(c) ASSISTANCE TO GOVERNMENT OF MONTENEGRO.—

(1) IN GENERAL.—The President may provide assistance to the Government of Montenegro, unless the President determines, and so reports to the appropriate congressional committees, that the leadership of the Government of Montenegro is not committed to, or is not taking steps to promote, democratic principles, the rule of law, or respect for internationally recognized human rights.

(2) AUTHORIZATION OF APPROPRIATIONS.—Unless the President makes the determination, and so reports to the appropriate congressional committees, under paragraph (1), there is authorized to be appropriated to the President $55,000,000 for the period beginning October 1, 2000, and ending September 30, 2001, to be made available for activities for or in the Republic of Montenegro for purposes described in subsection (a), as well as to support ongoing political and economic reforms, and economic stabilization in support of democratization.

SEC. 103. AUTHORITY FOR RADIO AND TELEVISION BROADCASTING.

(a) IN GENERAL.—The Broadcasting Board of Governors shall further the open communication of information and ideas through the increased use of radio and television broadcasting to Yugoslavia in both the Serbo-Croatian and Albanian languages.

(b) IMPLEMENTATION.—Radio and television broadcasting under subsection (a) shall be carried out by the Voice of America and, in

addition, radio broadcasting under that subsection shall be carried out by RFE/RL, Incorporated. Subsection (a) shall be carried out in accordance with all the respective Voice of America and RFE/RL, Incorporated, standards to ensure that radio and television broadcasting to Yugoslavia serves as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

(c) STATUTORY CONSTRUCTION.—The implementation of subsection (a) may not be construed as a replacement for the strengthening of indigenous independent media called for in section 102(a)(3)(C). To the maximum extent practicable, the two efforts (strengthening independent media and increasing broadcasts into Serbia) shall be carried out in such a way that they mutually support each other.

SEC. 104. DEVELOPMENT OF POLITICAL CONTACTS RELATING TO THE REPUBLIC OF SERBIA AND THE REPUBLIC OF MONTENEGRO.

(a) SENSE OF CONGRESS.—It is the sense of Congress that political contacts between United States officials and those individuals who, in an official or unofficial capacity, represent a genuine desire for democratic governance in the Republic of Serbia and the Republic of Montenegro should be developed through regular and well publicized meetings.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State $350,000 for fiscal year 2001 for a voluntary contribution to the Organization for Security and Cooperation in Europe (OSCE) and the OSCE Parliamentary Assembly—

(1) to facilitate contacts by those who, in an official or unofficial capacity, represent a genuine desire for democratic governance in the Republic of Serbia and the Republic of Montenegro, with their counterparts in other countries; and

(2) to encourage the development of a multilateral effort to promote democracy in the Republic of Serbia and the Republic of Montenegro.

TITLE II—ASSISTANCE TO THE VICTIMS OF OPPRESSION

SEC. 201. FINDINGS.

Congress finds the following:

(1) Beginning in February 1998 and ending in June 1999, the armed forces of Yugoslavia and the Serbian Interior Ministry police force engaged in a brutal crackdown against the ethnic Albanian population in Kosovo.

(2) As a result of the attack by Yugoslav and Serbian forces against the Albanian population of Kosovo, more than 10,000 individuals were killed and 1,500,000 individuals were displaced from their homes.

(3) The majority of the individuals displaced by the conflict in Kosovo was left homeless or was forced to find temporary shelter in Kosovo or outside the country.

(4) The activities of the Yugoslav armed forces and the police force of the Serbian Interior Ministry resulted in the widespread destruction of agricultural crops, livestock, and property, as well as the poisoning of wells and water supplies, and the looting of humanitarian goods provided by the international community.

SEC. 202. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Government of Yugoslavia and the Government of Serbia bear responsibility to the victims of the conflict in Kosovo, including refugees and internally displaced persons, and for property damage in Kosovo;

(2) under the direction of President Milosevic, neither the Government of Yugoslavia nor the Government of Serbia provided the resources to assist innocent, civilian victims of oppression in Kosovo; and

(3) because neither the Government of Yugoslavia nor the Government of Serbia fulfilled the responsibilities of a sovereign government toward the people in Kosovo, the international community offers the only recourse for humanitarian assistance to victims of oppression in Kosovo.

SEC. 203. ASSISTANCE.

(a) AUTHORITY.—The President is authorized to furnish assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.), as appropriate, for—

(1) relief, rehabilitation, and reconstruction in Kosovo; and

(2) refugees and persons displaced by the conflict in Kosovo.

(b) PROHIBITION.—No assistance may be provided under this section to any organization that has been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(c) USE OF ECONOMIC SUPPORT FUNDS.—Any funds that have been allocated under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.) for assistance described in subsection (a) may be used in accordance with the authority of that subsection.

TITLE III—"OUTER WALL" SANCTIONS

SEC. 301. "OUTER WALL" SANCTIONS.

(a) APPLICATION OF MEASURES.—The sanctions described in subsections (c) through (g) shall apply with respect to Yugoslavia until the President determines and certifies to the appropriate congressional committees that the Government of Yugoslavia has made significant progress in meeting the conditions described in subsection (b).

(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

(1) Agreement on a lasting settlement in Kosovo.

(2) Compliance with the General Framework Agreement for Peace in Bosnia and Herzegovina.

(3) Implementation of internal democratic reform.

(4) Settlement of all succession issues with the other republics that emerged from the break-up of the Socialist Federal Republic of Yugoslavia.

(5) Cooperation with the International Criminal Tribunal for the former Yugoslavia, including the transfer to The Hague of all individuals in Yugoslavia indicted by the Tribunal.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to oppose, and vote against, any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of Yugoslavia.

(d) ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE.—The Secretary of State should instruct the United States Ambassador to the Organization for Security and Cooperation in Europe (OSCE) to oppose and block any consensus to allow the participation of Yugoslavia in the OSCE or any organization affiliated with the OSCE.

(e) UNITED NATIONS.—The Secretary of State should instruct the United States Permanent Representative to the United Nations—

(1) to oppose and vote against any resolution in the United Nations Security Council to admit Yugoslavia to the United Nations or any organization affiliated with the United Nations; and

(2) to actively oppose and, if necessary, veto any proposal to allow Yugoslavia to assume the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations General Assembly or any other organization affiliated with the United Nations.

(f) NATO.—The Secretary of State should instruct the United States Permanent Representative to the North Atlantic Council to oppose and vote against the extension to Yugoslavia of membership or participation in the Partnership for Peace program or any other organization affiliated with NATO.

(g) SOUTHEAST EUROPEAN COOPERATION INITIATIVE.—The Secretary of State should instruct the United States Representatives to the Southeast European Cooperation Initiative (SECI) to actively oppose the participation of Yugoslavia in SECI.

(h) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should not restore full diplomatic relations with Yugoslavia until the President has determined and so reported to the appropriate congressional committees that the Government of Yugoslavia has met the conditions described in subsection (b); and

(2) the President should encourage all other European countries to diminish their level of diplomatic relations with Yugoslavia.

(i) INTERNATIONAL FINANCIAL INSTITUTION DEFINED.—In this section, the term ''international financial institution'' includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

SEC. 302. INTERNATIONAL FINANCIAL INSTITUTIONS NOT IN COMPLIANCE WITH "OUTER WALL" SANCTIONS.

It is the sense of Congress that, if any international financial institution (as defined in section 301(i)) approves a loan or other financial assistance to the Government of Yugoslavia over the opposition of the United States, then the Secretary of the Treasury should withhold from payment of the United States share of any increase in the paid-in capital of such institution an amount equal to the amount of the loan or other assistance.

TITLE IV—OTHER MEASURES AGAINST YUGOSLAVIA

SEC. 401. BLOCKING ASSETS IN THE UNITED STATES.

(a) BLOCKING OF ASSETS.—All property and interests in property, including all commercial, industrial, or public utility undertakings or entities, of or in the name of the Government of Serbia or the Government of Yugoslavia that are in the United States, that come within the United States, or that are or come within the possession or control of United States persons, including their overseas branches, are blocked.

(b) PROHIBITED TRANSFERS.—Payments or transfers of any property or any transactions involving the transfer of anything of economic value by any United States person to the Government of Serbia, the Government of Yugoslavia, or any person or entity acting for or on behalf of, or owned or controlled, directly or indirectly, by any of those governments, persons, or entities, are prohibited.

(c) EXERCISE OF AUTHORITIES.—The Secretary of the Treasury, in consultation with the Secretary of State, shall take such actions, including the promulgation of regulations, orders, directives, rulings, instructions, and licenses, and employ all powers granted to the President by the International Emergency Economic Powers Act,

as may be necessary to carry out the purposes of this section, including, but not limited to, taking such steps as may be necessary to continue in effect the measures contained in Executive Order No. 13088 of June 9, 1998, and Executive Order No. 13121 of April 30, 1999, and any rule, regulation, license, or order issued thereunder.

(d) PAYMENT OF EXPENSES.—All expenses incident to the blocking and maintenance of property blocked under subsection (a) shall be charged to the owners or operators of such property, and expenses shall not be paid for from blocked funds.

(e) PROHIBITIONS.—The following are prohibited:

(1) Any transaction within the United States or by a United States person relating to any vessel in which a majority or controlling interest is held by a person or entity in, or operating from, Serbia, regardless of the flag under which the vessel sails.

(2)(A) The exportation to Serbia or to any entity operated from Serbia or owned and controlled by the Government of Serbia or the Government of Yugoslavia, directly or indirectly, of any goods, software technology, or services, either—

(i) from the United States;

(ii) requiring the issuance of a license by a Federal agency; or

(iii) involving the use of United States registered vessels or aircraft.

(B) Any activity that promotes or is intended to promote exportation described in subparagraph (A).

(3)(A) Any dealing by a United States person in—

(i) property exported from Serbia; or

(ii) property intended for exportation from Serbia to any country or exportation to Serbia from any country.

(B) Any activity of any kind that promotes or is intended to promote any dealing described in subparagraph (A).

(4) The performance by any United States person of any contract, including a financing contract, in support of an industrial, commercial, public utility, or governmental project in Serbia.

(f) EXCEPTIONS.—Nothing in this section shall apply to—

(1) assistance provided under section 102 or section 203 of this Act; or

(2) information or informational materials described in section 203(b)(3) of the International Emergency Economic Powers Act.

(g) DEFINITION.—In this section, the term ''United States person'' means any United States citizen, any alien lawfully admitted for permanent residence within the United States, any entity organized under the laws of the United States (including foreign branches), or any person in the United States.

SEC. 402. SUSPENSION OF ENTRY INTO THE UNITED STATES.

(a) PROHIBITION.—The President shall use his authority under section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) to suspend the entry into the United States of any alien who—

(1) holds a position in the senior leadership of the Government of Yugoslavia or the Government of Serbia; or

(2) is a spouse, minor child, or agent of a person inadmissible under paragraph (1).

(b) SENIOR LEADERSHIP DEFINED.—In subsection (a)(1), the term ''senior leadership''—

(1) includes—

(A) the President, Prime Minister, Deputy Prime Ministers, and government ministers of Yugoslavia;

(B) the Governor of the National Bank of Yugoslavia; and

(C) the President, Prime Minister, Deputy Prime Ministers, and government ministers of the Republic of Serbia; and

(2) does not include the President, Prime Minister, Deputy Prime Ministers, and government ministers of the Republic of Montenegro.

SEC. 403. PROHIBITION ON STRATEGIC EXPORTS TO YUGOSLAVIA.

(a) PROHIBITION.—No computers, computer software, or goods or technology intended to manufacture or service computers may be exported to or for use by the Government of Yugoslavia or by the Government of Serbia, or by any of the following entities of either government:

(1) The military.

(2) The police.

(3) The prison system.

(4) The national security agencies.

(b) STATUTORY CONSTRUCTION.—Nothing in this section shall prevent the issuance of licenses to ensure the safety of civil aviation and safe operation of United States-origin commercial passenger aircraft and to ensure the safety of ocean-going maritime traffic in international waters.

SEC. 404. PROHIBITION ON LOANS AND INVESTMENT.

(a) UNITED STATES GOVERNMENT FINANCING.—No loan, credit guarantee, insurance, financing, or other similar financial assistance may be extended by any agency of the United States Government (including the Export-Import Bank and the Overseas Private Investment Corporation) to the Government of Yugoslavia or the Government of Serbia.

(b) TRADE AND DEVELOPMENT AGENCY.—No funds made available by law may be available for activities of the Trade and Development Agency in or for Serbia.

(c) THIRD COUNTRY ACTION.—The Secretary of State is urged to encourage all other countries, particularly European countries, to suspend any of their own programs providing support similar to that described in subsection (a) or (b) to the Government of Yugoslavia or the Government of Serbia, including by rescheduling repayment of the indebtedness of either government under more favorable conditions.

(d) PROHIBITION ON PRIVATE CREDITS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no national of the United States may make or approve any loan or other extension of credit, directly or indirectly, to the Government of Yugoslavia or to the Government of Serbia or to any corporation, partnership, or other organization that is owned or controlled by either the Government of Yugoslavia or the Government of Serbia.

(2) EXCEPTION.—Paragraph (1) shall not apply to a loan or extension of credit for any housing, education, or humanitarian benefit to assist the victims of oppression in Kosovo.

SEC. 405. PROHIBITION OF MILITARY-TO-MILITARY COOPERATION.

The United States Government (including any agency or entity of the United States) shall not provide assistance under the Foreign Assistance Act of 1961 or the Arms Export Control Act (including the provision of Foreign Military Financing under section 23 of the Arms Export Control Act or international military education and training under chapter 5 of part II of the Foreign Assistance Act of 1961) or provide any defense articles or defense services under those Acts, to the armed forces of the Government of Yugoslavia or of the Government of Serbia.

SEC. 406. MULTILATERAL SANCTIONS.

It is the sense of Congress that the President should continue to seek to coordinate with other countries, particularly European countries, a comprehensive, multilateral strategy to further the purposes of this title, including, as appropriate, encouraging other countries to take measures similar to those described in this title.

SEC. 407. EXEMPTIONS.

(a) EXEMPTION FOR KOSOVO.—None of the restrictions imposed by this Act shall apply with respect to Kosovo, including with respect to governmental entities or administering authorities or the people of Kosovo.

(b) EXEMPTION FOR MONTENEGRO.—None of the restrictions imposed by this Act shall apply with respect to Montenegro, including with respect to governmental entities of Montenegro, unless the President determines and so certifies to the appropriate congressional committees that the leadership of the Government of Montenegro is not committed to, or is not taking steps to promote, democratic principles, the rule of law, or respect for internationally recognized human rights.

SEC. 408. WAIVER; TERMINATION OF MEASURES AGAINST YUGOSLAVIA.

(a) GENERAL WAIVER AUTHORITY.—Except as provided in subsection (b), the requirement to impose any measure under this Act may be waived for successive periods not to exceed 12 months each, and the President may provide assistance in furtherance of this Act notwithstanding any other provision of law, if the President determines and so certifies to the appropriate congressional committees in writing 15 days in advance of the implementation of any such waiver that—

(1) it is important to the national interest of the United States; or

(2) significant progress has been made in Yugoslavia in establishing a government based on democratic principles and the rule of law, and that respects internationally recognized human rights.

(b) EXCEPTION.—The President may implement the waiver under subsection (a) for successive periods not to exceed 3 months each without the 15 day advance notification under that subsection—

(1) if the President determines that exceptional circumstances require the implementation of such waiver; and

(2) the President immediately notifies the appropriate congressional committees of his determination.

(c) TERMINATION OF RESTRICTIONS.—The restrictions imposed by this title shall be terminated if the President determines and so certifies to the appropriate congressional committees that the Government of Yugoslavia is a government that is committed to democratic principles and the rule of law, and that respects internationally recognized human rights.

SEC. 409. STATUTORY CONSTRUCTION.

(a) IN GENERAL.—None of the restrictions or prohibitions contained in this Act shall be construed to limit humanitarian assistance (including the provision of food and medicine), or the commercial export of agricultural commodities or medicine and medical equipment, to Yugoslavia.

(b) SPECIAL RULE.—Nothing in subsection (a) shall be construed to permit the export of an agricultural commodity or medicine that could contribute to the development of a chemical or biological weapon.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA.

(a) FINDINGS.—Congress finds the following:

(1) United Nations Security Council Resolution 827, which was adopted May 25, 1993, established the International Criminal Tribunal for the former Yugoslavia to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since January 1, 1991.

(2) United Nations Security Council Resolution 827 requires full cooperation by all countries with the Tribunal, including the obligation of countries to comply with requests of the Tribunal for assistance or orders.

(3) The Government of Yugoslavia has disregarded its international obligations with regard to the Tribunal, including its obligation to transfer or facilitate the transfer to the Tribunal of any person on the territory of Yugoslavia who has been indicted for war crimes or other crimes against humanity under the jurisdiction of the Tribunal.

(4) The Government of Yugoslavia publicly rejected the Tribunal's jurisdiction over events in Kosovo and has impeded the investigation of representatives from the Tribunal, including denying those representatives visas for entry into Yugoslavia, in their efforts to gather information about alleged crimes against humanity in Kosovo under the jurisdiction of the Tribunal.

(5) The Tribunal has indicted President Slobodan Milosevic for—

(A) crimes against humanity, specifically murder, deportations, and persecutions; and

(B) violations of the laws and customs of war.

(b) POLICY.—It shall be the policy of the United States to support fully and completely the investigation of President Slobodan Milosevic by the International Criminal Tribunal for the former Yugoslavia for genocide, crimes against humanity, war crimes, and grave breaches of the Geneva Convention.

(c) SENSE OF CONGRESS.—Subject to subsection (b), it is the sense of Congress that the United States Government should gather all information that the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) collects or has collected to support an investigation of President Slobodan Milosevic for genocide, crimes against humanity, war crimes, and grave breaches of the Geneva Convention by the International Criminal Tribunal for the former Yugoslavia (ICTY) and that the Department of State should provide all appropriate information to the Office of the Prosecutor of the ICTY under procedures established by the Director of Central Intelligence that are necessary to ensure adequate protection of intelligence sources and methods.

(d) REPORT TO CONGRESS.—Not less than 180 days after the date of enactment of this Act, and every 180 days thereafter for the succeeding 5-year period, the President shall submit a report, in classified form if necessary, to the appropriate congressional committees that describes the information that was provided by the Department of State to the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia for the purposes of subsection (c).

SEC. 502. SENSE OF CONGRESS WITH RESPECT TO ETHNIC HUNGARIANS OF VOJVODINA.

(a) FINDINGS.—Congress finds that—

(1) approximately 350,000 ethnic Hungarians, as well as several other minority populations, reside in the province of Vojvodina, part of Serbia, in traditional settlements in existence for centuries;

(2) this community has taken no side in any of the Balkan conflicts since 1990, but has maintained a consistent position of nonviolence, while seeking to protect its existence through the meager opportunities afforded under the existing political system;

(3) the Serbian leadership deprived Vojvodina of its autonomous status at the same time as it did the same to the province of Kosovo;

(4) this population is subject to continuous harassment, intimidation, and threatening suggestions that they leave the land of their ancestors; and

(5) during the past 10 years this form of ethnic cleansing has already driven 50,000 ethnic Hungarians and members of other minority communities out of the province of Vojvodina.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) condemn harassment, threats, and intimidation against any ethnic group in Yugoslavia as the usual precursor of violent ethnic cleansing;

(2) express deep concern over the reports on recent threats, intimidation, and even violent incidents against the ethnic Hungarian inhabitants of the province of Vojvodina;

(3) call on the Secretary of State to regularly monitor the situation of the Hungarian ethnic group in Vojvodina; and

(4) call on the NATO allies of the United States, during any negotiation on the future status of Kosovo, also to pay substantial attention to establishing satisfactory guarantees for the rights of the people of Vojvodina, and, in particular, of the ethnic minorities in the province.

SEC. 503. OWNERSHIP AND USE OF DIPLOMATIC AND CONSULAR PROPERTIES.

(a) FINDINGS.—Congress finds the following:

(1) The international judicial system, as currently structured, lacks fully effective remedies for the wrongful confiscation of property and for unjust enrichment from the use of wrongfully confiscated property by governments and private entities at the expense of the rightful owners of the property.

(2) Since the dissolution of the Socialist Federal Republic of Yugoslavia until March and June 1999, when the United States Government took custody, the Government of Yugoslavia exclusively used, and benefited from the use of, properties located in the United States that were owned by the Socialist Federal Republic of Yugoslavia.

(3) Until the United States Government took custody, the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia were blocked by the Government of Yugoslavia from using, or benefiting from the use of, any property located in the United States that was previously owned by the Socialist Federal Republic of Yugoslavia.

(4) The occupation and use by officials of Yugoslavia of that property without prompt, adequate, and effective compensation under the applicable principles of international law to the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia is unjust and unreasonable.

(b) POLICY ON NEGOTIATIONS REGARDING PROPERTIES.—It is the policy of the United States to insist that the Government of Yugoslavia has a responsibility to, and should, actively and cooperatively engage in good faith negotiations with the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia for resolution of the outstanding property issues resulting from the dissolution of the Socialist Federal Republic of Yugoslavia, including the disposition of the following properties located in the United States:

(1) 2222 Decatur Street, NW, Washington, DC.

(2) 2410 California Street, NW, Washington, DC.

(3) 1907 Quincy Street, NW, Washington, DC.

(4) 3600 Edmonds Street, NW, Washington, DC.

(5) 2221 R Street, NW, Washington, DC.

(6) 854 Fifth Avenue, New York, NY.

(7) 730 Park Avenue, New York, NY.

(c) SENSE OF CONGRESS ON RETURN OF PROPERTIES.—It is the sense of Congress that, if the Government of Yugoslavia refuses to engage in good faith negotiations on the status of the properties listed in subsection (b), the President should take steps to ensure that the interests of the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia are protected in accordance with international law.

SEC. 504. TRANSITION ASSISTANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that once the regime of President Slobodan Milosevic has been replaced by a government that is committed to democratic principles and the rule of law, and that respects internationally recognized human rights, the President of the United States should support the transition to democracy in Yugoslavia by providing immediate and substantial assistance, including facilitating its integration into international organizations.

(b) AUTHORIZATION OF ASSISTANCE.—The President is authorized to furnish assistance to Yugoslavia if he determines, and so certifies to the appropriate congressional committees that the Government of Yugoslavia is committed to democratic principles and the rule of law and respects internationally recognized human rights.

(c) REPORT TO CONGRESS.—

(1) DEVELOPMENT OF PLAN.—The President shall develop a plan for providing assistance to Yugoslavia in accordance with this section. Such assistance would be provided at such time as the President determines that the Government of Yugoslavia is committed to democratic principles and the rule of law and respects internationally recognized human rights.

(2) STRATEGY.—The plan developed under paragraph (1) shall include a strategy for distributing assistance to Yugoslavia under the plan.

(3) DIPLOMATIC EFFORTS.—The President shall take the necessary steps—

(A) to seek to obtain the agreement of other countries and international financial institutions and other multilateral organizations to provide assistance to Yugoslavia after the President determines that the Government of Yugoslavia is committed to democratic principles, the rule of law, and that respects internationally recognized human rights; and

(B) to work with such countries, institutions, and organizations to coordinate all such assistance programs.

(4) COMMUNICATION OF PLAN.—The President shall take the necessary steps to communicate to the people of Yugoslavia the plan for assistance developed under this section.

(5) REPORT.—Not later than 120 days after the date of enactment of this Act, the President shall transmit to the appropriate congressional committees a report describing in detail the plan required to be developed by paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from North Dakota (Mr. POMEROY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GILMAN. 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. 1064, as amended.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of H.R. 1064, a bill introduced by the gentleman from New Jersey (Mr. SMITH). It is intended to ensure that the democratic opposition in Serbia continues to have the active support of the United States, regardless of the outcome of the election held in that country yesterday.

The people of Serbia need to know that our Nation does not wish to have antagonistic relations with their country. They need to know, instead, that our Nation is simply opposed to the kinds of policies that their nation has pursued under the leadership of Slobodan Milosevic.

They also need to know that the United States supports the cause of true democracy in Serbia, just as it does in the rest of Europe, and that Serbia is a European nation, a European country, and deserves a place at the European table once it has started down the road of real democracy, real reform, and real respect for human rights.

Regrettably, Yugoslav President Milosevic has proven himself a master of manipulation of Serbian patriotism and of Serbian nationalist fears.

Mr. Milosevic employed the ethnic distrust and unrest that surrounded the break-up of the former Communist Yugoslav Federation in the early years of the last decade to portray himself as a protector of Serbian rights.

Today Serbia lies in shambles, and its people face a future that promises nothing better. Milosevic lingers on, surrounded by a web of corruption, mysterious murders, political manipulation, and state repression.

After yet another series of manipulative steps, Mr. Milosevic set the groundwork for holding onto his power for another term as Yugoslav president in the election held yesterday, an election it is feared he has rigged to ensure an outcome in his favor.

Mr. Speaker, our Nation is closely monitoring this election. It will shine a spotlight on any evidence of election fraud carried out by Mr. Milosevic and his supporters.

This bill makes it clear that, regardless of the outcome of yesterday's election, our Nation has not given up on and will not give up on the freedom of the nation of Serbia and the effort to create a real and true democracy in Serbia. Mr. Speaker, this bill's passage should make that clear to the Serbian people.

Accordingly, I urge our colleagues to join in supporting this measure.

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

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

Mr. Speaker, I rise in strong support of this bill. I want to commend the gentleman from New York (Chairman GILMAN); the gentleman from New Jersey (Mr. SMITH), the chairman of the Subcommittee on International Operations and Human Rights, for moving this legislation forward.

It is clear that Slobodan Milosevic is not part of the solution in the Balkans but, rather, is the problem. Milosevic has started, and lost, four wars this past decade, with Slovenia, with Croatia, Bosnia and Herzegovina, and finally with NATO over Kosovo.

He may now be preparing his fifth war, this time against Montenegro and its democratic reformist government.

Milosevic has run an authoritarian state, suppressing dissent, threatening his opponents, purging the army and police, and manipulating the electronic media to misinform the Serbian public.

But in spite of all of that, yesterday's dramatic election results from Belgrade show the Serbian people have had quite enough of Slobodan Milosevic. It is clear from the independent and opposition sources that the democratic opposition of Serbia has won a decisive victory.

The Center for Free Election and Democracy has reported that Serbia's democratic opposition has won 58 percent of the votes cast as compared to 32 percent for Milosevic.

Milosevic should respect the wishes of the Serbian people and step down; no manipulating or manufacturing of ballots from Kosovo or Montenegro, no fiddling with the constitution to stay in power through next summer, no desperate moves of violence against Montenegro, Kosovo, or citizens of Serbia.

□ 1730

In order to bring stability to southeast Europe and unlock the economic potential of the region, Milosevic must relinquish power to a new democratic government in Serbia. I spent a summer in Serbia when I was in college. I lived with a family, and I care about these people and look forward to them moving to the post-Milosevic nightmare period into hope for the future.

This act supports the democratic opposition by authorizing $50 million for promoting democracy and civil society in Serbia and $55 million for assisting the government of Montenegro. It also authorizes increased broadcasting to Yugoslavia by the Voice of America and by Radio Free Europe and Radio Liberty.

The act's strength is that it follows the strong and effective policy crafted by the administration and the demonstrated will of the Serbian people themselves as evidenced by yesterday's vote.

The legislation codifies the so-called outer wall of sanctions against Yugoslavia by multilateral organizations, including international financial institutions. It also authorizes other measures against Yugoslavia, including blocking Yugoslavia's assets in the United States; prohibiting the issuance of visas and admission to the United States; and prohibiting strategic exports to Yugoslavia, loans and investment, and military-to-military cooperation.

It is important to note that yesterday's encouraging election results from Serbia do not negate the need for this legislation. Milosevic may not relinquish control, making support for democratic forces, nongovernmental organizations, and free media even more vital.

Even if a peaceful transition were to somehow occur, as one recently took place in neighboring Croatia, a new government and independent media would desperately need international support in a nation that has known authoritarianism and corruption for far too long. And so, Mr. Speaker, I urge my colleagues to support H.R. 1064.

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

Mr. GILMAN. Mr. Speaker, I yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from New York for yielding me this time and for his work in helping to bring this legislation to the floor today.

Mr. Speaker, as we wait to see if opposition candidate Vojislav Kostunica will be allowed to secure the election, which by all accounts he seems to have secured and won, it is important for this Congress to support those seeking democratic change in Serbia as well as those undertaking democratic change in Montenegro. This bill does just that.

Introduced by myself and several other cosponsors in February of 1999, and updated in light of events since that time, the bill before us today includes language to which the Senate has already agreed by unanimous consent. The State Department has been thoroughly consulted, and its requested changes as well have been incorporated into the text. Throughout there has been a bipartisan effort to craft this legislation.

In short, the bill authorizes the provision of democratic assistance to those in Serbia who are struggling for change. It also calls for maintaining sanctions on Serbia until such time that democratic change is indeed underway, allowing at the same time the flexibility to respond quickly to positive developments if and when they occur. Reflective of another resolution, H. Con. Res. 118, which I introduced last year, the bill supports the efforts of the International Criminal Tribunal for the former Yugoslavia to bring those responsible for war crimes and crimes against humanity, including Slobodan Milosevic, to justice.

The reasons for this bill are clear, Mr. Speaker. In addition to news accounts and presentations in other committees and other venues, the Helsinki Commission, which I chair, has held numerous hearings on the efforts of the regime of Slobodan Milosevic to stomp out democracy and to stay in power.

The Commission has held three hearings specifically on this issue and one additional hearing specifically on the threat Milosevic presents to Montenegro. Of course, in the many, many hearings the commission has held on Bosnia and Kosovo over the years, witnesses testify to the role of Milosevic in instigating, if not orchestrating, conflict and war.

Mr. Speaker, the regime of Milosevic has resorted to increasingly repressive measures, as we all know, to stay in power in light of the elections that were held yesterday in the Yugoslav Federation, of which Serbia and Montenegro are a part. Journalist Miroslav Filipovic received, for example, a 7-year sentence for reporting the truth about Yugoslav and Serbian atrocities in Kosovo. The very courageous Natasa Kandic, of the Humanitarian Law Fund, faces similar charges for documenting these atrocities. Ivan Stambolic, an early mentor but now a leading and credible critic of Slobodon Milosevic, was literally abducted from the streets of Belgrade. Authorities have raided the headquarters of the Center For Free Elections and Democracy, a civic, domestic monitoring organization; and members of the student movement Otpor regularly face arrest, detention and physical harassment. Political opposition candidates have been similarly threatened, harassed, and physically attacked.

As news reports regularly indicate, Milosevic may also be considering violent action to bring Montenegro, which has embarked on a democratic path and distanced itself from Belgrade, back under his control. Signs that he is instigating trouble there are certainly evident.

It is too early for the results of the elections to be known fully. However, this bill allows us the flexibility to react to those results. Assistance for transition is authorized, allowing a quick reaction to positive developments. Sanctions can also be eased, if needed. On the other hand, few hold hope that Milosevic will simply relinquish power. A struggle for democracy may only now just be starting and not ending.

The human rights violations I have highlighted, Mr. Speaker, are also mere examples of deeply rooted institutionalized repression. Universities and the media are restricted by Draconian laws from encouraging the free debate of ideas upon which societies thrive. National laws and the federal constitution have been drafted and redrafted to orchestrate the continued power of Slobodan Milosevic. The military has been purged, as we all know, of many high-ranking professionals unwilling to do Milosevic's dirty work, and the place is a virtual military force of its own designed to tackle internal enemies who are in fact trying to save Serbia from this tyrant.

Paramilitary groups merge with criminal gangs in the pervasive corruption which now exists. Sophisticated and constant propaganda has been designed over the last decade to warp the minds of the people into believing this regime has defended the interests of Serbs in Serbia and throughout former Yugoslavia. As a result, even if a democratic change were to begin in Serbia, which we all hope and pray for, the assistance authorized in this bill is needed to overcome the legacy of Milosevic. His influence over the decade has been so strong that it will take considerable effort to bring Serbia back to where it should be.

Bringing democratic change to Serbia and supporting the change already taking place in Montenegro is without question in the U.S. national interest. We may differ in our positions regarding the decision to use American forces in the Balkans either for peacekeeping or peacemaking. Nothing, however, could better create the conditions for regional stability which would allow our forces to come home with their mission accomplished than a Serbia on the road to democratic recovery.

There is, however, an even stronger interest. Indeed, there is a fundamental right of the people of Serbia themselves to democratic governance. They deserve to have the same rights and freedoms, as well as the opportunity for a prosperous future, that is enjoyed by so many other Europeans and by our fellow Americans.

The people of America, of Europe, the people of Serbia all have a strong mutual interest in ending Milosevic's reign of hatred and thuggery. This bill advances that cause.

Mr. POMEROY. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

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

Mr. Speaker, I rise today in strong support of this legislation offered by my colleagues, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Maryland (Mr. HOYER). I salute them both.

The findings contained in this legislation are historic and astonishing. Last year, many of us in this House went to Macedonia and Albania and saw the refugee camps. I carry with me in my pocket at all times, along with my copy of the Constitution, I might add, a picture of a young boy, Valdrin Ferizaj, 8 years old, who tugged at my pants in a refugee camp where there were 35,000 refugees, which was only supposed to hold 10,000. He spoke to me in a language I could not understand. And someone translated, ''He is asking you, Mr. Congressman, where is his mother and father.'' I have tried to find them since coming back, and I will continue.

It is a landmark day in Yugoslavia. Early results from that election are showing that opposition candidate Vojislav Kostunica will win the first round elections against Slobodan Milosevic. Not surprisingly, Mr. Milosevic's camp is disputing the claims. But we have been through this, have we not?

The Milosevic camp is disputing these preliminary results and are calling for a second round. But we who are witnesses to the death, to the destruction, to the displacement, and to the deception caused by this man, which is documented and well-known, can only hope that this murderous leader is indeed defeated.

As was earlier stated by both leaders, and soon to be the other sponsor of the bill, because of America's involvement in the Balkans, we will have a vested interest in helping democratic change, in all of Yugoslav. And in the parts of Yugoslav, this region in southeastern Europe, is in critical need of security and stability.

There is a ray of hope here today, Mr. Speaker, and I stand in hope that we will really understand healthy results this evening and tomorrow morning.

Mr. POMEROY. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), and just wish to additionally commend the gentleman from New Jersey (Mr. PASCRELL) for his impassioned and very insightful comments.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from New York (Mr. GILMAN) for bringing this resolution, along with the minority, to the floor.

Mr. Speaker, I rise in strong support of H.R. 1064 and urge my colleagues to support it. I am an original cosponsor of this bill, offered by my friend, the gentleman from New Jersey (Mr. SMITH), the chairman of the Helsinki Commission. As he has noted, whatever our views on the American involvement in the Balkans, we all have a common interest in bringing democratic change to Serbia, which will enhance long-term stability in the region, allow our troops in Kosovo and Bosnia to return home sooner, with their mission accomplished, and preclude the need for further intervention to thwart Slobodan Milosevic's aggression.

Clearly, democratic change in Serbia is the single most critically needed development in southeast Europe today. First and foremost, the people of Serbia deserve the same ability to exercise their human rights and fundamental freedoms that so many other Europeans enjoy. Secondly, it, more than anything else, would contribute to security in the region. Indeed, it would increase tremendously the chances for resolving conflicts and encouraging social reconciliation.

The gentleman from New Jersey (Mr. SMITH) and I have served together on the Helsinki Commission for a long time, over a decade and a half, and we have worked together to promote human rights in Europe and in other parts of the world, I might add.

□ 1745

Our efforts have been especially relevant in the Balkans, where Milosevic

and his regime have instigated conflict and orchestrated genocide to perpetuate their rule and enhance their power and privilege. The international community, Mr. Speaker, has been slow to respond and sometimes ineffective in the face of this threat to European stability. Only with the intervention of the United States has action been taken.

Since Kosovo, however, there is a more united view than ever between the United States, Europe and the international community as a whole that democratic change must come to Serbia. There is also a greater realization that the threat Serbia poses comes not from the Serb people. Let me repeat that. The threat comes not from the Serb people but from Milosevic and his henchmen. Indeed, the people of Serbia, and the people of Montenegro, who are in a Yugoslav federation with Serbia, have suffered far too long under Milosevic's repression. They, the Serbians, the Montenegrans, deserve to take their rightful place in the democratic community of Europe.

Mr. Speaker, national elections were held in Yugoslavia yesterday, as many have said. We do not yet know the final results and there are, as predicted, widespread allegations of fraud. Early reports indicate that the opposition is claiming first round victory with more than 50 percent of the vote. That in my opinion would be an extraordinarily happy circumstance. The Milosevic camp, not committed to democracy, committed to authoritarian rule, committed to attaining their ends by whatever means are necessary, are claiming that they are ahead 44 percent to 41 percent, indicating a need for a second round runoff. Nobody in the international community believes that representation.

It is widely believed that Milosevic simply will not concede. He has hinted that, as he has said, his term does not formally end until next year, giving him another 9 months or so entrenched in power and in perversion. Alternatively, he may simply turn up the level of fraud to ensure a second-round victory and crack down on whatever opposition might exist.

At this point, Mr. Speaker, we do not know what Serbia will be like, even in the near future, other than the fact that it will not be the same. It might change, we pray, drastically for the better or tragically for the worse. Either way, this bill sends the message that we are there for the people of Serbia. The alternative, to send no message at all, Mr. Speaker, is the message that Milosevic wants to hear.

I urge my colleagues to vote for H.R. 1064.

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I want to thank the gentleman from New York (Mr. GILMAN), the gentleman from New Jersey (Mr. SMITH), the gentleman from Maryland (Mr. HOYER), and the gentleman from Connecticut (Mr. GEJDENSON) for bringing this measure before us this afternoon.

Mr. Speaker, the people of Serbia have spoken. They want change for their country and for their people. Our patience has certainly paid off. We have waited a long time for this.

Mr. Milosevic has declared war over and over again against his own people, in Serbia, in Croatia, in Bosnia, in Herzegovina, in Kosovo, and I have seen firsthand what Mr. Milosevic and his regime has done to his own people. It is time for the bloodshed to end, Mr. Speaker. It is time for Mr. Milosevic to relinquish power before more blood is shed.

Mr. Milosevic, your people are telling you they want no more persecution. They want no more refugees. Mr. Milosevic, they want no more death. Your people, Mr. Milosevic, have voted, and they have voted for life. Give them that life and relinquish power now.

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

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1064, 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.

□

PACIFIC CHARTER COMMISSION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4899) to establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Pacific region of Asia through the promotion of democracy, human rights, the rule of law, free trade, and open markets, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4899

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 Charter Commission Act of 2000''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Asia-Pacific region;

(2) to support democratization, the rule of law, and human rights in the Asia-Pacific region;

(3) to promote United States exports to the Asia-Pacific region by advancing economic cooperation;

(4) to combat terrorism and the spread of illicit narcotics in the Asia-Pacific region; and

(5) to advocate an active role for the United States Government in diplomacy, security, and the furtherance of good governance and the rule of law in the Asia-Pacific region.

SEC. 3. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the Pacific Charter Commission (hereafter in this Act referred to as the ''Commission'').

SEC. 4. DUTIES OF COMMISSION.

(a) DUTIES.—The Commission shall establish and carry out, either directly or through nongovernmental organizations, programs, projects, and activities to achieve the purposes described in section 2, including research and educational or legislative exchanges between the United States and countries in the Asia-Pacific region.

(b) MONITORING OF DEVELOPMENTS.—The Commission shall monitor developments in countries of the Asia-Pacific region with respect to United States foreign policy toward such countries, the status of democratization, the rule of law and human rights in the region, economic relations among the United States and such countries, and activities related to terrorism and the illicit narcotics trade.

(c) POLICY REVIEW AND RECOMMENDATIONS.—In carrying out this section, the Commission shall evaluate United States Government policies toward countries of the Asia-Pacific region and recommend options for policies of the United States Government with respect to such countries, with a particular emphasis on countries that are of importance to the foreign policy, economic, and military interests of the United States.

(d) CONTACTS WITH OTHER ENTITIES.—In performing the functions described in subsections (a) through (c), the Commission shall, as appropriate, seek out and maintain contacts with nongovernmental organizations, international organizations, and representatives of industry, including receiving reports and updates from such organizations and evaluating such reports.

(e) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of this Act, and not later than the end of each 12-month period thereafter, the Commission shall prepare and submit to the President and the Congress a report that contains the findings of the Commission during the preceding 12-month period. Each such report shall contain—

(1) recommendations for legislative, executive, or other actions resulting from the evaluation of policies described in subsection (c); and

(2) a description of programs, projects, and activities of the Commission for the prior year; and

(3) a complete accounting of the expenditures made by the Commission during the prior year.

(f) CONGRESSIONAL HEARINGS ON ANNUAL REPORT.—The Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate, shall, not later than 45 days after the receipt by the Congress of the report referred to in subsection (c), hold hearings on the report, including any recommendations contained therein.

(g) ADVISORY COMMITTEES.—The Commission may establish such advisory committees as the Commission determines to be necessary to advise the Commission on policy matters relating to the Asia-Pacific region and to otherwise carry out this Act.

SEC. 5. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—The Commission shall be composed of 7 members all of whom—

(1) shall be citizens of the United States who are not officers or employees of any government, except to the extent they are considered such officers or employees by virtue of their membership on the Commission; and

(2) shall have interest and expertise in issues relating to the Asia-Pacific region.

(b) APPOINTMENT.—

(1) IN GENERAL.—The individuals referred to in subsection (a) shall be appointed—

(A) by the President, after consultation with the Speaker and Minority Leader of the House of Representatives, the Chairman and ranking member of the Committee on International Relations of the House of Representatives, the Majority Leader and Minority Leader of the Senate, and the Chairman and ranking member of the Committee on Foreign Relations of the Senate; and

(B) by and with the advice and consent of the Senate.

(2) POLITICAL AFFILIATION.—Not more than 4 of the individuals appointed under paragraph (1) may be affiliated with the same political party.

(c) TERM.—Each member of the Commission shall be appointed for a term of 6 years.

(d) VACANCIES.—A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(e) CHAIRPERSON; VICE CHAIRPERSON.—The President shall designate a Chairperson and Vice Chairperson of the Commission from among the members of the Commission.

(f) COMPENSATION.—

(1) RATES OF PAY.—Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(i) AFFIRMATIVE DETERMINATIONS.—An affirmative vote by a majority of the members of the Commission shall be required for any affirmative determination by the Commission under section 4.

SEC. 6. POWERS OF COMMISSION.

(a) HEARINGS AND INVESTIGATIONS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony and receive such evidence, and conduct such investigations as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chairperson of the Commission, the head of any such department agency shall furnish such information to the Commission as expeditiously as possible.

(c) CONTRIBUTIONS.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of assisting or facilitating the work of the Commission. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 7. STAFF AND SUPPORT SERVICES OF COMMISSION.

(a) EXECUTIVE DIRECTOR.—The Commission shall have an executive director appointed by the Commission after consultation with the Speaker and Minority Leader of the House of Representatives and the Majority Leader and Minority Leader of the Senate. The executive director shall serve the Commission under such terms and conditions as the Commission determines to be appropriate.

(b) STAFF.—The Commission may appoint and fix the pay of such additional personnel, not to exceed 10 individuals, as it considers appropriate.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the chairperson of the Commission, the head of any Federal agency may detail, on a nonreimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out its duties under this Act.

(d) EXPERTS AND CONSULTANTS.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

SEC. 9. TERMINATION.

The Commission shall terminate not later than 5 years after the date of the enactment of this Act.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $2,500,000 for each of the fiscal years 2001 and 2002.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

SEC. 11. EFFECTIVE DATE.

This Act shall take effect on February 1, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, shortly after World War II, the great American soldier and statesman George Marshall said that a safe and free America depends on a safe and free Europe. Marshall, of course, was emphasizing the importance of Europe to the United States at that time. Permit me to suggest that Marshall's paradigm has changed. Today, he could have stated that a safe and free America depends upon a democratic, safe and free Asia.

Before the summer recess, I introduced H.R. 4899, legislation to establish a Pacific Charter Commission. The purpose of the commission would be to create a charter that would promote a consistent and coordinated foreign policy which would ensure economic and military security in the Pacific region of Asia.

The charter would attempt to obtain those goals through the promotion of democracy, human rights, the rule of law, free trade, and open markets. Obviously, this region is vital to the future of our Nation. Over the past 50 years, Asia has become a significant center of international economic and military power. Our Nation has seen the blood of its sons and daughters shed on Asian soil in defense of our national interests and in fighting tyranny. America has fought three wars in Asia since 1941 and American military personnel, our soldiers, our sailors, our airmen and Marines, have been engaged in ensuring peace across the Pacific.

In 1941, our Nation and Great Britain laid down a set of principles of foreign policy conduct. That was called the Atlantic Charter. Similarly, I propose that we establish a Pacific Charter Commission that would assist our government in laying out the principles for our policies in Asia in the 21st century.

Such a Pacific Charter would articulate America's long-term goals and objectives in the Pacific and link them with the means for implementation. It would be a comprehensive model for our involvement in that region supporting our national interests and assuring others of our intention to remain a Pacific power. Further, it would demonstrate that our Nation is placing its relations with Asia in the 21st century on a par comparable to that which has informed its relations with Europe over the latter half of the 20th century.

The time has come to lay out an architecture of policy that will establish our intention to remain engaged in Asia and the terms of our continued engagement. A commission to establish a Pacific Charter for the 21st century would provide the framework for such a policy and would ensure the entire region, allies and otherwise, of the continuation of a leadership that is consistent, coherent and coordinated.

Accordingly, I urge my colleagues to vote for H.R. 4899.

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

Mr. CROWLEY. Mr. Speaker, I yield myself such time as I may consume. I rise in strong support of this resolution.

I would first like to commend the gentleman from New York (Mr. GILMAN) for introducing the legislation before the House today. The U.S. is facing many foreign policy challenges in the Asia-Pacific region, challenges which are certain to grow in importance in the years ahead.

On the human rights side, political dissidents and religious minorities continue to be persecuted in China. Burma has tightened its control on political dissidents, and East Timorese refugees are living under horrible conditions in camps ruled by armed militias.

On the security side, North Korea missile and nuclear programs continue to pose a threat to the U.S.; managing the defense relationship with Japan requires high level attention; Taiwan's

security is under increasing threat from the PRC; and we must decide whether to cover certain Asian countries under a theater missile defense.

On the economic side, our trade deficit with China continues to grow to unprecedented levels; U.S. firms continue to face great difficulties operating in the Japanese market; and we must decide how the U.S. will deal with calls for greater economic integration among the Asian nations.

The Pacific Charter Commission created by the legislation before the House today could help the administration and Congress get the information and analysis needed to craft effective and informed foreign policy in that region.

The commission will also closely review U.S. policy toward the Asia-Pacific region and make recommendations to increase its effectiveness. Given the complexity of the political, security and economic problems facing U.S. policymakers in the region, the commission can help give voice to Asia-Pacific experts outside of the executive and congressional branches of government as well.

Obviously, the commission will only be as effective as its chairman and commissioners, but with strong leadership, the commission could help the U.S. pursue human rights, democracy, trade and security matters in Asia.

I urge my colleagues to support H.R. 4889.

Mr. HALL of Texas. Mr. Speaker, in the Extension of remarks accompanying the introduction of H.R. 4899, there seems to be a desire for the proposed Commission to prefer one nation to another. India over China.

There is always a danger that we will codify a temporary mindset so as to put ourselves in a policy box where the principles and boundaries of our foreign policy becomes rigid; where a future Congress and chief Executive will be unable to alter course as our national interest compels; and where we may surrender our freedom of choice.

Lastly, I question the good that this nation can derived by so explicitly preferring India over China, whereby prompted by our affection for India, we may withhold criticism of India's actions and policies in the regional conflicts of South Asia. This can be seen as hostile to the people of Pakistan.

Mr. UNDERWOOD. Mr. Speaker, I rise today in support of H.R. 4899, The Asian Pacific Charter Commission Act of 2000. This legislation will establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Pacific region of Asia through the promotion of democracy, human rights, the rule of law, free trade, and open markets.

I would first like to thank the gentleman from New York, Chairman BEN GILMAN, for his leadership in introducing this measure. I don't need to remind my Colleagues about Congressman GILMAN's courageous service in World War II in the Pacific theater. Serving as a Staff Sergeant in the 19th Bomb Group of the 20th Army Air Force, Congressman GILMAN flew 35 missions over Japan and earned the Distinguished Flying Cross and the Air Medal with Oak Leaf Clusters. Furthermore, I want to commend Chairman GILMAN's dedication to promoting democracy and the rule of law in the Pacific region throughout his entire career.

As the proud Representative from Guam, which is located only 1,600 miles away from the Philippines, I strongly believe that H.R. 4899 is a step in the right direction in bringing together a commission which is designed to reinforce the United States commitment to a stable Pacific Region. Such a commission must clearly focus on human rights, the promotion of free and fair elections, constructive military partnerships, and basic coordination and communication between the United States and our friends and allies in the Pacific. Given Guam's strategic location within the Pacific Basin, I would like to contribute and play a constructive role in this new commission.

Congress must promote a consistent foreign policy which seeks to spread democracy through peaceful and constructive means. H.R. 4899 clearly serves this purpose. I encourage all Members to support this important resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 4899, 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 establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Asia-Pacific region through the promotion of democracy, human rights, the rule of law, and for other purposes.''.

A motion to reconsider was laid on the table.

□

TWENTY-FIFTH ANNIVERSARY OF EDUCATION FOR ALL HANDICAPPED CHILDREN ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 399.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 399, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 359, nays 2, not voting 72, as follows:

[Roll No. 487]

YEAS—359

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Nadler
Napolitano
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton

Scarborough	Stark	Upton
Schaffer	Stearns	Velazquez
Schakowsky	Stenholm	Visclosky
Scott	Strickland	Walden
Sensenbrenner	Stump	Walsh
Sessions	Stupak	Wamp
Shadegg	Sununu	Waters
Shaw	Tancredo	Watkins
Shays	Tanner	Watt (NC)
Sherman	Tauscher	Watts (OK)
Sherwood	Tauzin	Weiner
Shimkus	Taylor (MS)	Weldon (FL)
Shuster	Terry	Weldon (PA)
Simpson	Thomas	Weller
Sisisky	Thompson (CA)	Wexler
Skeen	Thompson (MS)	Weygand
Skelton	Thornberry	Whitfield
Slaughter	Thune	Wilson
Smith (NJ)	Thurman	Wolf
Smith (TX)	Tiahrt	Wu
Smith (WA)	Toomey	Wynn
Snyder	Towns	Young (AK)
Spence	Traficant	Young (FL)
Spratt	Turner	
Stabenow	Udall (CO)	

NAYS—2

Paul	Sanford

NOT VOTING—72

Baker	Gutierrez	Neal
Ballenger	Hill (IN)	Nethercutt
Barr	Hilliard	Northup
Bliley	Hinchey	Oxley
Blunt	Isakson	Pelosi
Brown (FL)	Jones (OH)	Pombo
Burton	Klink	Pryce (OH)
Campbell	Lantos	Quinn
Capps	Lazio	Sanders
Clement	Lee	Serrano
Coburn	Maloney (CT)	Shows
Cook	Matsui	Smith (MI)
Cubin	McCollum	Souder
Danner	McCrery	Sweeney
DeFazio	McIntosh	Talent
Delahunt	McKinney	Taylor (NC)
DeLauro	McNulty	Tierney
Dickey	Meeks (NY)	Udall (NM)
Engel	Mica	Vento
English	Miller, Gary	Vitter
Fossella	Miller, George	Waxman
Franks (NJ)	Mink	Wicker
Gillmor	Murtha	Wise
Graham	Myrick	Woolsey

□ 1825

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

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Mr. Speaker, I was on a plane returning from my district tonight and was unable to attend votes. Had I been here I would have made the following vote on rollcall No. 487—''yea.''

Mr. MICA. Mr. Speaker, regretfully I was unavoidably detained and could not vote on rollcall No. 487. Had I been here, I would have voted ''yea'' for H. Con. Res. 399.

Mr. MALONEY of Connecticut. Mr. Speaker, I was unavoidably detained during rollcall vote No. 487. Had I been present I would have voted ''yea.''

□

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5194

Mr. STUPAK. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of H.R. 5194.

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

There was no objection.

□

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 suspended 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.

□

CALLING UPON THE PRESIDENT TO ISSUE A PROCLAMATION RECOGNIZING 25TH ANNIVERSARY OF HELSINKI FINAL ACT

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 100) calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

The Clerk read as follows:

H.J. RES. 100

Whereas August 1, 2000, is the 25th anniversary of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), renamed the Organization for Security and Cooperation in Europe (OSCE) in January 1995 (in this joint resolution referred to as the ''Helsinki Final Act'');

Whereas the Helsinki Final Act, for the first time in the history of international agreements, accorded human rights the status of a fundamental principle in regulating international relations;

Whereas during the Communist era, members of nongovernmental organizations, such as the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, and Armenia and similar groups in Czechoslovakia and Poland, sacrificed their personal freedom and even their lives in their courageous and vocal support for the principles enshrined in the Helsinki Final Act;

Whereas the United States Congress contributed to advancing the aims of the Helsinki Final Act by creating the Commission on Security and Cooperation in Europe to monitor and encourage compliance with provisions of the Helsinki Final Act;

Whereas in the 1990 Charter of Paris for a New Europe, the participating states declared, ''Human rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law. Their protection and promotion is the first responsibility of government'';

Whereas in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, the participating states ''categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned'';

Whereas in the 1990 Charter of Paris for a New Europe, the participating states committed themselves ''to build, consolidate and strengthen democracy as the only system of government of our nations'';

Whereas the 1999 Istanbul Charter for European Security and Istanbul Summit Declaration note the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, strengthening efforts to combat corruption, eradicating torture, reinforcing efforts to end discrimination against Roma and Sinti, and promoting democracy and respect for human rights in Serbia;

Whereas the main challenge facing the participating states remains the implementation of the principles and commitments contained in the Helsinki Final Act and other OSCE documents adopted on the basis of consensus;

Whereas the participating states have recognized that economic liberty, social justice, and environmental responsibility are indispensable for prosperity;

Whereas the participating states have committed themselves to promote economic reforms through enhanced transparency for economic activity with the aim of advancing the principles of market economies;

Whereas the participating states have stressed the importance of respect for the rule of law and of vigorous efforts to fight organized crime and corruption, which constitute a great threat to economic reform and prosperity;

Whereas OSCE has expanded the scope and substance of its efforts, undertaking a variety of preventive diplomacy initiatives designed to prevent, manage, and resolve conflict within and among the participating states;

Whereas the politico-military aspects of security remain vital to the interests of the participating states and constitute a core element of OSCE's concept of comprehensive security;

Whereas the OSCE has played an increasingly active role in civilian police-related activities, including training, as an integral part of OSCE's efforts in conflict prevention, crisis management, and post-conflict rehabilitation; and

Whereas the participating states bear primary responsibility for raising violations of the Helsinki Final Act and other OSCE documents: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress calls upon the President to—

(1) issue a proclamation—

(A) recognizing the 25th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe;

(B) reasserting the commitment of the United States to full implementation of the Helsinki Final Act;

(C) urging all signatory states to abide by their obligations under the Helsinki Final Act; and

(D) encouraging the people of the United States to join the President and the Congress in observance of this anniversary with appropriate programs, ceremonies, and activities; and

(2) convey to all signatory states of the Helsinki Final Act that respect for human rights and fundamental freedoms, democratic principles, economic liberty, and the implementation of related commitments continue to be vital elements in promoting a new era of democracy, peace, and unity in the region covered by the Organization for Security and Cooperation in Europe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

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

GENERAL LEAVE

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

may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I rise in support of the resolution offered by the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights, honoring the Helsinki Final Act in light of the recent 25th anniversary of its signing and calls on the President to reassert the U.S. commitment to its implementation.

The Organization on Security and Cooperation in Europe, or OSCE, created by the Helsinki Act of 1975, is actually not a security alliance. The OSCE is also not based on a ratified treaty with provisions that are binding on its signatories. And yet the OSCE, in the agreement that established the Helsinki Final Act, has proven extremely influential in modern European affairs both during the Cold War and in today's post-Cold War era.

□ 1830

As the resolution notes, the Helsinki Act inspired many of those seeking freedom from Communism to create nongovernmental organizations to monitor their government's compliance with the human rights commitments made by Communist regimes in Helsinki in 1975.

Today's OSCE, in continuing to uphold the Helsinki Act's signatory, states the standards they should aspire to meet particularly with regard to human rights; and political rights continues to play a very beneficial role. Moreover, since the OSCE includes in its ranks of participatory states almost all of the states of Europe, those states have agreed to grant OSCE a greater role in conflict prevention and conflict resolution.

Mr. Speaker, I am certain that as we continue to work towards the Europe and the North Atlantic community of states that is truly democratic from Vancouver to Vladivostok, the OSCE will continue to play a vital role.

Mr. Speaker, I am pleased to support this resolution, I urge our colleagues to join in ensuring its passage.

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

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

Mr. Speaker, I rise in strong support of this measure. Mr. Speaker, I would first like to commend the gentleman from New Jersey (Mr. SMITH), the chairman of the Subcommittee on International Operations and Human Rights, for introducing this important resolution; the gentleman from New York (Chairman GILMAN) for moving it through the legislative process; also the gentleman from Maryland (Mr. HOYER); and the gentleman from Connecticut (Mr. GEJDENSON) as well for their help in moving this measure to the floor today.

Mr. Speaker, August 1 of this year marked the 25th anniversary of the Helsinki Final Act, which created the Conference on Security and Cooperation in Europe, which has since been renamed the Organization for Security and Cooperation in Europe.

The 1957 Helsinki Final Act has played a critical role in ensuring that respect for human rights and fundamental freedoms was recognized by all countries in Europe and was at the top of the agenda of discussions between European countries.

The Helsinki process that resulted from the act ensured that there was a wide-ranging dialogue on issues ranging from migration and military security to the environment and independent media. Although CSCE had no permanent headquarters and no enforcement capability, it made important progress in setting standards for the protection of human rights during the Communist era.

The CSCE also increased confidence between East and West through the advanced notification of military activities and the exchange of military information. With the end of the Cold War, all CSCE countries, for the first time, accepted the principles of democracy and free markets as the basis for their cooperation. This made it possible for CSCE and later OSCE, to explore ways to act on its rigorous principles and to ensure that they were upheld.

Mr. Speaker, OSCE and CSCE have been on the forefront of the new post Cold War Europe as a peacemaker, election observer, and a conscience of democracy.

I am proud that the Helsinki Commission, established by Congress to follow the implementation of the final act, has made a significant contribution to this process. The resolution before the House today recognizes the important contributions the CSCE and the OSCE have made since the adoption of the Helsinki Final Act 25 years ago.

The resolution also calls on the President to issue a proclamation which recognizes this anniversary, reasserts the commitment of the U.S. to implementation of the Final Act, urges all states to abide by their obligations, and encourages Americans everywhere to mark the observance of this important anniversary.

Mr. Speaker, I urge my colleagues to support H.J. Res. 100.

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

Mr. GILMAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SMITH), chairman of the Subcommittee on International Operations and Human Rights.

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

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding me time.

Mr. Speaker, at the outset, let me give a special thanks to Bob Hand, who is a specialist on the Balkans, especially the former Yugoslavia and Albania, at the Helsinki Commission. As my colleagues know just a few moments ago, we passed H.R. 1064 by voice vote, legislation that I had introduced early last year. We went through many drafts and redrafts, and I would like to just thank Bob for the excellent work he and Dorothy Taft, the Commission's Chief of Staff, did on that legislation.

H.R. 1064 would not have been brought to the floor in a form we know the Senate will pass quickly and then forward for signature, without their tremendous work on this piece of legislation, and their organization of a whole series of hearings that the Helsinki Commission has held on the Balkans. We have had former Bosnian Prime Minister Silajdzic, for example, testify at several hearings.

The Congress itself has had so much input into this diplomatic process which we know as the ''Helsinki process,'' and they have done yeoman's work on that.

Mr. Speaker, I rise and ask my colleagues to support passage of H.J. Res. 100, recognizing the 25th anniversary of the signing of the Helsinki Final Act. I am pleased that we have more than 40 cosponsors on this resolution, and that includes all of our colleagues on the Helsinki Commission. The gentleman from Maryland (Mr. HOYER), is the ranking Democratic Member, and my good friend and colleague.

Mr. Speaker, the Helsinki Final Act was a watershed event in European history, which set in motion what has become known as the Helsinki process. With its language on human rights, this agreement granted human rights the status of a fundamental principle regulating relations between the signatory countries. Yes, there were other provisions that dealt with economic issues as well as security concerns, but this country rightfully chose to focus attention on the human rights issues especially during the Cold War years and the dark days of the Soviet Union.

The Helsinki process, I would respectfully submit to my colleagues, was very helpful, in fact instrumental, in relegating the Communist Soviet empire to the dust bin of history. The standards of Helsinki constitute a valuable lever in pressing human rights issues.

The West, and especially the United States, used Helsinki to help people in Czechoslovakia, in East Germany and in all the countries that made up the OSCE, which today comprises 54 nations with the breakup of the Soviet Union and other States along with the addition of some new States.

Let me just read to my colleagues a statement that was made by President Gerald Ford, who actually signed the Helsinki Accords in 1975. He stated, and I quote, ''the Helsinki Final Act was the final nail in the coffin of Marxism and Communism in many, many countries and helped bring about the change to a more democratic political system and a change to a more market oriented economic system.''

The current Secretary General of the OSCE, Jan Kubis, a Slovak, has stated, and I quote him, ''As we remember together the signature of the Helsinki Final Act, we commemorate the beginning of our liberation, not by armies, not by methods of force or intervention, but as a result of the impact and inspiration of the norms and values of an open civilized society, enshrined in the Helsinki Final Act and of the encouragement it provided to strive for democratic change and of openings it created to that end.''

Mr. Speaker, the Helsinki Final Act is a living document. We regularly hold follow-up conferences and meetings emphasizing various aspects of the accords, pressing for compliance by all signatory states. I urge Members to support this resolution, and I am very proud, as I stated earlier, to be Chairman of the Helsinki Commission.

Mr. Speaker, I include for the RECORD the Statement made by the U.S. Ambassador to the OSCE, David T. Johnson, at the Commemorative meeting on the 25th Anniversary of the Helsinki Final Act

STATEMENT AT THE 25TH ANNIVERSARY OF THE HELSINKI FINAL ACT

(By Ambassador David T. Johnson to the Commemorative Meeting of the Permanent Council of the OSCE)

MADAME CHAIRPERSON, as we look with fresh eyes today at the document our predecessors signed on August 1, 1975, we are struck by the breadth of their vision. They agreed to work together on an amazing range of issues, some of which we are only now beginning to address. The States participating in the meeting affirmed the objective of ''ensuring conditions in which their people can live in true and lasting peace free from any threat to or attempt against their security;'' they recognized the ''indivisibility of security in Europe'' and a ''common interest in the development of cooperation throughout Europe.''

One of the primary strengths of the Helsinki process is its comprehensive nature and membership. Human rights, military security, and trade and economic issues can be pursued in the one political organization that unites all the countries of Europe including the former Soviet republics, the United States and Canada, to face today's challenges. Over the past twenty-five years we have added pieces to fit the new realities—just last November in Istanbul we agreed on a new Charter for European Security and an adapted Conventional Forces in Europe treaty.

But the most significant provision of the Helsinki Agreement may have been the so-called Basket III on Human Rights. As Henry Kissinger pointed out in a speech three weeks after the Final Act was signed, ''At Helsinki, for the first time in the postwar period, human rights and fundamental freedoms became recognized subjects of East-West discourse and negotiations. The conference put forward . . . standards of humane conduct, which have been—and still are—a beacon of hope to millions.''

In resolutions introduced to our Congress this summer, members noted that the standards of Helsinki provided encouragement and sustenance to courageous individuals who dared to challenge repressive regimes. Many paid a high price with the loss of their freedom or even their lives. Today we have heard from you, the representatives of the many who have struggled in the cause of human rights throughout the years since Helsinki. We are in awe of you, of the difficult and dangerous circumstances of your lives, and of what you have and are accomplishing.

Many of us here cannot comprehend the conditions of life in a divided Europe. And those who lived under repressive regimes could not have imagined how quickly life changed after 1989. Political analysts both East and West were astounded at the rapidity with which the citizens of the former Iron Curtain countries demanded their basic rights as citizens of democratic societies. What we have heard time and again is that the Helsinki Final Act did matter. Leaders and ordinary citizens took heart from its assertions. The implementation review meetings kept a focus fixed on its provisions.

Even before the Wall came down, a new generation of leaders like Nemeth in Hungary and Gorbachev in the Soviet Union made decisions to move in new directions, away from bloodshed and repression. In the summer of 1989, the Hungarians and Austrian cooperated with the West Germans to allow Romanians and East Germans to migrate to the West. Looking at what was happening in Europe, the young State Department analyst Francis Fukuyama, wrote an article which captured the world's attention. In ''The End of History,'' he claimed that what was happening was not just the end of the Cold War but the end of the debate over political systems. A consensus had formed that democracy, coupled with a market economy, was the best system for fostering the most freedom possible.

And then in the night of November 9, 1989, the Berlin Wall opened unexpectedly. Citizens emerging from repressive regimes knew about democracy and told the world that what they wanted more than anything else was to vote in free and fair elections. Only a year after the fall of the Wall, a reunited Germany held elections at the state and national level. Poland, Hungary, and the Baltic states carried out amazing transformations beginning with elections which brought in democratic systems. When Albania descended into chaos in 1997, groups across the country shared a common desire for fair elections. We have seen Croatia and the Slovak Republic re-direct their courses in the past several years, not by violence but through the ballot box. Just a few weeks ago, citizens of Montenegro voted in two cities with two different results—in both instances there was no violence and the new governments are moving forward with reforms to benefit their citizens. OSCE has time and again stepped up to assist with elections and give citizens an extra measure of reassurance that the rest of the world supports them in the exercise of their democratic rights.

We are all aware that in the decades since Helsinki, we have seen conflict, torture, and ethnic violence within the OSCE area. Unfortunately, not all areas in the OSCE region made a peaceful transition to the Euro-Atlantic community of democratic prosperity. Some OSCE countries remain one-party states or suffer under regimes which suppress political opposition. Perhaps the most troubled region is the former Yugoslavia. As Laura Silber has written in the text to the BBC series ''The Death of Yugoslavia,'' ''Yugoslavia did not die a natural death. Rather, it was deliberately and systematically killed off by men who had nothing to gain and everything to lose from a peaceful transition from state socialism and one-party rule to free-market democracy.''

We need only look at the devastation of Chechnya and the continuing ethnic strife in parts of the former Yugoslavia to realize there is much still to be done in the OSCE region. We must continue our work together to minimize conflict and bring contending sides together, foster economic reforms through enhanced transparency, promote environmental responsibility, and or fight against organized crime and corruption. Human rights remain very much on our agenda as we seek to eradicate torture, and find new solutions for the integration of immigrants, minorities and vulnerable peoples into our political life.

''Without a vision,'' wrote the prophet Isaiah so long ago, ''the people will perish.'' We here today have a vision of collective security for all the citizens of the OSCE region. After twenty-five years, the goals embodied in the Helsinki final act remain a benchmark toward which we must continue to work. The Panelists have reminded us today that the Helsinki Final Act has incalculable symbolic meaning to the citizens of our region; we must continue to take on new challenges as we strive to keep this meaning alive.

Mr. CROWLEY. Mr. Speaker, it is my pleasure to yield 8 minutes to the gentleman from Maryland (Mr. HOYER), the ranking member of the Helsinki Commission.

Mr. HOYER. Mr. Speaker, I thank the distinguished gentleman from New York (Mr. CROWLEY) for yielding me the time. I thank the gentleman from New York (Mr. GILMAN), the Chairman of the Committee on International Relations, for bringing this resolution to the floor. I am pleased to join my very good friend, the gentleman from New Jersey (Mr. SMITH), with whom I have served on the Helsinki Commission since 1985 and who is now the chairman of our commission and does an extraordinarily good job at raising high the banner of human rights, of freedom, and democracy and so many other vital values to a free people. I am honored to be his colleague on the Helsinki Commission.

Mr. Speaker, I rise in strong support of H.J. Res. 100 which commemorates the 25th anniversary of the signing of the Helsinki Final Act which, was signed on August 1, 1975.

It is my firm belief that the political process set in motion by the signing of the Final Act was the groundwork for the forces which consumed the former Soviet empire. In 1975, many of the Final Act signatory states viewed the language of the act dealing with human rights and the obligation that each state had toward its own citizens, as well as those of other states, as essentially meaningless window dressing.

Their objective, it was felt that of the Soviets, was to secure a framework in which their international political position and the then existing map of Europe would be adjudged a fait accompli.

Let me say as an aside that as we honor the 25th anniversary of the Helsinki Final Act, we ought to honor the courage and the vision of President Gerald Ford. I am not particularly objective. President Ford is a friend of mine for whom I have great affection and great respect, but those who will recall the signing of the Final Act in August of 1975 will recall that it was very controversial, and that many particularly in President's Ford's party thought that it was a sellout to the Soviets, thought that it was, in fact, a recognition of the de facto borders that then existed with the 6 Warsaw Pact nations, captive nations, if you will.

President Ford, however, had the vision and, as I said, the courage, to sign the Final Act on behalf of the United States along with 34 other heads of state; that act became a living and breathing process, not a treaty, not a part of international law, but whose moral suasion ultimately made a very significant difference.

I want to join my colleagues who I know would want to thank President Ford for his vision and courage in that instance, because those who thought it was a sellout were proven wrong.

The Helsinki process, which provided a forum and international backing for Refuseniks and others fighting behind the Iron Curtain for fundamental freedom and human rights, led inevitably to the collapse of Soviet communism.

Today we celebrate the freedom yielded by our steadfast commitment to the process and by our demand that the former Soviet bloc countries adhere to and implement the human rights standards enshrined by the accords. The fall of the Berlin Wall, Mr. Speaker, transformed the world and demonstrated unreservedly that respect for the dignity of all individuals is fundamental to democracy.

Mr. Speaker, the Organization for Security and Cooperation in Europe took a stand that human dignity, tolerance, and mutual respect would be the standards for all nations of Europe as we entered the 1990s. The Helsinki process served as a source of values and acted as an agent of conflict resolution.

It provided, Mr. Speaker, participating states with a blueprint by which to guide them away from the past, but most importantly, it reminded members, old and new, of their responsibilities to their own citizens and to each other.

Mr. Speaker, this lesson was sorely tested in the years following the Wall's fall with the dismemberment of Yugoslavia, the genocide in Bosnia and Kosovo, the economic collapse of Albania, and the emergence of new threats to the citizens of Russia.

One year after the fall of the Wall, at the OSCE Paris Summit, former political prisoners like Vaclav Havel and Lach Walesa, who had fought for the rights espoused in Helsinki in 1975, led their countries to the table and recommitted themselves and their governments to the principle of human rights, security and economic cooperation that are the foundation of the Helsinki Final Act.

Today, Mr. Speaker, 54 nations of Europe and the Americas, the Caucasus and Central Asia are committed to the Helsinki process as participating states in the OSCE. Now, we must recognize that all 54 of those states do not carry out those principles any more than the Soviet states carried out those principles in the months and long years after the signing of the Final Act, but we found then that inevitably the power of those ideas was like a tide that swept down oppression and resistance.

□ 1845

Hopefully, all 54 states will find that tide irresistible and will incorporate in their own lands all of the principles of the Helsinki Final Act.

Mr. Speaker, as we reflect on this anniversary, we understand that the countries and peoples of the region are still in transition and will be for decades to come. Great strides have been made by many former Communist countries in building democratic societies and market economies. Yet, progress has been uneven, and much remains to be done, as I said.

Mr. Speaker, in my view, it is critical that the United States remain engaged with the peoples and governments of Europe and the countries which emerge from the former Soviet Union, especially from Russia, during this difficult period.

I agree with President Clinton when he said that we must, and I quote, ''reaffirm our determination to finish the job, to complete a Europe whole, free, democratic, and at peace for the first time in all of history.'' It is in our strategic and national interest, Mr. Speaker, to do so. By doing so, we honor the memory of all those who sacrificed so much to hold high the banner of freedom.

Mr. Speaker, I urge my colleagues to pass H.J. Res. 100 unanimously.

Mr. GILMAN. Mr. Speaker, I have no further requests for time.

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. CARDIN).

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

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I am pleased that the gentleman from Maryland yielded me some time. The reason I wanted to take this time is he will not say himself, the gentleman from Maryland (Mr. CARDIN) is a member of the Helsinki Commission and has served with the gentleman from New Jersey (Mr. SMITH) and I for many years. There is a no more conscientious, a no more engaged and focused member of the Helsinki Commission than the gentleman from Maryland (Mr. CARDIN). I am pleased that he rises to speak on behalf of this resolution.

Mr. CARDIN. Mr. Speaker, reclaiming my time, let me thank the gentleman from Maryland (Mr. HOYER) for those very kind remarks, and I am going to include some comment about the gentleman from Maryland in my statement.

First, let me first just point out the obvious. It has been 25 years that our country has been an active participant in the Helsinki process. We are right to acknowledge that and celebrate that today. This resolution recalls the importance of the Helsinki process in promoting human rights, democracy, and the role of law within 54 countries that participate in the OSCE.

I am proud to represent this body in the Helsinki Commission and this Nation. This is unusual participation because we have both the legislative and executive branches that work side by side on the Helsinki Commission, and we work together. It is unusual. We do not have too many opportunities where both the executive and legislative branches participate as equal partners in a process. So it is truly unique. It has been very effective.

I want to congratulate the leadership on the Committee on International Relations, the gentleman from New York (Mr. GILMAN) and the gentleman from New York (Mr. CROWLEY), for the roles that they have played, very supportive of this commission, and giving us the opportunity to be active participants. We thank them very much for that.

To the gentleman from New Jersey (Mr. SMITH), our chairman, and the gentleman from Maryland (Mr. HOYER), our ranking member, I had participated with both of these individuals. Let me tell my colleagues I think either of them would make an excellent Secretary of State. They do a great job representing this Nation in some very, very difficult negotiations. I think we are very well served by the leadership of both the gentleman from New Jersey (Mr. SMITH) and the gentleman from Maryland (Mr. HOYER) in guiding our participation in the Helsinki process.

It is unique. This is very bipartisan. I do not think I ever recall a moment in my entire service on this body where there has been a partisan difference. We worked together for our Nation, and we worked together for human rights, and today we really can celebrate the successes. Sure we can say there are still many challenges in Europe, and former Yugoslavia obviously presents a tremendous challenge for us. But we celebrate our successes.

We have been successful in establishing democratic principles in most of the countries that were dominated by the former Soviet Union, and the Helsinki process has been key to those achievements; and we rightly celebrate that.

We also can celebrate the fact of what we did with Soviet Jews. The Helsinki process allowed many people to be able to leave the former Soviet Union.

We have an acknowledgment from Europe of the rights of ethnic minorities. There is no longer question that ethnic minorities are entitled to protection in their individual states. It is the right of every other participating state to raise those issues, and we do.

So, sure, there are challenges that are still remaining. We all understand that in Europe. But the Helsinki process is an unquestioned success. Today, by passing this resolution, we acknowledge that.

I urge my colleagues to support the resolution.

Mr. CROWLEY. Mr. Speaker, I do not believe we have any additional speakers, and I yield back the balance of my time.

Mr. GILMAN. 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 New York (Mr. GILMAN) that the House suspend the rules and pass the joint resolution, H.J. Res. 100.

The question was taken.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

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PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–297)

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

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 25, 2000.*

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PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-)

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

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), I transmit herewith a 6-month periodic report on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995, and in Executive Order 13059 of August 19, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 25, 2000.*

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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.

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GOP'S FALSE ''CHOICE''

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, earlier this year, a confidential document prepared for House Republicans somehow found its way into the public realm. It was not big news at the time, just some talking points. They were prepared by a Republican polling firm in response to the Democrats' Medicare prescription drug proposal.

According to their analysis, an effective way to create opposition to the type of proposal offered by the President and House Democrats is to call it a ''one-size-fits-all'' plan, a ''big government'' plan, or worst of all, a ''one-size-fits-all big government'' plan.

One cannot blame the public for reacting to these phrases. I do not know anyone who likes big government simply for big government's sake. However, one can blame politicians for exploiting these terms instead of confronting the fundamental differences between the Democrat and Republican prescription drug proposals.

The Democrats' plan would add an optional drug benefit to Medicare. The Republican plan would bypass Medicare and subsidize private stand-alone insurance plans instead.

It is difficult to conceive of a program offering more choice than Medicare. The Medicare program covers medically necessary care and services. Beneficiaries can see their own health care professional and go to the facility that they choose.

Under the prescription drug plan, similarly, enrollees could go to the pharmacy of their choice. FDA-approved medications prescribed by a physician would be covered without regard to formulary restrictions.

Given this level of flexibility, how would a legion of new private plans enhance a beneficiary's choice in any way that matters? It is more likely these plans, like any other managed care product, would find ways of restricting choice which would, indeed, enhance something, their bottom line.

Medicare is a single plan that treats all beneficiaries equally and provides maximum choice and access for patients and doctors. The Democrats' prescription drug proposal embraces the same choice principles.

Under the Republican prescription drug proposal, Medicare beneficiaries would choose between private stand-alone insurance company prescription drug plans. Ostensibly, this would enable seniors to tailor their prescription drug coverage to their particular needs.

But what exactly would distinguish one private insurance plan from another private insurance plan? Realistically, the key differences would have to relate to the generosity and restrictiveness of the benefits, how many pharmacies would be covered, how stringent is the formulary, how much cost sharing would be required by the patient.

None of these plans could responsibly in any way, theoretically or practically, provide more choice than the Democrats' proposal in terms of which medications are covered, since the Democrats plan covers all doctor-prescribed medications.

None of these plans could provide a broader choice of pharmacy, since the Democrats' plan does not restrict access to pharmacies.

It appears that ''choice'' is actually code for ''wealth.'' Higher-income seniors could afford a decent prescription drug plan under the Republican plan, one with the same level of coverage that would be available to all beneficiaries under the Democrats' plan. In other words, if one is wealthy, one can get as good a plan as the Democrats' plan. But under the Republican plan, lower-income enrollees would be relegated to restrictive alternatives. Some choice that is.

When opponents of the Democrats' prescription drug coverage plan berate it for being ''one-size-fits-all'' and ''big government,'' they are actually berating Medicare itself. In fact, the Republicans' prescription drug proposal, which ignores Medicare to establish new private insurance HMO policies, is an insult to the program.

Their plan pays homage to those Members of Congress who favor privatizing Medicare, turning Medicare over to this Nation's insurance companies. I might add, Mr. Speaker, I have yet to meet anyone outside the Beltway who favors such a plan to privatize Medicare.

It is no coincidence that the only way a Medicare beneficiary could avoid carrying multiple health insurance policies under the Republican proposal is to join a private Medicare managed care plan.

As Congress and the presidential candidates debate the merits of competing prescription drug coverage proposals, watch for allegations like ''one-size-fits-all'' and ''big government,'' and the like.

When applied to insurance coverage offering maximum choice in the areas that matter, choice of provider and access to medically necessary care, choice of prescription drug, pharmacies, and formularies, these terms simply fall flat.

Bear in mind also that more than the structure of a prescription drug benefit is at stake during these debates. The future of Medicare may, in fact, also hang in the balance.

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ENERGY POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HYDE) is recognized for 5 minutes.

Mr. HYDE. Mr. Speaker, I come to the floor to talk about energy policy, a subject that has been much in the news in recent days. Crude oil supplies are tight, and we expect prices of all the various petroleum products to rise in the coming weeks.

□ 1900

Some may ask why should the chairman of the Committee on the Judiciary speak on this subject? In short, OPEC presents a classic antitrust problem that does not lend itself to antitrust solutions. What then should we do?

First, I want to suggest that the policy measures that have been advanced in recent days will not help for long. We must realize that our problem is not a temporary one, it is deep, it is structural and it is getting worse. Currently, we import more than 50 percent of the crude oil we use, and that number has been steadily increasing. So long as we allow that situation to persist, it will gravely threaten our national security and our way of life. So far we have been relatively lucky, but there is no reason to believe we will always have the same luck.

Last Friday, the Clinton-Gore administration decided to release 30 million barrels of crude oil from the Strategic Petroleum Reserve in an effort to lower prices. The idea is that the government will set oil prices. This from an administration that admitted it had been caught napping on oil prices last February. We established the Strategic Petroleum Reserve for national security reasons, to tide us over when there was a serious disruption in supply. At this point, there is no disruption at all. Prices are simply high because supply is tight. I do not like that, I wish they were lower, but tight supply is one thing and a disrupted supply is another. So the reserve was not meant to be a government price management tool.

Apart from that consideration, will this move succeed in lowering prices? I am not an economist, and I do not know what effect releasing a day and a half's supply of oil into the market over a month will have, but common sense would suggest that, holding all other things equal, it probably will reduce prices for a short time. But in a dynamic world, who knows whether all other things will remain equal. For example, why would OPEC simply not cut its production by a corresponding amount? Meanwhile, our buffer against a true disruption is lessened by a day and a half's supply during that time. How will we feel about that if Iraq decides to invade Kuwait again?

However, as the administration has stressed, this is a swap deal. Oil companies that take the oil will have to replace it with more at some future date. If that comes to pass, I will certainly be glad that we have more oil in the reserve. But what effect will removing that replacement oil have on market prices? If releasing 30 million barrels into the market will drop prices now, does it not stand to reason that removing more than 30 million barrels in the future will raise prices then? To put it in medical terms, this release is, at best, a temporary pain reliever that does nothing to cure the underlying disease. Indeed, it may well worsen our pain in a very short time.

What then do I propose? We must have a national energy policy that includes increased domestic energy production consistent with reasonable environmental guidelines, increased domestic refining and transportation capacity consistent with reasonable environmental guidelines, increased diplomatic pressure on foreign nations that produce oil, increased energy efficiency of engines and generation facilities, increased use of renewal energy sources throughout our economy, and a reformed excise tax structure. We can do all of this, and we can overcome this problem.

But these things that I have mentioned cut across the jurisdictions of lots of congressional committees and government agencies. They affect a lot of people and a lot of businesses. Because of that, we need sustained committed Presidential leadership. Only a comprehensive national energy policy can solve our problem, and only the President can lead us to that national energy policy. So I am introducing legislation, and have done so today, to call on the President to do that immediately.

So what can we do to ease the short-term pain? I think we must repeal the 4.3 cents a gallon deficit reduction tax that the Democrat Congress and administration passed in 1993. Fortunately, we have since ended the deficit. Unfortunately, in 1997, instead of ending this tax, we converted it to the Highway Trust Fund. I understand everyone wants their road projects, but consumers deserve some relief too. It is not a lot, but it will help until we get our long-awaited Presidential leadership.

Mr. Speaker, I call on all of my colleagues to support my Energy Independence Through Presidential Leadership Act. It calls on the President to provide immediate action to lead us to a national energy policy, and it gives short-term relief by repealing the deficit reduction tax. Let us forget the bandages and let us cure the disease.

Mr. Speaker, I come to the floor tonight to talk about energy policy—a subject that has been much in the news in recent days. The subject has been in the news because crude oil supplies are tight, and we expect prices of all the various petroleum products to rise in the coming weeks.

Some may ask why should the chairman of the Judiciary Committee speak on this subject? My answer to that is to ask why are world oil supplies tight. World oil supplies are tight because the members of the Organization of Petroleum Exporting Countries, or OPEC, have agreed among themselves to restrict the supply. They form a classic price fixing conspiracy that violates our antitrust laws. If they were American companies, they would go to jail. Unfortunately, they are sovereign nations, and we cannot reach them under our current law. In short, we have a classic antitrust problem that does not lend itself to antitrust solutions.

What then should we do? I know that we are in the middle of a campaign season, and I do not want to make this political. But I do want to suggest why some of the policy measures that have been advanced in recent days will not help. I also want to tell you what I think must be done. The Judiciary Committee has held three days of hearings on this subject this year, and we have learned quite a bit.

We must realize that our problem is not a temporary one. It is deep—it is structural—and it is getting worse. Currently, we import more than 50 percent of the crude oil we use and that number has been steadily increasing. So long as we allow that situation to persist, it will gravely threaten our national security and our way of life. So far, we have been relatively lucky, but there is no reason to believe that we will always have that same luck.

So, let's talk about some of the policy initiatives that are under discussion. Last Friday, the Clinton-Gore Administration decided to release 30 million barrels of crude oil from the Strategic Petroleum Reserve in an effort to lower prices. The idea is that the government will set oil prices—this from an administration that admitted that it had been ''caught napping'' on oil prices last February. I was not there when any of these comments were made, but according to press reports, Vice President GORE opposed this strategy last February, Treasury Secretary Summers thought it was a ''dangerous precedent,'' and Federal Reserve Chairman Greenspan also opposed it.

That is such a distinguished group that I hesitate to add my own thoughts, but let me do so briefly. We established the Strategic Petroleum Reserve for national security reasons—to tide us over when there was a serious disruption in supply. At this point, there is no disruption at all—prices are simply high because supply is tight. I do not like that, I wish

they were lower, but a tight supply is one thing and a disrupted supply is another. So the Reserve was not meant to be a government price management tool.

Apart from that consideration, will this move succeed in lowering prices? I am not an economist, and I do not know what effect of releasing a day and half's supply of oil into the market over a month will have. Common sense would suggest that, holding all other things equal, it probably will reduce prices for a short time. But, in a dynamic world, who knows whether all other things will remain equal? For example, why wouldn't OPEC simply cut its production by a corresponding amount? Meanwhile, our buffer against a true disruption is lessened by a day and a half's supply during that time. How will we feel about that if Iraq decides to invade Kuwait again?

However, as the Administration has stressed, this is a swap deal. Oil companies that take the oil will have to replace it with more at some future date. If that comes to pass, I will certainly be glad that we have more oil in the Reserve. But what effect will removing that replacement oil have on market prices? If releasing 30 million barrels into the market will drop prices now, doesn't it stand to reason that removing more than 30 million barrels in the future will raise prices then? To put it in medical terms, this release is at best a temporary pain reliever that does nothing to cure our underlying disease. Indeed, it may well worsen our pain in a very short time.

Now, some have suggested that ''Big Oil'' is price gouging. If that is so, then the oil companies must be punished. Last June, Representative JIM SENSENBRENNER and I were the first to ask the Federal Trade Commission to investigate this matter. So far, they have not brought any price gouging cases. I do not know what their investigation will ultimately show, but I think we have to be careful about throwing that charge around until we know what the evidence is.

Some have suggested that we change the law so that we can sue the foreign nations that make up OPEC. I would not oppose that—it is so emotionally satisfying to say let's sue them. But we have to realize that any such measure is largely symbolic and may lead to worse consequences for us. This is one of the first questions that we asked in our Judiciary Committee hearings and let me just quote what the Federal Trade Commission said in response:

> A possible enforcement action . . . raises practical questions as to whether jurisdiction can be obtained over OPEC and its member nations, how a factual investigation could be conducted with respect to documents and witnesses located outside the United States, and the nature and enforceability of any remedy.
>
> . . . [P]erhaps most importantly, any enforcement action would raise significant diplomatic considerations. A decision to bring an antitrust case against OPEC would involve not only, and perhaps not even primarily, competition policy, but also defense policy, energy policy, foreign policy, and natural resource issues. In particular, any action taken to weaken a sovereign nation's defenses against judicial oversight of competition lawsuits, for example, would have profound implications for the United States, which places buying and selling restrictions on myriad products. Consequently, any decision to undertake such a challenge ought to be made at the highest levels of the executive branch, based on careful consideration by the Department of Justice and other relevant agencies.

I think that the last point is particularly timely when you consider that just last week the Yugoslavian government began a ''war crimes'' trial against President Clinton and other Western leaders growing out of our bombing of Kosovo. So we have to think about what the consequences of our action will be.

When we face the prospect of rising energy prices six weeks before an election, it is tempting to scramble around proposing band-aid solutions like those I have discussed. But they really do not do anything to address the problem. What then do I propose?

First, we must acknowledge that this problem is not easy to solve, and it will take commitment and discipline over a significant period of time. We must have a national energy policy that includes: increased domestic energy production consistent with reasonable environmental guidelines, increased domestic refining and transportation capacity consistent with reasonable environmental guidelines, increased diplomatic pressure on foreign nations that produce oil, increased energy efficiency of engines and generation facilities, increased use of renewable energy sources throughout our economy, and a reformed excise tax structure.

We have oil in Alaska and other places that we can use. Much of the home heating oil problem arise not from a lack of oil, but a lack of refining capacity. Refining capacity lags because environmental and other regulations make it almost impossible to build new refineries. I an confident that we can reconcile these things with reasonable environmental guidelines.

Let me quote from a recent statement on advanced oil drilling technology: ''advanced technology has led to fewer dry holes, smaller drilling 'footprints,' more productive wells, and less waste. All of these advances have contributed to a cleaner environment, and even greater benefits are possible. . . . We have only scratched the surface of what is possible—and of what technological improvements can do to benefit the energy security and environmental quality for future generations.''

You might think that this statement comes from ''Big Oil.'' In fact, it comes from the Clinton-Gore Administration's own Assistant Secretary for Fossil Energy just a year ago.

In that same vein, we heard testimony in the Judiciary Committee about the great advances that are being made in making more efficient engines and generation facilities. We are well along in this field, and we just need to make the changeover. We also need to look around us: the sun, the wind, and the waters are free and renewable. OPEC cannot take them from us. We must develop these energy sources.

We can do all of this, and we can overcome this problem. But these things that I have mentioned cut across the jurisdictions of lots of congressional committees and government agencies. They affect a lot of people and businesses. Because of that, we need sustained, committed presidential leadership. Only a comprehensive national energy policy can solve our problem, and only the President of the United States can lead us to that national energy policy. So I am introducing legislation to call on the President to do that immediately.

But candidly I do not expect that we are going to get much leadership in the waning days of the Clinton-Gore Administration. So what can we do to ease the short term pain? I think we must repeal the 4.3 cents a gallon deficit reduction tax that the Democrat Congress and Administration passed in 1993. Fortunately, we have since ended the deficit. Unfortunately, in 1997, instead of ending this tax, we converted it to the Highway Trust Fund. I understand that everyone wants their road projects, but consumers deserve some relief. It's not a lot, but it will help until we get our long awaited presidential leadership.

So, Mr. Speaker, I call on all of my colleagues to support my ''Energy Independence through Presidential Leadership Act.'' It calls on the President of the United States to provide immediate action to lead us to a national energy policy and it gives short term relief by repealing the deficit reduction tax. Let's forget the bandages and cure the disease.

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LACK OF HEALTH INSURANCE FOR OUR NATION'S CHILDREN

The SPEAKER pro tempore (Mr. ADERHOLT). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I believe there has been enough debate on the floor of the House and as evidenced by news reports around this Nation for everyone to be aware that our health care system in America is near crisis in many areas. But today, Mr. Speaker, I announce that the care of our children and health care for our children is in shambles.

About 45 percent of the $4.2 billion provided in the 1997 legislation passed by Congress to provide health care for our children, health insurance, has not been spent by the States, State and Federal officials have announced. Any money left after a September 30 deadline will be redistributed to the 10 States that used their full allotments of Federal money under the children's health insurance program, a program created in 1997. Some 40 States are in jeopardy, and September 30 is fast appearing.

California and Texas, Texas is the State that I come from, together have 29 percent of the Nation's 11 million uninsured children, and my State of Texas, on September 30, 2000, stands to lose $446 million. Seven million of those children living in our Nation, 7 million of the 11 million children needing to have health insurance, are uninsured. Two-thirds of those children live in families with incomes below 200 percent of the poverty level.

Mr. Speaker, this crisis, this state of shambles must end. This program, this State-run program, covers children from families that do not qualify for Medicaid but cannot afford to buy insurance. This effort was supposed to extend coverage to an additional 2 million children who do not qualify for Medicaid, yet millions of children are believed to be eligible for programs but remain uninsured.

Texas has the second highest rate of uninsured children in the Nation, with over 25 percent of children under the age of 19 lacking health insurance throughout the years 1996 to 1998. There are 1.4 million uninsured children in Texas, 600,000 eligible for but not in Medicaid, nearly 500,000 qualify for CHIP. We are at the bottom of the totem pole; the bottom of the heap.

And, frankly, Mr. Speaker, we are all in the mix. Texas is in the mix and the governor of the State of Texas is in the mix, for we had a number of years to outreach to those parents, those schools, those children to provide the information, to encourage them to sign up painlessly for the CHIP program. Yet in Dallas we have a young boy waiting for a wheelchair for months and months and months because he is uninsured; or in the city of Houston we have a child waiting for eyeglasses months and months and months because they are uninsured.

There is $446 million to be lost to the Nation's children, particularly in the State of Texas; children suffering from asthma, children who are HIV infected, children who have been diagnosed with cancer, children who need to be able to have good health care, children who are fighting against the Texas rate of infant mortality, which is 5.9 percent with white children and 10.9 percent with black children.

This is a tragedy. And so my call is not only to the State of Texas and other States but it is also to the Federal government. We should delay the September 30 deadline and provide the opportunity for America's children to be insured. It is a shame, it is a crisis to take the money and to redistribute it to States, who may be in need, I agree with that, but do not leave unfulfilled the need of States that have not even touched the surface.

Texas is well-known for having the second highest number of uninsured children. I am calling on Secretary Shalala and the governing body for these CHIP programs to delay the time frame for States to be able to regroup and to reoffer to the Federal Government a strategy that will allow them to draw down on the respective monies. My State of Texas cannot afford to lose these dollars. Our children need immunization, our children need treatment for asthma, cancer, HIV–AIDS, our children need eyeglasses and wheelchairs and basic preventive health care.

At any moment now an outbreak of children's disease could cause a disaster in the State of Texas. It is not without being heard. Need is great, and we must help them. I ask Secretary Shalala, with the administration, to delay the time, and I ask Governor Bush to come home and solve the problem.

Mr. Speaker, I rise today to point out the tragedy that nationally, over 44 million Americans are without health insurance and this number is increasing with each passing day. Of this number of uninsured Americans 11 million are children, which means that one in seven of those children living in our nation are uninsured. Two-thirds of these children live in families with income below 200% of the poverty level ($33,400 for a family of four in 1999).

Unfortunately the plight of the uninsured in our nation has grown worse although we are experiencing the longest economic expansion in the last thirty years. Our nation's unemployment rate is at its lowest point in 30 years; core inflation has fallen to its lowest point in 34 years; and the poverty rate is at its lowest since 1979. The last seven years we have seen the Federal budget deficit of $290 billion give way to a $124 billion surplus. Medicaid provides health insurance coverage for more than 40 million individuals—most are women, children, and adolescents—at an annual cost of about $154 billion in combined federal and state funds.

The Childrens Health Insurance Program (CHIPS), was passed in 1997. This state-run program covers children from families that do not qualify for Medicaid, but cannot afford to buy insurance. This effort was supposed to extend coverage to an additional 2 million children who do not qualify for Medicaid. Yet millions of children are believed to be eligible for these programs, but remain uninsured.

Texas has the second highest rate of uninsured children in the nation with over 25% of children under the age of 19 lacking health insurance throughout the years 1996–1998.

There are 1.4 million uninsured children in Texas, 600,000 are eligible for, but not in Medicaid; nearly 500,000 qualify for CHIP.

Texas, attempt to combat the number of uninsured children is by combining the options available to states in order to expand health insurance coverage. Texas' combination includes the expansion of Medicaid and state-designed, non-Medicaid programs.

At present time, there is a need for eligibility reforms and aggressive outreach for low-income health programs in Texas.

Texas is at the bottom of retaining low-income kids on Medicaid since welfare reform in 1996. 193,400 Texas children fell off the Medicaid rolls during the past three years, a 14.2% decline.

Medicaid data collected finds an increase in the number of people enrolled in Medicaid in June 1999 compared to June 1998, but the magnitude of this success rate is dampened due to the decline of Medicaid in nine statess—one of them was Texas.

The status quo in Texas is that children (up to age 19) in families with incomes at or under 100% of the federal poverty income level (FPL, $14,150 for a family of 3) can qualify for Medicaid.

Texas has been given the choice to adopt less restrictive methods for counting income and assets for family Medicaid; for example, states can increase earned income disregards, and alter or eliminate asset tests. Texas has been slow compared to other states in implementing CHIP.

Children enrolled in Texas CHIP will get a comprehensive benefits package—includes eye exams and glasses, prescription drugs, and limited dental check-ups, and therapy.

CHIP does not serve as an alternative to Medicaid for those families, who based on their income, are eligible for Medicaid.

MORBIDITY AND MORTALITY

The U.S. ranks 22nd among industrialized nations.

Infant mortality rates are twice as high for Black infants than for White infants and Black infants are four times more likely to die because of low birthweight than are white infants.

In Texas, the infant mortality rate is 5.9% for children with a White mother versus 10.9% for those with a Black mother.

Although the absolute number of deaths due to cancer in children and adolescents is low relative to adults, cancer remains the second leading cause of death among Texas children ages 1 to 14 years.

Cancer is diagnosed in about 800 Texas children and young adults under the age of 20 each year.

Although lead has been banned from gasoline and paint, it is estimated that nearly 900,000 children have so much lead in their blood that it could impair their ability to learn.

The estimated number of children under age 13 who acquired AIDS before or during birth increased each year during the period from 1984 through 1992.

New case rates and death rates for HIV/AIDS are disproportionately higher for children of color than for White children. AIDS among Black and Hispanic adolescents accounted for approximately 83% of reported cases in 1997.

Hospitalizations for children with asthma have been increasing for most of the 1990's. Low-income children are more likely to suffer from asthma with the sharpest increases being among urban minority children. If trends continues, asthma will become one of the major childhood diseases of the 21st century.

CHILDHOOD NUTRITION

Teen obesity has more than doubled in the past 30 years. Next to smoking, obesity is the leading cause of preventable death and disease. Obesity continues to disproportionately affect poor youth and minority children because of poor diet and lack of exercise.

13.6 percent of all American children are overweight. Yet, 11.8 percent of low-income children experience moderate to severe hunger, compared with 1.9 percent of children in households with income above the poverty level.

Approximately 35 children each day are diagnosed with juvenile diabetes, which can lead to blindness, heart attack, kidney failure and amputations. Type 2 diabetes is increasingly high among minority children.

Before 1992, only 1 to 4% of children was diagnosed with Type 2 diabetes or other forms of diabetes. Now, reports indicate that up to 45% of children with newly diagnosed diabetes have Type 2 diabetes.

CHILDREN'S MENTAL HEALTH

Currently, there are 13.7 million children in this country with a diagnosable mental health disorder, yet less than 20% of these children receive the treatment they need. At least one in five children and adolescents has a diagnosable mental, emotional, or behavioral problem that can lead to school failure, substance abuse, violence or suicide.

However, 75 to 80 percent of these children do not receive any services in the form of speciality treatment or some form of mental health intervention.

The White House and the U.S. Surgeon General have recognized that mental health needs to be a national priority in this nation's debate about comprehensive health care.

Suicide is the eighth leading cause of death in the United States, accounting for more than 1% of all deaths.

The National Mental Health Association reports that most people who commit suicide have a mental or emotional disorder. The most common is depression.

According to the 1999 Report of the U.S. Surgeon General, for young people 15–24 years old, suicide is the third leading cause of death behind intentional injury and homicide.

Persons under the age of 25 accounted for 15% of all suicides in 1997. Between 1980 and 1997, suicide rates for those 15–19 years old increased 11% and for those between the ages of 10–14, the suicide rates increased 99% since 1980.

More teenagers died from suicide than from cancer, heart disease, AIDS, birth defects, strokes, influenza and chronic lung disease combined.

Within every 1 hour and 57 minutes, a person under the age of 25 completes suicide.

Black male youth (ages 10–14) have shown the largest increase in suicide rates since 1980 compared to other youths groups by sex and ethnicity, increasing 276%.

Almost 12 young people between the ages of 15–24 die every day by suicide.

In a study of gay male and lesbian youth suicide, the U.S. Department of Health and Human Services found lesbian and gay youth are two to six times more likely to attempt suicide than other youth and account for up to 30 percent of all completed teen suicides.

We must act to prevent states like Texas, California, and Louisiana from loosing millions of dollars in federal funds which have been provided to insure our nation's uninsured poor children.

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TRIBUTE TO CARL ROWAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to noted author and journalist Carl Rowan, who passed earlier this week and who devoted his life to working and fighting for equality and justice both here at home and abroad.

Carl Rowan was born in 1925 in Ravenscroft, Tennessee. Like many African Americans, he emerged from poverty in the segregated South during the depression. Undoubtedly, the trials and tribulations of Mr. Rowan's life, and which he overcame in his childhood, prepared him to excel as a leader and enabled him to climb the arduous ladder of success in his career. His life is a model which exemplified the continuous breaking of barriers which is truly noteworthy.

Mr. Rowan served as a commissioned officer in the United States Navy. And after his tenure of military service he studied at Oberlin College in Ohio and earned a master's degree in journalism from the University of Minnesota. In the late 1940s, Carl Rowan became one of the first African Americans to work for a major mainstream daily newspaper when he took a copy editing position at the Minneapolis Tribune.

Mr. Rowan was known among his contemporaries to possess integrity and an unwavering purpose to fight for justice. His sense of duty to uncover the truth, no matter what the cost, is not only noteworthy but honorable. Equipped with a tenacious journalistic pen, Carl Rowan courageously exposed racism.

His reporting on race relations led President Kennedy to appoint him Deputy Secretary of State, delegate to the United Nations during the Cuban missile crisis, and Ambassador to Finland. In 1964, President Johnson named him Director of the United States Information Agency. While serving in these capacities, Mr. Rowan's shrewd character was admired by many, and his toughness was respected by all.

After his government service, Mr. Rowan continued to break barriers when he became a columnist for the Chicago Sun Times. During his illustrious career at the Sun Times he composed themes of reform and racial awareness, which touched the spirits of his dedicated readers. Unlike many of his colleagues, he dared to write about the unpopular, the controversial. Mr. Rowan's motto was: ''I inform people and expose them to a point of view they otherwise wouldn't get. I work against the racial mindset of most of the media.''

Indeed, Carl Rowan proved to be a watchdog who was in the forefront of civil rights in the media. This is why my friend and respected columnist, Vernon Jarrett, views Mr. Rowan as a role model who pioneered in the introduction of black content to major white newspapers.

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Furthermore, Carl Rowan did not use his pen alone to make a difference. He was a staunch advocate of public service and philanthropy, as well. He created Project Excellence in 1987 to help and encourage black youth to finish high school and go on to college. To date, the fund has given $79 million to Washington area youth.

Mr. Rowan was a good friend to many. His mark of excellence serves as a testament to what one can achieve. His undaunted literary voice will be sorely missed.

And so, Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Carl Rowan for his remarkable career of serving our country. On this sad and unfortunate occasion, let us extend our deepest sympathy to his family, to his wife, Vivian, and his three children, Carl, Jr., Jeffrey, and Barbara, a man of distinction, a public servant who served not only his country but the world community well.

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REDUCING NATIONAL DEBT AND ANNUAL INTEREST PAYMENTS BY BILLIONS

The SPEAKER pro tempore (Mr. ADERHOLT). Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, does anyone believe that it would be possible to reduce our national debt by $600 billion and reduce our annual interest payments by $6 billion with no harm to anyone nor to any program? That sounds too good to be true, does it not? But it is true, it is simple, and it is possible.

Most people have little knowledge of how money systems work and are not aware that an honest money system would result in great savings to the people. We really can cut our national debt by $600 billion and reduce our Federal interest payments by $30 billion per year.

It is an undisputable fact that Federal Reserve notes, that is our circulating currency today, is issued by the Federal Reserve in response to interest-bearing debt instruments. Thus, we indirectly pay interest on our paper money in circulation. Actually, we pay interest on the bonds that so-called back our paper money. That is the Federal Reserve notes. This unnecessary cost is $100 per person each year in our country, an absolutely unnecessary cost, $100 per person each year.

The Federal Reserve obtains the bonds from the banks at face value in exchange for the currency. That is the Federal Reserve notes printed by the Bureau of Engraving and Printing and given to the Federal Reserve. The Federal Reserve appears to pay the printing costs. But, in fact, the taxpayers again get stuck. They pay the full cost of printing our Federal Reserve currency. The total cost of the interest is roughly $30 billion, or about $100 per person, in the United States.

Why are our citizens paying $100 per person to rent the Federal Reserve's money when the United States Treasury could issue the paper money exactly like it issues our coins today? The coins are minted by the Treasury and, essentially, sent into circulation at face value.

The Treasury will make a profit of $880 million this year from the issue of the first one billion new gold-colored dollar coins. If we use the same method of issue for our paper money as we do for our coins, the Treasury could realize a profit on the bills sufficient to reduce the national debt by $600 billion and reduce annual interest payments by $30 billion dollars.

In other words, Federal Reserve notes are officially liabilities of the Federal Reserve, and over $600 billion in U.S. bonds is held by the Federal Reserve as backing for these notes. The Federal Reserve collects interest on these bonds from the U.S. Government, then it returns most of it to the U.S. Treasury. But the effect of this is there is a tax on our money, again about $100 per person, or $30 billion a year, that goes to the United States Treasury, a tax on our money in circulation.

Is there a simple and inexpensive way to convert this costly, illogical, and convoluted system to a logical system which pays no interest directly or indirectly on our money in circulation?

Yes, there is. Congress must require the U.S. Treasury to issue our cash, our paper money.

I have introduced a bill to require our paper money be issued just as we issue our coins, thus reducing the national debt by $600 billion and stop wasting $30 billion each year paying rent or interest on our own money in circulation.

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PRESCRIPTION DRUG COVERAGE FOR EVERY SENIOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PASCRELL) is recognized for 5 minutes.

Mr. PASCRELL. Mr. Speaker, earlier this month I visited members of the AARP in Clifton, New Jersey, to talk about issues that affect senior citizens. The first thing they asked me is, ''Are we ever going to get prescription drug coverage?'' And I said to them the best answer I could come up with, ''I hope so.''

Obviously, these seniors are not alone in questioning whether or not Congress will actually do something or if this is yet another example of political posturing during an election year.

The only certainty I could leave these seniors is the fact that I support prescription drug coverage through the Medicare program and that I was committed to working in a bipartisan fashion to guarantee that it gets done this Congress.

The need for a comprehensive prescription drug plan is clear, and the time for Congress to act is now.

Seniors understand better than anyone else the high cost of prescription drugs. The lack of comprehensive coverage for seniors forces them to make decisions that threaten the quality of their lives and indeed their well-being.

The number of seniors without drug coverage is increasing day after day. Right now, approximately three out of every five Medicare beneficiaries lack decent, dependable drug coverage. Thirteen million beneficiaries have no prescription coverage, and millions more are at risk of losing coverage.

Most seniors without prescription drug coverage are middle-class folks. Many of those seniors have retiree plans without comprehensive coverage, and even those with coverage are on the verge of losing it.

Why? Because the number of firms offering retiree health insurance coverage dropped 30 percent between 1993 and 1999. Another reason is that, in many States, insurers that participate in the Medicare+Choice program are also dropping out because of low Medicare reimbursements. We have this all across America. This is not a partisan issue. This cuts across party lines.

Other Medicare HMOs, like in the State of New Jersey, are cutting their prescription plans when their profit margin decreases. We must understand that.

In fact, I spoke to an HMO official in New Jersey the other day who informed me that, unless Medicare reimburses for prescription drugs, HMOs would continue to drop the coverage, compounding the situation's severity.

This leaves seniors stranded. The high cost of prescription drugs for seniors without coverage is of grave concern. Senior citizens tend to live on fixed incomes. These incomes are adjusted to keep up with the rate of inflation.

With this in mind, Families USA recently reported that 50 of the most commonly used prescription drugs by seniors increased in cost at nearly twice the rate of inflation in 1999. That cannot be acceptable by anybody on this floor.

Seniors that use drugs to combat chronic illnesses are hit even harder. Many times they are forced to spend over 10 percent of their income on prescription drugs.

If a senior has diabetes, if a senior has hypertension, high cholesterol, they need to maintain their health every day with prescription medication.

For example, a widow living with one of these illnesses and an income within 150 percent of poverty level without comprehensive coverage will spend 18.3 percent of her annual income on prescription medications. This example is one of many reasons why we cannot delay passing a voluntary prescription drug plan through Medicare.

Congress has the responsibility to pass a prescription drug benefit that is affordable and accessible to every senior citizen in America. We must guarantee that market vulnerability and poor Medicare reimbursements no longer keep seniors from getting prescription drug coverage.

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PROVIDING FOR CONSIDERATION OF H.J. RES. 109, CONTINUING APPROPRIATIONS, FISCAL YEAR 2001

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–887) on the resolution (H. Res. 591) providing for consideration of the joint resolution (H.J. Res. 109) making continuing appropriations for the fiscal year 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY COMMITTEE ON RULES

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–888) on the resolution (H. Res. 592) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

AFFORDABLE PRESCRIPTION DRUG COVERAGE FOR ALL AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. SLAUGHTER) is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Speaker, I would like to take this opportunity to join my colleagues in calling for quick, decisive action by Congress to make prescription drugs more affordable for all Americans.

This Chamber has the opportunity to make an enormous difference in the lives of seniors, individuals with disabilities, and many, many others. And for once, there is something relatively simple that we can do. We can pass the legislation making it easier for Americans to reimport prescription drugs approved by the FDA and manufactured in FDA facilities.

A vast amount of the pharmaceuticals produced in the Nation under government-inspected plans and with government-approved procedures end up in other countries. Quite often they are sold at far lower prices there than are available to United States residents. For many people, it would be less expensive to buy those medications overseas and have them shipped home than to purchase them at the corner drugstore. However, restrictive export laws make it impossible.

Both the House and the Senate have approved legislation that would allow Americans to reimport prescription drugs. I strongly support this reasonable proposal, with the understanding that reasonable safeguards on the purity and safety of these products would also be put in place. This is a common sense step that we can take to improve all of our constituents' access to more affordable medication.

In early June, my office worked with Public Citizen to help a dozen of my constituents travel to Montreal to purchase prescription drugs at lower prices in Canada. The savings realized by these persons was nothing short of astonishing. Elsie saved $650, or 47 percent, of the cost of her prescriptions. Nancy saved 48 percent, or over $450, Francis saved 60 percent. For all of the men and women who went, the savings amounted to a significant proportion of their monthly income.

Now, I should point out that these persons were only allowed to buy medications for 2 months and, so, those significant savings were for only a 2-month period of the year.

Mary takes nine different medications, and she spends 73 percent of one month's income for 3 months' supply. She speaks for many seniors when she says, ''Do you stop taking your medication to buy food?''

It is intolerable that the wealthiest Nation in the world allows this situation to persist. However, it is even worse to see the lengths to which the pharmaceutical industry will go to defeat any effort to make these drugs more affordable.

Citizens for Better Medicare, a group funded primarily by the largest drug companies, now spends something over a million dollars a week on campaign-related issue ads. They have already spent $38 million in this cycle, more than any organization except the two major political parties; and they expect to spend plenty more in the coming weeks before the election.

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Just imagine how much good that $38 million would do for low-income Americans and seniors who cannot afford their prescriptions. It is time for Congress to stop the nonsense and take a modest first step toward making prescription drugs more affordable for all Americans.

Congress should pass a prescription drug reimportation provision as soon as possible.

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PRESCRIPTION DRUG COVERAGE FOR SENIORS

The SPEAKER pro tempore (Mr. ADERHOLT). 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, once again this evening I would like to focus on the Democratic proposal to provide for a prescription drug benefit under Medicare. I have been on the floor many times in the House discussing this proposal because I do think it is the most important issue facing this Congress and facing the American people today.

Many of my constituents, senior citizens, have complained about the high price of prescription drugs. Many of them have to make choices between prescription drugs and food or housing, and I do not think there is any question that with the Medicare program that has been probably the most successful Federal program in history that if we were to just take that program and add a prescription drug benefit, we would be solving a lot of the problems that our senior citizens now have with not having access or being able to afford prescription drugs.

Now, of course, both sides of the aisle have been talking about this issue in the last week or so, and I, of course, believe very strongly that the Democratic plan, which is the only plan that would actually include a prescription drug benefit under Medicare, is the only plan that would actually help the average American.

I want to spend a little time tonight explaining the Democratic plan and then explaining why I think the proposal that has been put forward on the other side of the aisle by the Republican leadership is essentially illusory and would not help the average American.

Let me start out by saying that right now, seniors know that they can get their hospitalization through part A of Medicare and they pay a monthly premium through part B of Medicare and get their doctor bills paid. Now, what the Democrats are saying is that we will follow on the existing Medicare program, which has a part A and a part B and we will give you a prescription drug benefit in the same way. We call it part D, because Medicare part C is now the Medicare+, the HMO option. Basically what we say is that you would pay a modest premium and the government would pay for a certain percentage of your drug bills. Now, the Democrats guarantee you the benefit through Medicare if you want it and it covers all your medicines that are medically necessary as determined by your doctor, not the insurance company.

Let me contrast that with what the Republicans have been talking about. Basically what the Republican leadership on the other side has been talking about and what Governor Bush has been talking about is that they will give you, if you are below a certain income, a certain sum of money, that the government will provide a sort of subsidy and that you can go out and you can try to find an insurance company that will sell you a policy and cover your prescription drugs or medicine. But if you cannot find an insurance company that will sell you that policy, that drugs-only policy with the amount of money the government will give you, then you are basically out of luck.

Also, I would point out that the Republican plan, particularly the one that has been articulated by Governor Bush, only covers people below a certain income. The other problem with the Republican proposal is that even if you can find an insurance policy that will cover prescription drugs, there is no guarantee as to the cost of the monthly premium or what kind of medicine you get. More importantly, the Republican proposal leaves America's seniors open to continued price discrimination because there is nothing to prevent the drug companies from charging you whatever they want.

The Democratic plan deals with the issue of price discrimination by saying that the government will choose a benefit provider who will negotiate for you the best price just like the prices negotiated for HMOs and other preferred providers. The problem right now is if you are a senior citizen and you are not part of an HMO or you do not have some other large employer-based, for example, drug coverage and you want to go out to your local pharmacy and pay for a particular drug, you oftentimes are paying two and three times what the preferred provider or the HMO or some other kind of drug plan is paying. That has got to end. If we do not address the issue of price discrimination, then we are never going to essentially solve the prescription drug problem that seniors face today.

Mr. Speaker, the Democratic plan is a real Medicare benefit that will make a difference for America's seniors. The Republican plan is, as I have characterized many times before, a cruel hoax on the same seniors who are basically crying out for Congress to act.

Now, let me talk a little bit more about the Republican plan that was outlined by Governor Bush a few weeks ago in reaction to our Democratic proposal. Let me point out, first of all, that the Bush proposal excludes two-thirds of Medicare beneficiaries because their income is essentially too high. Two-thirds of seniors and eligible people with disabilities have incomes above 175 percent of poverty, or about $15,000, for an individual and they are eligible for Medicare but they would not be eligible for the Bush prescription drug plan. The sad thing about that is that the problem that we face and the seniors that talk to me and talk to my colleagues about the problems they face with prescription drugs more often than not are not low-income seniors. Forty-eight percent of those without drug coverage have incomes above 175 percent of poverty and would not qualify under what Governor Bush is proposing.

The other thing is that only a fraction of the low-income seniors would actually get coverage even under Governor Bush's proposal. So even if you are low income, you are not guaranteed the coverage. Most of the Nation's governors have agreed with seniors and people with disabilities that the gaps in Medicare coverage should be a Federal responsibility and not run or financed by the States. But what Governor Bush has proposed basically is to have State-based programs for these low-income people. Let me tell you, if you look at the existing Medicare program, something like 98 percent of eligible seniors are now participating in Medicare. But if you look at State-based programs that provide some kind of prescription drug coverage now, only about, well, really 45 percent or less than half of the people are actually enrolled in those State-based programs.

So what we have here is the Democrats saying, ''Medicare has worked. Medicare is a good Federal program. Let it cover prescription drugs in the same way that it covers hospitalization and in the same way that it covers your doctor bills.''

The Republicans are saying, ''No, Medicare doesn't work, it's not something that we want to expand, it's not the way to go about this. We're just going to give you a subsidy if you happen to be low income and you can go out and try to find prescription drug coverage if you can. If you can't, that's your problem, not ours.''

The last thing I wanted to mention today before I yield to one of my colleagues is that this Republican proposal has already been tried in at least one State, the State of Nevada. Back in March, Nevada, the legislature and the governor signed a law that essentially is the same thing as what the Republican leadership is proposing in the

House of Representatives nationally. And it has not worked. The Nevada program went into effect, they tried to get some insurance companies that would sell these prescription-only drug policies and nobody was willing to sell them. It is no surprise. The gentleman from Texas (Mr. GREEN) to whom I am about to yield and I were at a Committee on Commerce meeting one day when this issue came up and the representative from all the insurance companies came in and said to the Republicans, ''There's no point in doing this because it's not going to work and we're not going to sell these drug insurance policies.''

Well, Nevada tried it and it did not work. They could not get anybody to sell the insurance. Why in the world would we try to emulate something that has not worked in a State? In this case, why would we want to transfer that to the national government when we have an existing program, Medicare, that does work and that merely needs to be expanded to provide for prescription drug coverage? That is the way to go. That is what the Democrats are talking about. If anyone says to you that the Republican plan is something that will work for the average American, it is simply not going to work.

Mr. Speaker, my colleague on the Committee on Commerce has been out here as often as I have basically asking the Republican leadership to bring up the Democratic proposal for a Medicare prescription drug plan because we feel it is so important. He has been a leader on this issue. I yield to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I thank my colleague from New Jersey for again requesting this time this evening to talk about the importance of prescription drugs for our seniors. One of the biggest issues our country is facing today is a lack of prescription drug benefit for our seniors. Prescription drugs are expensive for everyone. It is just that our seniors cannot go out and work a little more overtime to pay for their prescriptions. They are so often limited in their ability to increase their earnings.

I am disappointed that once again this Congress has chosen to delay this important issue. We have known for years but especially during the last 2 that there has been a problem with prescription drug coverage for seniors. I remember in my first town hall meetings I had in 1993 every once in a while a senior would come up and talk about the problems they were having. It was not as big I guess as it has been the last 2 or 3 years because of maybe the escalation in cost for seniors and maybe the success of our health care system, we are actually getting more prescriptions written to help people. But for at least the last 2 years we have noted it. Yet here we are again a few days before we either recess or adjourn this congressional session and we have not made any serious attempt to help those who have worked so hard to make this country so successful. As Tom Brokaw said, the greatest generation, we should not let that greatest generation be forgotten.

We simply cannot afford to sit on this issue any longer. We need a prescription drug benefit that is part of Medicare. The gentleman made that point. It is an integral part of Medicare. Over one-third of our Medicare beneficiaries will incur costs of more than $1,000 for prescription drugs this year. More than half have costs more than $500. The average total drug cost per beneficiary is projected to be $1,100 for our seniors. Yet nearly two-thirds of our Medicare beneficiaries have no prescription drug coverage or have coverage that is unreliable, inadequate or even costly. Medicare beneficiaries without drug coverage purchase one-third fewer drugs but pay nearly twice as much out of pocket for their drugs that they need.

This summer, the Republican leadership forced through a prescription drug benefit bill that provides more political cover than it does coverage for our Nation's seniors because all it was was an insurance policy, and the gentleman addressed that very adequately. The legislation was designed to benefit the companies who make the prescription drugs and not the seniors. Even the insurance industry, as the gentleman stated, said that such policies will not work and they would not offer them. We simply cannot rely on insurance companies to have a drug-only policy available for 13 million beneficiaries who now currently have no drug coverage. They do not want to cover it.

The gentleman mentioned again the State of Nevada that tried this, not one company applied to sell that insurance coverage. As Democrats, we introduced legislation that works. It is cost effective and it provides key consumer protections so that seniors will not lose benefits if an insurance company goes out of business. But instead of working with us, our Republican leadership passed that flawed bill earlier this year that will just add more cost to seniors but give them even less than what they have. It is no secret that the pharmaceuticals are pressuring our Republican colleagues not to allow any progress on this issue this year, hoping that ultimately it will just die down next year, but I am here to tell you that it will only get worse if we do not do something this year. It will get much worse. For many seniors, next year is too late. It is not fair that the pharmaceutical companies continue to discriminate against American patients. It is not fair that countries in Europe and across the world benefit from international price competition for pharmaceuticals and yet we do not. Whether it is western Europe that is basically a free market economy like we have or Japan, their pharmaceuticals are so much cheaper than ours in our country. Seniors are having to choose between paying their utility bills or their food bills or buying their medication. Oftentimes they will skip their medication to make it last that much longer. We have heard that many times not only at our town hall meetings but from our colleagues all across the country.

We should be putting the benefits in the hands of seniors and not pharmaceutical manufacturers. We should be providing a secure, stable and reliable benefit instead of watered-down legislation that does nothing to address the problem. It should be included in Medicare.

Let me talk about that a minute. If we were creating Medicare today, there is no way on this Earth that we would not have a prescription drug benefit in there. It should be standing on the same level as a doctor and a hospital bill for our seniors that it did in 1965. We would not do it. That is why we need to modernize Medicare to include prescription drugs. I hope that in this Congress, we can work across party lines. We did have some of our Republican colleagues support us and develop a bipartisan bill that ensures an affordable, available, meaningful Medicare prescription drug benefit option for seniors, so that again it is voluntary but it is part of Medicare.

□ 1745

It is just nothing but common sense and fairness, and I have said this many times before, and I would hope if our seniors have to wait until after November 7 for it, that they will remember on November 7, because they need to know who really wants to provide prescription drugs as an integral part of their health care, and not something they would have to purchase out from an insurance company, like they do their Medigap policies that they have now for their 20 percent not covered by Medicare. So we need to do that as part of Medicare.

Again, I thank the gentleman for continuing to make sure that fire is burning. I see our colleague from Maine here, which part of our bill includes the pricing that we need to be able to do so they can purchase and take advantage of the free market system and negotiating for price benefits. The gentleman from Maine (Mr. ALLEN) actually introduced the bill, along with the gentleman from Texas (Mr. TURNER) and a number of people, I think I was a cosponsor of it, to make the prescription package part of Medicare so we can actually save our seniors their prescription drug benefits.

Mr. PALLONE. I just want to say I think the most important thing we could get across to our colleagues and to the public is the fact that what the Democrats are proposing and what Vice President GORE is proposing are basically to expand Medicare; to take a good program, which is Medicare, that has worked for seniors, and expand it to include prescription drugs, because we know that when Medicare was started, I guess about 30 years ago, that prescription drugs were not that

important. People were not as dependent upon them as they are now, because so many of the wonderful drugs that we have now that are available for people simply were not available then.

So all we are really saying is take this good program and expand it to include prescription drugs and follow the example with a new section or Part D.

The irony of it is that the Republicans from the very beginning when Medicare was started under President Johnson, I guess 30 years ago, most of the Republicans then did not support the Medicare program when they were Members of Congress at the time when it came up for a vote.

I think what you are seeing now is the Republican leadership in this insurance subsidy proposal that they put forth essentially, it is almost like a voucher, or a voucher proposal, they are saying once again they do not like Medicare.

It is almost a dangerous precedent. If we establish the precedent that we are going to add a significant benefit here, but we are not going to include it under the rubric of Medicare, we are going to let you go out and try to use a voucher, essentially, to buy a prescription drug policy, then that same principle can be applied to Medicare itself, the existing Medicare. Why not have a voucher to go out and shop for your hospitalization coverage or shop for your physician's coverage?

The basic problem is that they do not like Medicare, and they do not want to include a prescription benefit under that program. I think it is very unfortunate, because Medicare has proven it is a good program.

I yield to my colleague from Maine, again who I want to thank for all the effort he has done on this issue, particularly on the issue of price discrimination. I am proud to say I am a cosponsor of his bill as well.

Mr. ALLEN. I would say to the gentleman from New Jersey (Mr. PALLONE), he has been a cosponsor from the beginning.

We have worked very hard on the Democratic side of the aisle to try to develop proposals that would be meaningful to all seniors. AL GORE has the same kind of approach, that we need a Medicare prescription drug benefit that is voluntary, so no one is forced into it, but is universal; it will basically provide coverage for everyone who wants it.

I thought what I would like to do tonight is talk a little bit about some of the arguments that are out there. I was reading an article several months ago, an article written several months ago before I came over, and it was an article by a commentator who was saying that if you think there is no difference between the Republicans and the Democrats on prescription drugs, you are not paying attention. This election matters a great deal, because these two approaches are so very different from each other.

We had our colleague the gentleman from Ohio (Mr. BROWN) down here a little bit earlier this evening, and he was reminding us that we found this Republican pollster's suggestion several months ago recommending that the Republicans come up with a plan. It did not really matter what kind of plan it was, as long as they could say they had a plan, and that would be enough to get them through the election.

But that is the fundamental difference. The fundamental difference here is that Democrats are saying we need to have a plan that is voluntary, that is universal, and that has a guaranteed prescription drug benefit. In addition, we are saying we have got to do something about price. We have to create some leverage, some downward pressure on price. We are not talking about setting prices, we are talking about bargaining power, using Medicare, using health and human services to get lower prices for seniors who right now pay the highest prices in the world.

On the other side, the Republicans are trying to do everything they can not to strengthen Medicare; to make sure that if we have any sort of prescription drug legislation at all, the one thing it will not do is strengthen Medicare.

What is the reason for that? Medicare is a government health care plan. It covers everyone over 65, and many of our disabled citizens. But the fear on the Republican side is that they know people like Medicare, trust Medicare, want Medicare to be stronger; better, to be sure, but they like it and trust it, and they are afraid that somehow if the program is even better, that will be a problem for those who are trying to diminish Medicare's influence in this health care system.

So I want to talk a little bit about the language that is out there. One thing the Republican pollster recommended is that they should attack Democratic plans as being ''one-size-fits-all'' plans. You hear that phrase on the other side of the aisle all the time now, ''one-size-fits-all.'' So the proposal that they make is they say are designed to provide choice.

Mr. Speaker, when Governor Bush made his proposal for so-called Medicare reform, the word ''choice'' appeared in his statement many, many times. The word ''HMO'' never appeared in his statement. But the choice that he was talking about was going to come from letting HMOs come into Medicare, and the government would provide some subsidy to HMOs in order for them to, perhaps if they wanted and if it were profitable enough, provide some kind of private insurance for seniors.

That is not a plan that will work for seniors, and it is disguised. It is all wrapped up in language of choice, when it is really all about letting insurance companies and HMOs have a much bigger role in Medicare as it stands today.

You can see ads out there run by the folks on the other side of the aisle that talk about a big government HMO; the AL GORE plan, the Democratic plan, is a big government HMO. Well, guess what? There is no such animal. HMOs are private insurance companies. Most of the biggest ones are for-profit private insurance companies. There are some that are nonprofits, but, as we know, the for-profits tend to be gaining the most ground and gobbling up some of the smaller ones.

But that kind of deception is really what we have got to deal with. We have got to be explaining to people all the time that there is no such animal as a big government HMO, there is just Medicare, and you can trust it, you can rely on it, it is there for you, it does not change from year to year to year. Whereas when you turn to managed care plans under Medicare, and we have some, we have about somewhere between 14 and 15 percent of seniors now covered by some kind of managed care, and just now two of them are my parents, my parents back in Maine are two of about 1,700 people on a Medicare managed-care plan in the State of Maine. Out of all our several hundred thousand seniors, we have 1,700 seniors on a Medicare managed-care plan. And, guess what? As of December 31, the private company that provides that insurance is leaving the State of Maine. We will have no Medicare managed care in Maine. Guess what the reason is? Basically it is just not profitable.

If you want to rely for prescription drug benefits on companies who will come and go in your State, in your community, depending on whether or not they can make a profit, that is no assurance at all. That is not security at all. It is not equitable at all. But that is what you get with these Republican plans, which are essentially subsidies to the insurance companies to do what can be more cheaply done, more equitably done, more fairly done, through our health care plan for the elderly called Medicare.

That is the real division between the parties on this subject. What we are also seeing now on the other side of the aisle is a whole series of efforts. We passed the plan over here that was a straight-out subsidy to the insurance companies that passed by three whole votes. It is obviously not going anywhere, because it does not have broad bipartisan support. Then we hear about other plans. ''Maybe we could do a program to give money to the States only for the poorest people who are not covered now.''

The trouble is that over half of all the people who do not have prescription drug coverage have incomes above 175 percent of the poverty line. Middle-class seniors are struggling with prescription drug bills that can be $200, $300, $400, $600, $800 a month.

I have talked to them in my district. I have talked to people who have coverage now through a private plan, and they are in their sixties. I was talking to one couple in Waterville, Maine, and between the husband and the wife, both of them have insurance now, but they

lose it when they turn 65. They are 63 or so. Their cost for prescription drugs alone will be somewhere around $800 to $1,000 a month, and they do not know how they are going to do it.

The problem gets worse year after year, because the one thing we know about next year is next year spending on prescription drugs is going to be 15 percent at least higher than it is this year, just as this year it is 15 percent higher than it was last year.

What we can see here is fundamental. The most profitable industry in this country charges the highest prices in the world to the people who can least afford it, many of whom are our seniors. Seniors are 12 percent of the population, but they buy one-third of all prescription drugs. The gentleman from New Jersey (Mr. PALLONE) knows from talking to people in his district, as I know talking to people in Maine, they can barely get by, and often they do not. Often they simply do not get by.

So what troubles me most about this is all of the misinformation that is out there, all of the TV ads that are being run by Republican candidates, talking about a ''big government HMO'' or ''one-size-fits-all'' plan, which is basically designed to deceive, because the truth is that Medicare is a plan which covers everyone. But it is also true that we can design and we have designed a Medicare prescription drug benefit, which is voluntary, you do not have to sign up for it, but which will be a real strong start on making sure that seniors get the prescription drugs that they need.

I just want to say how much I appreciate the good work that the gentleman is doing to bring us down here, night after night after night, to try to clear the air, to try to contain the rhetoric and to try to convey to the American people some sense of the fundamental differences between plans, like the Republican plans that rely on insurance companies, and plans like ours that cover everyone, that are fair and equitable and cost effective and work through Medicare.

I guess the last thing I would say is this: It is not just the ads that are out there being run by the Republican nominee for President or others. The pharmaceutical industry is out there running more television ads perhaps, the latest projection suggestions, more television ads, more money, than any industry has ever run in any election until now.

Citizens for Better Medicare, which is sort of the front group for the pharmaceutical industry, they are not citizens and they are not for better Medicare, the pharmaceutical industry is running ads trying to defeat the discount for seniors contained in my bill, the Medicare prescription care benefit contained in the Democratic proposal, or even our bills led by the gentleman from Arkansas (Mr. BERRY) or the gentleman from Vermont (Mr. SANDERS), those bills that are designed to try to allow drugs to be imported into the United States and then sold by pharmacies here, because medicines can be purchased so much more cheaply in Canada, Mexico, in fact anywhere else in the world, than in these United States.

Let us always remember that these are drugs manufactured by American companies, and they sell for 60 percent more here than they do in Canada, in Europe and everywhere, just on average.

□ 2000

And we have got to change this. We have simply got to keep persisting that we are not going to allow the American people to be fooled, and we are not going to accept this rhetoric about one-size-fits all or ''big government HMOs'' or people who say that we are going to give a choice of plans when all they are really talking about is giving an HMO that can pull that choice any time it wants to, any plan it wants to.

So, Mr. Speaker, I just want to say thank you to the gentleman from New Jersey (Mr. PALLONE), who is doing a great job pounding away on this issue night after night. And I am convinced that if we cannot get it this month, we will get a Medicare prescription drug benefit for our seniors in the next 2 years. This issue is too big, it is too important, and we simply cannot let it slide away. We cannot let this whole area be taken over by private insurance companies, HMOs, and the pharmaceutical industry. I yield back to the gentleman from New Jersey, and thank him for hosting this special order.

Mr. PALLONE. Mr. Speaker, I thank my colleague from Maine. Again, I say that the gentleman, more than anyone else, keeps reminding us about the price discrimination issue, which is an issue that affects not only seniors, but everyone really. Seniors, obviously, because they use more prescription drugs are more concerned about it than any other group. But the issue of price discrimination has to be addressed in the context of what we do on the prescription drug issue, or we are not going to solve the problem. I thank the gentleman for constantly bringing the issue up.

Mr. Speaker, I wanted to mention that the most important aspect of this in this whole debate is the fact that the Democrats want to include prescription drugs under a Medicare plan, under the rubric of existing Medicare, and that the Republicans essentially are not doing that. They are talking about some sort of voucher or subsidy that would be used to go out and find an insurance company that wants to sell a drugs or prescription drug-only policy.

One thing that I really want to stress this evening, and I think is so important, is that too often on the Republican side of the aisle this issue is described or basically painted in an ideological sense. And I, for one, do not see myself as an ideologue. I do not look at what we do here from the point of view of what is ''progressive,'' what is ''conservative,'' what is ''liberal,'' what is ''moderate,'' but rather than from the point of view of what works.

I get a little tired of the rhetoric that suggests that somehow Medicare is socialistic or government-run or in some way that it could not possibly work because it is a government program. The reality is that every kind of program or initiative has to be looked at from a practical point of view, and Medicare works. And so any effort to say that we should not include this prescription drug benefit because somehow this is going to be a government-run program, I do not care whether the government runs it as long as it works.

Mr. Speaker, I would say the same thing is true with regard to the issue of price discrimination that the gentleman from Maine (Mr. Allen) keeps bringing up and also spoke about very eloquently this evening.

What I find is that the Republican leadership, and even the Republican candidate for President, Governor Bush, keeps talking about the issue of price discrimination in sort of ideological terms. There was an article in The New York Times on September 6, which was the day that Governor Bush spelled out his own prescription drug program and what he was proposing to do for seniors to have access to prescription drugs. He was very critical of the Democratic proposal, which is supported by Vice President AL GORE, because he said that it would lead to price controls.

I read this before on the floor of the House, but I want to read it again tonight because I think it so much spells out this whole ideological debate. ''Governor Bush today,'' from the New York Times, ''much like the drug industry,'' and I quote, ''criticized Mr. GORE's plan as a step towards price controls by making government agencies the largest purchaser of prescription drugs in America. By making Washington the Nation's pharmacist, the Gore plan puts us well on the way to price control for drugs.''

Well, let me say this. The reason why we need to address the issue of price discrimination is because the marketplace is not working right now with regard to this issue. The problem is that HMOs, employer benefit programs that have large volumes of constituents, large volumes of seniors that are part of their plan, have the ability to go out and negotiate a better price than the guy who is on his own and has to go to the local pharmacy to buy the drugs.

What is the answer to that? Well, we can say, okay, that somehow the little guy has got to basically get together with his colleagues and exercise some control so he can negotiate a better price. That is essentially what we are doing with our Medicare prescription drug plan. We are saying that in each region of the country, the Government

will designate a benefit provider, which is basically an organization that would be in charge of negotiating on behalf of all the seniors that are now part of this Medicare plan, a price for prescription drugs.

Mr. Speaker, all that is essentially tinkering with the marketplace to give the little guy the power that these large HMOs and others employer benefit plans have. We can call that government control, we can call that Washington stepping in, call it whatever we want. But the bottom line is that is the only way to get the average person who is not now covered by an HMO or any kind of plan to the ability to have some control to negotiate a better price so he or she does not suffer this price discrimination that so many seniors are now facing.

My response to anybody on the other side of the aisle, or to Governor Bush, whoever says that that is price control or that is government running the program is: I do not care, as long as it works. I have got to somehow empower this guy who is going to the local pharmacy and having to pay these tremendous prices. I have got to empower him to be able to negotiate a better price, and that is what the Democratic plan would do. Call it whatever we like, I do not care. It is the only way to empower this individual to be able to fight against this price discrimination.

Let me say that the Democratic proposal, the Gore proposal, is much different from the type of strict price controls that exist in almost every other industrialized developed countries. Most of the European countries, Canada, and a lot of other developed countries around the World, basically set a price. They have real price controls. We are not talking about that. We are not talking about interfering with the market that much that we would actually set a price, but we are saying that we need to empower the average person so that they are not a victim of this continued price discrimination.

Mr. Speaker, the other charge, and the gentleman from Maine brought this up, the other charge that the Republican side and Governor Bush has made against the Democratic plan is that somehow it is a one-size-fits-all plan and people will not have a choice; that we should favor the Republican proposal, this sort of voucher, because that gives a choice because we can take that voucher and go out and decide what kind of plan we want and somehow we have choice.

Let me say that nothing is further from the truth. As I pointed out, in the State of Nevada where this program was instituted, no insurance company even wanted to sell these policies that the Republicans are proposing. The insurance companies are telling us before our committees that they will not offer these drug policies. So what kind of a choice is there if we cannot find somebody who is going to sell an insurance policy that would cover prescription drugs?

The Democratic plan on the other hand provides a tremendous amount of choice because the Gore plan, the Democratic plan, is voluntary. Seniors do not have to sign up for Medicare part D any more than they have to sign up now for Medicare part B. No one says that they have to sign up for part B and pay a premium so much a month to get their doctor bills covered. Eighty, 90, almost 100 percent of the people sign up for it because it is a good deal, and I suspect that we will get the same thing with our proposed part D for prescription drugs. Most people would sign up for it because it is a good deal.

But I remind my colleagues that it is still voluntary. If Americans have an existing employer benefit plan that covers prescription drugs and do not want to sign up for the Medicare prescription drug part D, they do not have to. We are not forcing them to. If they are in Medicare part C now and have an HMO plan that covers their prescription drugs and they have to pay so much a month, or they like that plan and they do not want to sign up for the Medicare prescription drug plan under part D, they do not have to.

In fact, I would say that the way this is set up, the way that the Democratic proposal is set up, we actually offer more variety because for those who stay in an HMO, we are going to provide better than 50 percent of the cost of the prescription drug program. So rather than see hundreds of thousands of people who are now being thrown out of their HMOs, because the HMO decided as of July 1 that they were not going to include their seniors and they are losing their HMO coverage, most of the HMOs that are dropping seniors now are dropping them because they cannot afford to provide the prescription drug coverage.

If now the government is going to say under Medicare that we cover better than 50 percent of the cost of the prescription drug program, then a lot more HMOs are going to want to sign up under the Democratic proposal, will sign up seniors, and will not drop them.

The same is true for employer benefit plans. We are also providing money to help pay for the employer benefit plan for those who have it. We are increasing choices. We are letting people stay with existing plans and boosting and shoring up those plans financially so they do not drop them. And if Americans do not want to do that, they always have the fall back of going back to the Medicare fee-for-service prescription drug program that is a guaranteed benefit.

When I say ''guaranteed benefit,'' because my colleague from Maine again pointed out that, again, a big difference between what the Democrats are proposing and what the Republicans are proposing is that the Democrats truly have a guaranteed benefit. It is one-size-fits-all in the sense that one is guaranteed to know that if they sign up for the program, every type of medicine that they need, that their doctor says is medically necessary or their pharmacist says is medically necessary for their health, will be covered under the Democratic plan and under Medicare.

By contrast, in the Republican plan, that basically leaves it up to whoever is going to take this voucher that they are offering and says, okay, we will take the voucher; but we are not going to cover certain drugs, we are going to charge a copayment, we will have a high deductible. These are the kinds of problems that people face now with HMOs or with a lot of the private plans that are out there that some people have been able to find.

Those problems will be magnified under the Republican proposal. If someone takes this voucher and they are trying to find somebody to cover them, they do not have to say how much it is going to cost. They do not have to say what kind of drugs they are going to get. They do not have to say what the copayment is, what the premium is. Under the Democratic proposal, all of that is provided for, all of that is structured, all of that is guaranteed.

Mr. Speaker, it is a significant difference, I think, in terms of the way we approach things.

I guess tonight if I could conclude, Mr. Speaker, I would say that we are going to be here many times. I do not know how much longer the Congress is going to be in session, probably a couple more weeks or so; and I am beginning to have serious doubts about whether this issue is going to be addressed by this Congress and the Republican leadership. I think the time is running short, and the realization is setting in that this Congress is likely to adjourn without addressing the prescription drug issue.

Mr. Speaker, I think that is a shame, because I think there really is a consensus amongst the American people that we need a Medicare prescription drug benefit. And rather than pose back and forth about which plan is better, it would be a lot better if the Republican leadership would simply accept the fact that this should be something that is included under Medicare and use the time over the next 2 weeks to come to common ground so that we could pass this.

But I do not see that happening, and it is not going to stop me and my Democratic colleagues coming here every night, or as often as possible, to demand that this issue been addressed before we adjourn.

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DEBT REDUCTION

The SPEAKER pro tempore (Mr. GUTKNECHT). Under the Speaker's announced policy of January 6, 1999, the gentleman from Georgia (Mr. CHAMBLISS) is recognized for 60 minutes as the designee of the majority leader.

Mr. CHAMBLISS. Mr. Speaker, I did not come here tonight to talk about prescription drugs, but after listening to my colleague from New Jersey (Mr. PALLONE), I guess we are going to have to title the Democratic plan the Sugar Ray Leonard Prescription Drug Plan, because they are bobbing and weaving all over the place with their prescription drug plan, saying whatever makes people feel good without having any substance to it, when the fact of the matter is that there is only one voluntary prescription drug benefit plan out there, and it is a Republican plan.

The Democratic plan is not a voluntary plan. It is not a plan that makes real sense for seniors. And, as I say, I did not come here to talk about that tonight. But I get so disappointed when I hear people stand up here and demagogue a plan that is fair, instead of entering into real dialogue over the differences that are out there and trying to come to some conclusion.

Hopefully over the next couple of weeks, we will come to some conclusion on that, but not as long as we have the demagogue going on and the bobbing and weaving going on and the changing going on and trying to stroke senior citizens instead of being honest, straightforward and trying to work out a plan, if that type of conversation takes place, then we are not moving in the right direction, and I hope they will change their direction, they will come together and work with us to provide a plan that is meaningful and that has real substance to it.

There is one real, fundamental difference in the Democratic prescription drug plan and the Republican plan, and that is this: Under the Republican plan, the decision-making process on what drugs are needed and what drugs will be provided is going to be determined by the Medicare beneficiary, their pharmacist and their doctor. Under the Democratic plan, that decision is going to be dictated by the Federal Government, and that is not what seniors want.

Mr. Speaker, what I really came here tonight to talk about is something that is just as crucial as that particular issue, and it is the issue of debt reduction.

I want to go back and review for just a minute where we have been, where we are, and what direction we are heading in. I was elected to Congress in November of 1994, and at that point in time, our country had been operating for some 25 years plus under a deficit budget situation.

My class that came in in 1995 was committed to the fact that the American people were insistent that we balance the budget of this country. The Clinton administration had proposed deficit budgets as far as the eye could see, and that was wrong; the American people simply did not want that. They wanted us to get our financial house in order.

Beginning in January of 1995, we started making those tough decisions right in this very Chamber that have not only led us out of the deficits, as far as the eye can see, we have balanced the budget of this country, and now we are looking at excess cash flow coming into Washington in the form of tax revenues as far as the eye could see.

In 1995, I went back and I looked at the position of the Clinton administration with respect to balancing the budget. The Clinton-Gore administration was not in favor of balancing the budget in January of 1995. In fact, the budget that the Clinton-Gore administration presented to this body in February of 1995 called for a deficit this year, the year that ends next year of $194 billion. That means we would have spent $194 billion more than we took in this year, and I think everyone across America knows and understands that we are now in an excess cash flow, that is sometimes referred to as a surplus, but as long as we have a significant debt staring us in the face, I do not think we can really call it a surplus.

Mr. Speaker, in testimony before the House Committee on the Budget in February of 1995, the Clinton-Gore budget director who at that time was Alice Rivlin stated as follows, ''I do not think that adhering to a firm path for balance by 2002 is a sensible thing to do.'' She also said ''it is not always good policy to have a balanced budget.''

We ask the American people to sit around their kitchen table every single month and balance their budget, and yet the Clinton-Gore administration has consistently made statements exactly like this that it is not always good policy to have a balanced budget. Well, where we have come, we fought for a balanced budget for a couple of years before we finally achieved balance. But under the strong leadership of the gentleman from Ohio (Mr. KASICH), chairman of the House Committee on the Budget, we did reach agreement between the House, the Senate and the White House to balance this budget of this country over a 5-year period, beginning in 1997, and the only way we were able to convince the Clinton-Gore administration that we needed to balance the budget was that the American people were on our side.

They finally realized that due to their poll-taking that they do every single day, and once they realized that they had to come to our way of thinking and we can achieve a balance, although we brought the Clinton-Gore administration kicking and screaming here in Washington to reach balance.

Well, what does reaching balance mean with respect to deficit reduction? We do have excess cash flow now in the form of both on-budget, as well as off-budget surpluses that are going to be available for any number of different types of allocations, and one of those allocations, and the strongest of those allocations, has got to be debt reduction.

Mr. Speaker, I know the gentleman from the 11th District of Georgia (Mr. LINDER), my good friend and colleague, is here, and I want him now, if he will, to talk a little bit about this excess cash flow that we have as a result of having achieved the balanced budget and what the gentleman's thoughts are on where we ought to go with respect to allocation of these funds.

Mr. LINDER. Mr. Speaker, I think, first of all, it is important to set the differences in how we got here. There has been one difference in the two parties since the day I got here, which was in 1993, and the gentleman from California (Mr. HORN) joined us at that time, and that is the Democrats want more spending and the Republicans want less spending.

Indeed, that was the debate supposedly that shut the government down in 1995 and 1996. The President said we are not spending enough money on Medicare, Medicaid, the environment and education. Indeed, we were not that far apart. We projected increasing spending by 3 percent, and he wanted 4 percent. We projected an increase in revenues of 5 percent; the President projected 5½.

We projected increasing Medicare spending over 7 years by 62 percent; the President said 64 percent. We broke down in the second part of this debate, the part that is not spoken so loudly about, values. We wanted the American people to make the choices.

We believed their giving Medicare recipients more choices, they would shop their care and bring down costs that entrusts the American people to decide. Indeed, Mrs. Clinton said in public during the debate on health care we cannot trust the American people to make these decisions.

In 1994 with a Republican majority for the first time in 40 years, we did something about spending. We eliminated in that first budget about 300 spending programs, and we had a huge fight with the President. But let us look at what changed in the economy and why we are at the point today where we can talk about paying down surpluses. If left to their own devices, this is the 1994 Clinton-Gore Democrat congressional budget, projected out to 2000, and they would have had $4.5 trillion in public debt, about a trillion dollars in new public debt compared to where we are today.

Mr. Speaker, my colleagues can see what happened in 1994, with the 1995 budget, it came down. This is what we are looking at; this is what we are looking at today. Surpluses, as the gentleman said, as far as the eye can see and increasing, indeed going back to the last Democrat-written budget, their projection for 2005 is that they would add about $450 billion in that 1 year to debt; we are projecting adding about $400 billion to surpluses. So we have made a huge turnaround, a huge turnaround.

In 1998 more spending. In the President's State of the Union address, 85 new spending programs, including 39

new entitlements, more than $150 billion new spending over 5 years; $129 billion in tax increases. Then 2 years later, the State of the Union, a $250 billion increase in taxes and fees on working families, 84 new Federal spending programs.

Our good fortune is, none of that passed, and now we are at the era of dealing with surpluses. There have been some proposals, and we have passed some bills in this House, that said if the American people are paying more money into government than it takes to run it, they ought to get some of that back. No, said Vice President GORE, that is a risky scheme. It is, however, not risky for him to spend it, so we have a new plan.

We have a plan, if we are not going to get relief for those who pay the bills, for those who write the checks, we are going to promote economic security and fiscal responsibility, we call it the 90 percent solution.

Let us take 90 percent of next year's Federal budget surplus and use it to pay off debt while protecting 100 percent of the Social Security and Medicare trust funds.

We presented the 90 percent plan to the Clinton-Gore administration. The President indicated that his spending requests were piling up, and he said, and I quote, ''whether we can do it this year or not depends on what the various spending commitments are.''

Our 90 percent solution represents a fair middle ground. It is offered in the hope that while we may not agree in all aspects of the budget, we can at least agree to do something about the debt. We leave still 10 percent of the surplus to boost our already substantial $600 billion commitment to our national priorities, such as education, defense and health research. Specifically, we will use half the money to strengthen education with the flexibility funding and support to give our children the best schools and to ensure that for success, schools must have accountability and will use the other half to grant some modest tax relief for working Americans.

This turnaround since the gentleman's election has for the first time in 30 years actually paid down debt. After this year, we will have paid down nearly a half a trillion dollars in publicly held debt; that is progress. That is a beginning. Let us do not turn it around now.

I think that the 90 percent solution is something that the American people will appreciate. For years, my generation and my parents' generation have voted for ourselves wonderful programs such as Medicare and Medicaid. Unfortunately, we just chose to pass the bill on to future generations, that is immoral. The 90 percent solution will begin to take the burden off my grandchildren.

Mr. CHAMBLISS. I thank the gentleman from Georgia. We have been joined by our friend from California (Mr. HORN) who also has some comments on these issues.

Mr. HORN. Mr. Speaker, I thank the gentleman from Georgia (Mr. CHAMBLISS) and the gentleman from Georgia (Mr. LINDER) very much for providing the leadership in this issue.

I support the Republican plan, because it makes sense, and it pays off the national debt. This 90–10 plan commits 90 percent of next year's surplus to paying down the debt. According to the Congressional Budget Office, the 2001 surplus, 1 year away, will be $268 billion. Under this plan, $240 billion would go toward paying off our debt. At the same time, Social Security and Medicare are fully protected.

All $198 billion of the Social Security and Medicare surpluses are locked away from Presidents, regardless of party. Doing this assures that funds are used solely to honor our obligations to seniors.

Paying down the debt is more than just an abstract academic exercise. It directly affects the lives of every American by helping reduce interest rates and expanding the pool of saving for investments in new jobs. Lower interest rates are good news for everyone paying off a student loan or buying a house or buying a car.

Reducing interest rates also creates new private investment in equipment, plants and factories across the land that produces jobs and sustains our economic growth.

Mr. Speaker, paying down the debt while we have a surplus is just plain common sense. In our personal finances, once we have extra money, we sure try to pay off our debts. The same principle applies to our national finances.

The 90–10 plan would completely eliminate the debt by the year 2013; that will lift an enormous burden off our children and our grandchildren.

A debt-free Nation can create a brighter future for us all, and when we think back 10 years, 20 years, 30 years, 40 years, nobody would believe that we could turn around and cut down that tremendous national debt of several trillion, and we are doing it and every American will appreciate that.

Mr. CHAMBLISS. Mr. Speaker, I thank the gentleman from California (Mr. HORN) for his comments.

Looking at what debt reduction has meant to this country and can mean to this country in very simple terms is this, you know, here we are in the midst of a political campaign, and we just heard a lot of demagogue and rhetoric from the folks on the other side about a prescription drug plan. We are going to pay this year in interest payments alone in excess of some $230 billion to $235 billion in American tax dollars just for that interest payment.

What in the world could we do with $240 billion? We could be fighting over just how that money ought to be spent if we were not paying that interest payment.

What has balancing the budget done for the dynamics in this House that we are looking at today? What it has done is we are now arguing over a prescription drug benefit program and what is the best way to approach that program and what is in the best interests of our seniors.

Do we think for 1 minute that if the budget submitted by the Clinton-Gore administration in 1995 that calls for a $194 billion deficit this year had come to pass that we would be here today arguing over how to go further and further into debt? No, we simply would not be. We are here today having a debate over viable programs, viable programs that benefit citizens all up and down the line in this country simply because we balance the budget of this country, we acted fiscally responsible under a Republican leadership, and we are now moving in a direction where we have this excess cash flow. The debate simply is over how are we going to approach the allocation of this excess cash flow.

□ 2030

Well, I know this, when we sit around my family kitchen table, and we talk about any excess money that we have got left at the end of the month, and there is never usually much there, the first thing we talk about is we look at how much debt we have got outstanding and what we can do about that debt to lower our interest payments knowing that, once we do that, there will be more money there at the end of the next month.

We have got to be fiscally responsible. A way we can be fiscally responsible in that regard is making sure we continue to grow the rate of government at a slow rate and continue to pay down this debt.

As the gentleman from Minnesota (Mr. GUTKNECHT), my friend on the Committee on the Budget, has said so many times, that it is very important that we remind the people all across this country that, for the first time in modern history, the growth of the Federal budget this year is going to be less than the growth of the average family household budget. Mr. Speaker, that is amazing. It is significant; but it is very, very amazing.

What has balancing the budget and the fact that we have excess money on hand now done for Social Security? It has done something that we have not been able to do in the past 35 years.

I was home in August and had a chance to get around my district to celebrate during August the 65th anniversary of the Social Security program, without question, probably the most valuable program that we have ever implemented in this country with respect to our senior citizens. I just do not think there is any question about that.

Unfortunately, for the last 35 years, we have not been taking tax money received from Social Security taxpayers and doing anything with it other than paying our bills every month. That is wrong. We should never have let that happen. But it happened 35 years ago. We have now reversed that trend.

As the gentleman from Georgia (Mr. LINDER) just stated a little bit earlier, last year, 1 year ago almost to the day today, September 30, 1999, was the first year in 35 years, according to the Congressional Budget Office, that this Congress did not spend one dime of the Social Security surplus. We stuck it in a lockbox to keep it there for our senior citizens, and we are going to continue to do that with both Social Security and Medicare.

The gentleman from Georgia (Mr. LINDER) also talked about the plan that we passed in the House last week, the plan whereby we are going to take 90 percent of the surpluses, the excess cash flow that we are going to have on hand next year, and we are going to apply 90 percent of that money to pay down the debt.

Well, I could not be happier about that, because what that does is that amounts to paying off $240 billion of the national debt last year. As the gentleman from Georgia (Mr. LINDER) alluded to earlier, when we include the last 2 years, this year and next year, we will have paid down a half a trillion dollars on the public debt.

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

Mr. CHAMBLISS. I am happy to yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, on the chart that I showed, the never-ending debt that the last Democrat budget that was passed for fiscal year 1995 and 10 years there out created $3.1 trillion in new debt compared to our creating $4.5 trillion in surpluses. A huge turn around. Those deficits that they were incurring included spending all of the Social Security surpluses.

Well, the last couple of years, we have changed the language of that debate. I do not think future administrations or Congresses would dare to dip into the Social Security fund.

Now, I think it is important that we start changing the nature of the debate over surpluses that are not on Social Security. Paying down debt should be the rallying cry of this whole country. Because if future Congresses come along, or God forbid another liberal administration with new spending programs, to spend all this money, we will have lost this opportunity.

I envision an opportunity where my grandsons will be totally out of publicly held debt for their responsibility before they leave high school. I believe the time is coming.

But it is important that we begin to let everyone know that, if 90 percent of that surplus goes to paying down debt, future Congresses are going to be reluctant to say, let us get out of that habit, let us just spend it.

I know that the gentleman from Georgia (Mr. CHAMBLISS), as the vice chairman of the Committee on the Budget, has shared with us some of the proposals he has seen, Vice President GORE's spending proposals in his campaign. Would there be any surplus left to talk about paying down debt if he were elected?

Mr. CHAMBLISS. Mr. Speaker, not only is there not going to be any surplus left under the Gore budget plan that he has proposed, but under the very best scenario, over the next 10 years, we are going to be $27 billion in debt. Under the worst scenario, we are going to be $906 billion in debt. That does not include but $27 billion additional monies being spent over the next 10 years for defense.

We are spending $29 billion in this next fiscal year alone, trying to restore the military of this country to what it should be because of the demise under the current administration. It does not include one additional dime of increased expenditures in the area of agriculture, for example.

So what the current proposed budget of the Clinton administration does is to head us, not upwards from a surplus standpoint, as the gentleman from Georgia (Mr. LINDER) just showed on his chart, but it takes us back down that same trail that this administration had us headed down before this Congress took over in 1995.

Mr. Speaker, paying off the national debt is simply the right thing to do. It will protect our children from a crippling burden in the future. By locking away money in the Social Security and Medicare lockbox, it is simply the right thing to do, not just for our children, but for our parents.

The 90/10 bill that we passed last week changed budget law so that Congress can proactively pay off debt because current law permits debt relief to occur if and only if there are surplus funds left over from that year's discretionary spending.

The bill is the latest highlight of a Republican record on debt relief that is unmatched in the history of the United States of America. Since Republicans gained control of Congress, we have paid down over $350 billion in debt, and we are on the road to paying off at least another $200 billion. Now we propose to continue this effort by paying down that additional $240 billion in debt the next fiscal year.

This bill also contains the Social Security and Medicare lockbox legislation of the gentleman from California (Mr. HERGER), my colleague from the Committee on the Budget, which is critical, not just to our senior citizens who are receiving Medicare and Social Security benefits today, but for the future of those two programs.

This, unfortunately, has been stalled by the Democrats in the Senate for most of the 2000 calendar year even though this House has passed both of those, has passed that lockbox bill.

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

Mr. CHAMBLISS. I am happy to yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, this lockbox concept, as I understand it, is simply common sense. What we are saying is we do not mix our pension plan for retirement with our operating expenses that we use for roads and bridges and education and other congressional expenses.

So what we are saying is we take the surplus of Social Security, of grandmother's retirement, and we put it in a lockbox so that it does not get mixed and mingled with other funds; and it is safe there so that her security, her retirement is safe.

Now, what I do not understand, and my question to the gentleman from Georgia (Mr. CHAMBLISS) is, why is it that Vice President GORE has led the opposition to this? Why is it that TOM DASCHLE and the gentleman from Missouri (Mr. GEPHARDT) and the Democrats have lined up against this?

Mr. CHAMBLISS. Mr. Speaker, I think it is fairly obvious that they want to take that money and continue to spend it like they have been doing for the last 35 years. We simply cannot let that happen.

We have got a great opportunity with the excess money that we have on hand now to save and protect Social Security, to save, reform and protect Medicare, to provide a prescription drug benefit and include some other reforms in there to make sure that those two valuable programs are protected and maintained and, at the same time, not spend that money on other social programs and other programs that our children and grandchildren are going to have to wind up paying for years and years down the road.

Mr. KINGSTON. Mr. Speaker, what bothers me as a member of the Committee on Appropriations, we get a budget blueprint from you, and the House passes our appropriation budgets based on those blueprints, and we keep the spending in line so that it is balanced, important programs, education, Social Security, prescription drugs, they are out there, they are taken care of.

Then we get into a conference committee with the White House or the Senate, and it seems like all that common sense is thrown out the window, and we break the budget year after year.

Is the gentleman from Georgia (Mr. CHAMBLISS) optimistic that we are going to be able to protect Social Security the way the Republicans on the Committee on the Budget have tried to make it possible for us to protect it?

Mr. CHAMBLISS. Mr. Speaker, I think we can, provided the American people get involved. When the American people get involved and tell their Congressmen, ''Look, we do not want you to spend our Social Security Trust Fund money,'' then we are going to make sure that happens.

I tell the story when I am on the road about my mother who is 83 years old, lives by herself, and depends on Social Security and a small pension that my dad left her, about the fact that she told me one time not long after I had come to Congress, she said, ''Listen, son, I want you to make sure when you get to Washington that my Social Security is protected.'' Unfortunately,

until the last 2 years, I could not look her in the eye and say, ''Hey, we are protecting your Social Security.''

But now with the Congressional Budget Office certifying that, as of September 30, 1999, we did not spend one dime of that surplus on anything but Social Security, and it looks like for 2000, when we wind up the year next week, we are going to have the same certification coming from the Congressional Budget Office for the, again, only the second time in the last 35 years that a Republican Congress has grabbed ahold of this thing and we have made sure that we are not going to be spending that Social Security surplus.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, my dad is 82 years old. He is legally blind. He has diabetes. His Social Security is very important to him. But the other thing is he has saved all his life.

Now, it is popular now with the environmentalists to say, when one is brushing one's teeth, turn off the water. Well, we did that on Plum Nelly Road in Athens, Georgia, because my dad thought it was a waste of water for one to run it one more drop than necessary. If one ever left the room and the light was on, one was in trouble. My dad never bought a car that had a radio in it. When one had to buy the radio, he sure never had an FM, it was only an AM radio. He never had white wall tires on the car and never had power steering.

He fought, as did so many in that World War II generation, to save their money to get ready for a rainy day. He instilled that in us. My allowance starting out very young was a nickel a week. Then it got to be a dime a week. When I got to high school, it was $3.25 a week because he put me on a clothing allowance. From age 12 on up, we had to buy our own clothes, which accounts for why I still look like I need an upgrade in my wardrobe. Even then, $3.25 a week was not enough to buy one's clothes.

But the point is that generation knew what a rainy day fund was about. That is all we are saying on Social Security is save it for its intended purpose of retirement. Do not squander it on politically popular programs designed to get Members of Congress reelected for that 1 year. It might make one a hero back home in one's own little district, and it gets one back up here one more term; but it is not in the interest of the United States Government. It is not in the interest of the American people if everybody is fishing his own line and no one is worrying about keeping the boat afloat.

Mr. CHAMBLISS. Mr. Speaker, I think that is probably one fundamental difference in the demagoguery that goes on and what we have heard tonight and what we have been talking about here. I think when one is honest with the American people and one sets the facts straightforward to them, they have a greater appreciation for that and they see through that demagoguery.

What we are talking about now are the real facts. We have got to save for that rainy day. We have got an opportunity to save for that rainy day. We should not squander that opportunity by spending the excess money that we have now on more and more social programs that are not going to improve those programs one iota.

We have got to be able to take programs like Social Security and Medicare and ensure because we know they are going to be here forever and ever and make sure that they are saved and protected.

I am impressed with the allowance of the gentleman from Georgia (Mr. KINGSTON). I still remember mine. It was 50 cents, and I had to give 15 cents to the church. So I had 35 cents a week.

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

Mr. CHAMBLISS. I yield to the gentleman from the 11th district of Georgia.

Mr. LINDER. Mr. Speaker, I agree that the point the gentleman from Georgia (Mr. CHAMBLISS) made about preserving and protecting the Social Security and Medicare are important. But I want to go back to the point that we have got the chance to pay down the debt, and we have got a significant budget surplus this year with which to do so.

There are rumors around this town that the President is not going to sign our appropriations bills, not going to finish the year unless we spend anywhere from $20 billion to $45 billion more in ongoing spending in programs of his choice.

□ 2045

If my colleagues will recall, in 1996 it cost us $7 billion in yielding to the President to get him to sign our budget so we could get out of town; in 1998, he held us up for $20.8 billion in more spending just to get the budget process finished; and, of course, those were $7 billion and $20.8 billion that we could have used to further reduce the debt on our grandchildren and their children.

I always thought it was kind of strange that the President held a press conference after he signed that ugly budget in 1998 and said, ''The best news is I didn't let them spend one penny out of the Social Security surplus.'' When in fact, of course, we spent $20.8 billion of it. Not one reporter asked him a question about that, but everyone in this town knew that we were going into the Social Security surplus just to satisfy his spending appetites and so we could get out of town.

I wish what we would have done some time ago is put a line item in our budgets from day one so that any money not committed to spending programs would be in a line item. That way, when the President comes through at the end of the year he has to say I want to spend this much more money; and we are going to say it is going to come out of retiring the debt because we ought to have a line item in our budgets that is for our children and grandchildren and their children, to get this mortgage of their future off their back, so they can choose their priorities for their lives and the government that they support and not continue to be paying off ours.

So the 90–10 deal is a deal the American people ought to embrace. They ought to understand when the President says that we have to spend another $20 billion that it is coming directly out of retiring the debt, directly out of our grandchildren's futures. And once we establish this goal, it seems to me, over this Congress and future Congresses, we can set the pattern just like we have set the pattern of not spending the Social Security reserves, and I do believe this will be a better country for it.

Mr. CHAMBLISS. The gentleman from the first district had another comment.

Mr. KINGSTON. Well, the gentleman was talking earlier about debt reduction, and I think it is so important. I am a supporter of lower taxes. I think it is just fundamentally wrong for the government to hold more than it needs. What are we, serfs? Is this the medieval time? Are we back in collectivist Soviet Union that we have to work to keep Washington bureaucrats happy? If we go into Wal-Mart and we buy a hammer that costs $11, and we give the cashier $20, we expect $9 back. We do not expect to be given with the extra $9 some nails and some wood and maybe some other tool. The fact is we should get our refund.

I understand that in Washington money is power and the more money that the government confiscates from people the more power that it has. And I know there are those in the administration who want that power so that they can micromanage our lives. But that being the case, we were unable to get such common sense tax reductions through as marriage tax relief or ending the tax on Social Security or ending the taxes on small businesses and individuals who want to have a full deduction to make health care more affordable and more accessible. So we have kind of gotten a deadlock on lowering the tax burden on hard-working Americans. That being the case, though, are we going to go out and squander the surplus or should we apply it and invest it in the future; invest it in our children by paying down the debt?

The gentleman has pointed out that we spend about $230 billion to $240 billion on interest payments on the national debt. That is just about the size of our entire national defense. Now it is a little bit higher, but that is about equal to what we spend on our military, $240 billion. Is that not four times what we spend on education here? I know it is about four times what we spend on agriculture and nutrition programs, such as food stamps and the

WIC program for children. And if we look at all the money, this goes to nothing. It just goes to the bond holders of the national debt. It does not create jobs, it does not buy equity, it does not protect the environment or educate children, it does not give prescription drugs to seniors. It just goes out the door.

So if we can pay down the debt, and I believe the budget we are operating on pays it down by the year 2013, if we can do that, then we can invest the money in areas where we are going to get something out of it and, most importantly, a better society, which we are not getting right now when we are just paying bond holders.

Mr. CHAMBLISS. We were talking about that fact earlier, that because we are now in a situation where we have excess cash flow and we can pay down that debt, we are having the debate now over the prescription drug issue, for example. But I can just see us if we had lived up to the Clinton-Gore administration expectation of having $194 billion deficit this year when they presented their budget in 1995. Does my colleague think we would be here arguing over how we are going to come up with an additional entitlement program within Medicare? There is just no way we would have done that.

And the gentleman is exactly right. If we had that debt payment down to zero, and we had that additional funding from what we are paying out in interest, we could do a lot of things that would benefit the American people all across the tax spectrum, all across the social spectrum, and we can make life a lot easier for folks. That is why it is just so critical. And we are talking about now 13 years, just 13 short years we could pay off this entire debt.

Mr. KINGSTON. If the gentleman will continue yielding, he has one of the rare and valuable positions as a House Member of serving on the Committee on Agriculture, serving on the Committee on Armed Services, Committee on National Security, and is the incoming chairman of the Committee on the Budget. And I know the gentleman has worked very carefully to protect not only seniors who are retired on Social Security but veterans, and to try to get the United States Government, good old Uncle Sam, to fulfill the promises that have been made to veterans.

I know the gentleman is a cosponsor of the Keep the Promise legislation for veterans who have been promised certain benefits, health care benefits; that we are actually going to deliver those, the ones the Clinton-Gore administration have cut and eroded over the last 8 years, but is it not true that the gentleman's budget also has a cushion in there to take care of our veterans as well as the other seniors?

Mr. CHAMBLISS. Not only does it have a cushion to look after veterans, but we took the Clinton budget last year, which called for a zero increase in veterans' health care, and we plussed that budget up last year by $1 billion and dedicated that $1 billion just for veterans' health care.

Because the gentleman is right, that is a segment of our population that fought and risked their lives, in a lot of instances lives were lost, because those folks believed so strongly that this country ought to continue to live under that great flag of freedom and democracy and we can never forget those folks. Unfortunately, they have had a number of their rights and benefits taken away from them. Probably veterans' health care benefits have been taken away more so than any other area of their benefits. We plussed it up by $1 billion last year and dedicated it to health care alone. This year we have plussed up the President's budget again and we have increased the budget by $2.7 billion over last year. So we have added a total of $3.7 billion for veterans' benefits just in the last 2 years.

Are we exactly where we want to be and ought to be with respect to restoring those benefits? No, we are not. But we are moving in the right direction in spite of a stone wall that we keep running into in the name of Clinton-Gore. They keep giving us smaller budgets, they keep wanting to reduce veterans' benefits, particularly in the area of health care, and we are taking them kicking and screaming down the road of making sure that our veterans do get the benefits to which they have been promised all these years and to which they are entitled to. And, dadgummit, we have just got to look after them.

Mr. KINGSTON. I know also one of the goals of the Committee on Armed Services, the Committee on Appropriations, and the Committee on the Budget has been to cut the paperwork so that our veterans not only have the money at the VA to provide their benefits but they do not have to go through the long procedures and the clearances and the problems that they are having with Tri-Care; that they can actually go faster to a doctor, get the treatment they want, and get to the clinic closest to them. I know the gentleman has made a major commitment in that direction as well.

Mr. CHAMBLISS. In fact, that bill was passed in this very House just last week; that where a veteran has a long distance to drive to go to a VA facility, when he needs medical treatment, we are going to have a pilot program now that we are going to look at that hopefully will be converted into a permanent program whereby those veterans will not have to drive that long distance to a facility. They will receive a voucher and they will be able to take that voucher to a physician or to a doctor close to their home and get medical treatment and have the Federal Government pay for it under the Veterans Administration.

That is a significant improvement in the delivery of health care that we are going to be able to provide to veterans.

Mr. KINGSTON. Now, maybe combining all three of the gentleman's hats of agriculture, armed services and budget, the gentleman also is providing money to get active duty personnel off of food stamps.

Mr. CHAMBLISS. When we took over control of the House of Representatives and the Senate in 1995, we had about 12,000 members of the Armed Forces who were receiving food stamps. Nobody in this House, I do not think, realized that. It came to our attention late in the process in the Committee on Armed Services. And when we discovered that, obviously everybody was appalled at that, and we began working on it.

Over the last 6 years, we have reduced that figure from 12,000 to a little bit in excess of 3,000. It is somewhere between 3,000 and 5,000. I am not sure of the exact number, but we have cut it every single year. Again, we have cut it in spite of the fact the administration has not called for significant increases in defense spending that would allow us to give pay raises to those young men and women who are having to draw food stamps to feed their kids, instead of having the security and the peace of mind and knowing that their children are going to be fed and they can look after the business of trying to defend this country.

So we have cut that list, and we are going to continue to work on it until we get all of those folks off of food stamps, because it is just not right. It is just not right. It is immoral, it is un-American, and it should not be the case. We have to continue to work on that. The gentleman is right, we are doing that with help from my colleague and the other members of the Committee on Appropriations who have been very generous in approving the defense budgets we have had over the last 6 years. And we have to continue down that road until we get all of these folks off of food stamps.

Mr. KINGSTON. To continue on this, one of the reasons why we are losing good soldiers right now is that the pay is low and they do have to go on food stamps. Last week, I was at the third infantry division while they were deploying to Bosnia. In our area, we have about 2,500 to 3,000 soldiers in Bosnia, as of last week, and I was saying goodbye to them. I asked the colonel how many of these soldiers are married. And he said about 60 percent are married, probably because that is the average right now.

What I do not understand is why the Clinton administration has not recognized that the Army today is an army where we have a lot of families. And this deployment situation of permanent peacekeeping by presence, just having our folks there by occupation, gets to be very, very expensive.

The gentleman and I were here when we debated Bosnia; we were here when the administration said we will only be there for 1 year. Personally speaking, I voted against getting involved in it because I feared we would be there a long

time, and now we are on our 5th year there. Actually, longer than 5 years. As I said good-bye to these young men and women, wondering when they were going to come home, and they are going to come home in 6 months, but who will go after that? In the meantime, how many of them will we lose?

Mr. CHAMBLISS. Well, I can tell the gentleman who is going to go after that, because the 48th brigade of the National Guard of the State of Georgia has been called up, and they are in preparation and training right now to go to Bosnia in March. So they will be going about the time the group the gentleman is talking about is coming home.

The gentleman from Minnesota and I actually went to Bosnia together, and we saw the troops over there and saw the activity going on. And just like my colleague from Georgia, I was opposed to getting involved in that. I failed to see a national security interest of the United States that was in jeopardy. But once we were there, once our troops were committed, then everybody here was absolutely and totally committed, and the gentleman from Minnesota and I had a great visit with those folks over there.

Unfortunately, probably 90 percent of the men and women that we saw serving in Bosnia were either in the reserves or the National Guard, which means that they were called away not just from their families but from their jobs. They are not sure what is going to be there when they get back, and it really is a situation where the OPTEMPO in the military has been called to the brink.

It is something that we are addressing now in the Committee on Armed Services. We are looking at if we have to continue down this path, and gosh knows I hope we will not have to continue being the policemen of the world, but we have to look at increasing the force structure of this country.

I would yield to the gentleman from Minnesota.

□ 2100

Mr. GUTKNECHT. Mr. Speaker, it was a wonderful trip over there. We cannot help but be proud of the young men and women who serve us in the armed forces and the job that they do, whether it is in Bosnia or Yugoslavia, East Timor, Haiti. We have had so many deployments over the last 8 years that we are just stretching our people far too thin.

I think the other issue we are raising here is the whole issue of burden sharing. Bosnia alone has costs us, as members of the Committee on the Budget, almost $20 billion now. And it is really hard for us to see any real evidence that we are making any real progress.

The same is true with Yugoslavia. It is time for our allies. We are spending about 3 percent of our gross domestic product on defense. Our European allies are spending an average 1½ percent. That has made our job a whole lot more difficult in terms of balancing the budget.

I just want to come back to a couple of points that my colleague raised, and I think they really need to be repeated because everybody likes to take credit. It is like the little red hen in baking the bread. Nobody wanted to help grow the wheat. Nobody wanted to help harvest the wheat. Nobody wanted to help to grind the wheat. Nobody wanted to help bake the bread. But everybody wants to take credit once the bread has been baked.

If we go back to where we were in 1995 when the President proposed his budget in the spring of 1995, we were looking at deficits of over $200 billion well into the future. And we came in and said, no, we are going to slow the rate of growth in Federal spending, we are going to eliminate programs, we are going to consolidate programs. We have eliminated over 400 programs, some big ones the Interstate Commerce Commission, some small ones like the Coffee Tasters Commission, some that Americans will not miss, some that most Americans will not miss very much. But the point is we have made enormous progress.

We were accused of wanting to starve children and throw grandma out into the street. We have made enormous progress, and most of it has been done in little changes that we have made along the way and slowed the rate of growth so that this year the Federal budget will grow at a slower rate than the average family budget.

The real goal, as my colleagues are talking about today, and I was listening very carefully up there, the real goal of paying down this debt, I just cannot think of anything better to leave our kids than a debt-free future.

But above and beyond that, I am told by Congressional Budget officers that, if we begin this process of really paying down debt, we will see real interest rates drop by at least one percent. That will save the average American family over $4,000 a year in interest payments that they are paying on their homes, their mortgages, their credit cards, all the other things that Americans have in terms of debt. And to me that is a huge tax cut.

We need to really think about what it will mean when we get to that point where we really have eliminated the publicly held debt. I think we are at a very important point in history. And I hope that our leadership, the appropriators, the people serving on the conference committees will not be eager to compromise.

I believe that $1.868 trillion is more than enough to meet the legitimate needs of the Federal Government and those who depend on it. And if we need to spend more in one particular category, if the President says, no, we have got to spend more, whether it is on education or the environment or whatever his particular pet programs are, then we should demand that the President show us where he is going to pay for that program out of some other area of the budget. I do not think that is too much to ask.

We have come a long ways. We cannot turn back now. I really appreciate what my colleagues have been talking about tonight because I think this is at the heart of what we must do as a Congress, and that is to control the rate of growth in Federal spending, to make certain that we pay down debt; and ultimately I believe we allow families to keep more of what they earn in two ways, first of all with tax cuts and secondly by seeing lower interest rates on their home mortgages and everything else that they own.

So I really appreciate this special order tonight, and I thank my friends from Georgia for having it.

Mr. KINGSTON. Mr. Speaker, before the gentleman from Minnesota yields the floor, I wanted to bring up something that, as we work on prescription drug coverage, and it is interesting, the only bill that has passed is a Republican bill, yet as we listen to GORE and the Democrat party, we would think that they have passed five bills and we have not done anything.

Mr. GUTKNECHT. Mr. Speaker, if the gentleman would continue to yield, I do not think the President has ever introduced a prescription drug bill. In 8 years, I think the sum total of what this administration has done on prescription drugs is they have refused to enforce the antitrust laws that are on the books. We have seen even bigger mergers of the huge pharmaceutical companies. And then, of course, when seniors try to buy prescription drugs in either Canada or Mexico or Europe via mail or e-mail or some kind of ordering system, the other thing the administration has done is they have sent those seniors threatening letters. And we have copies of those in our office. In fact, I think we have copies on our Web site so my colleagues might want to check it.

So they have never introduced a bill, but they have allowed the big drug companies to merge; and they have not enforced the antitrust laws, and they have threatened seniors. That has been their answer.

Mr. KINGSTON. Mr. Speaker, what I think is real important to understand is that in Canada and Mexico they can buy drugs made in America by the same drug companies that we buy from at our local pharmacist and they can buy those same drugs, same dosage for 30 percent less, 40 percent less in one case, 25 percent less; and yet, if they live in Minnesota or New York or Maine and they drive over to a pharmacist and buy them, the Clinton FDA stops them.

Here is an opportunity that, under the Clinton administration we passed NAFTA, which has cost us a lot of jobs in our area, and yet free trade with Canada would mean they should be able to buy things over there; and yet it is the Clinton administration that keeps our seniors from doing that. And

that is something that could affect the cost of prescription drugs right now.

Now, my interest and I think the interest of the gentleman from Georgia (Mr. LINDER) and the gentleman from Georgia (Mr. CHAMBLISS) is that, if we can get our seniors to get lower-cost drugs, there is more competition in the system and more competition will bring the prices down; and so we want the folks in Minnesota and on the border States to get their drugs cheaper from Canada because we may be able do that also through the Internet. But we also will benefit when the prices come down, and that is why it is in our interest as a Nation.

Mr. GUTKNECHT. Mr. Speaker, from a budget perspective, last year the Federal Government, through the Veterans' Administration and through other programs that are actually run by the Federal Government, we bought about $5 billion worth of prescription drugs last year.

Now, I estimate if Americans had access, including the VA and Medicaid and medical assistance and some of the other programs we fund, if we had access to drugs at world-market prices, let my give my colleagues one example, Prilosec, a very commonly prescribed drug in the United States for acid reflux disease and ulcers. In the United States the average price for a 30-day supply is now about $139 a month. That same drug sells in Canada for $55. It sells in Mexico for $17.50.

Now, that is just one example. But we believe that you could save easily 30 percent.

Mr. KINGSTON. Mr. Speaker, the gentleman did not have to make this story up, unlike Vice President GORE, who has to absolutely lie about his mother-in-law. The truth is out there. Why not tell the truth?

Mr. GUTKNECHT. The truth is we could save at least $1.5 billion a year. And when people talk about the prescription drug problem, the problem is that they always talk about the wrong side first; they always talk about coverage. The real problem is price. If people had access to drugs at world-market prices, we would have a much smaller problem dealing with the coverage side.

The good news is I think the congressional leadership, and the Republicans in particular, now understand that if we believe in free markets for textiles, if we believe in free markets for lumber, if we believe in free markets for agricultural products, certainly we ought to have free markets when it comes to pharmaceuticals.

I do not believe in price controls, but I do not believe that the world's best customers should pay the world's highest prices. And that is what is happening today, and it is partly because of the miserable job that the Justice Department has done, the administration, the FDA, and so forth in terms of encouraging more competition.

So that is an issue that has huge budget implications. Because when we look at Medicare, we look at the VA, we look at how much we are already spending on prescription drugs, if we have access to world-market prices, we will see prices in the United States, in my opinion, drop by at least 30 percent. And next year the estimates are, in the United States, we will spend both from private citizens, insurance companies, the Government, and so forth, we will spend close to $150 billion on prescription drugs. Thirty percent of $150 billion is real money.

Mr. CHAMBLISS. Mr. Speaker, the gentleman hits the core of that issue, too, is that we do not drive those prices down by Government controls; we do not drive those prices down by the Federal Government doing anything other than allowing for competition, promoting competition. That should be the sole function of the Federal Government.

We tend to go in the other direction sometimes, and that just ought not to happen.

Mr. GUTKNECHT. Mr. Speaker, one senior at one of my townhall meetings said it best: if you think prescription drugs are expensive today, just wait until the Federal Government provides them for free.

We have got to deal with the price side first. And then when we do, we can come up with a prescription drug program that encourages competition, that allows markets to work, that gives people choices, that is available, it is affordable, and ultimately will bring down the price of prescription drugs so that people will not be falling through the cracks as they are today.

Mr. KINGSTON. Mr. Speaker, I appreciate the gentleman bringing that up. We talk about the differences between the Bush and the Gore plan. I think if we look at the Gore plan, and there is a plan, it has never been introduced for 8 years, but suddenly about a month ago the Gore plan had a new prescription drug benefit. I did not know it until I saw an advertisement on there.

Let me ask my colleagues. In fact, I would love anybody to answer. Have my colleagues been sent anything to the office? I mean, we have got New York, Minnesota, Georgia, and Colorado here. Not one office has been sent this allegedly serious proposal. But the Gore plan has one purchaser of prescription drugs. That is the Federal Government.

The Bush plan has eight different options to choose from. The Bush plan they can enroll in at any time in their life. The Gore plan they have to chose at 64½ years old. And if they do not choose then, they are out of luck.

The Bush plan says, we are not going to ensure Bill Gates and Ross Perot because two-thirds of the people out there already have a prescription drug plan; we do not need the universal coverage for everybody. The Gore plan says, no, sir. Ted Turner, Ross Perot, Bill Gates are my kind of guys. I want to make sure they get free prescription drugs from the truck drivers back home and the coal miners in Tennessee.

And so it is the typical government-mandated, one-size-fits-all, huge Washington-driven entitlement. And that is why I think it should be rejected; and instead of shotgun, we should laser beam our solutions to where the problems really are.

Mr. GUTKNECHT. Mr. Speaker, I think our colleague from Georgia (Mr. LINDER) says it best. In many of these issues, it really is about who decides, will it be Washington or will it be the individual. Whether we are talking about education reform, health care reform, prescription drug reform, whatever we are talking about here in Washington, most of it all comes down to who decides. Will it be Washington bureaucrats, or will it be you?

The thing about this side of the aisle is we believe in individuals, and we believe that the individuals can make the best decisions.

Mr. CHAMBLISS. And will make the best decisions.

I want to thank all of my colleagues for participating today. We look forward to continuing to dialogue with our folks on the other side and the White House to, hopefully, get our 90/10 debt pay-down bill signed into law by the President. It is the right thing to do, and it needs to happen.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HAYES). The Chair would remind all Members that although remarks in debate may level criticism against the policies of the Vice President, still remarks in debate must avoid personality and, therefore, may not include personal accusations or characterizations.

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NIGHTSIDE CHAT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. McINNIS. Mr. Speaker, I yield to the gentleman from New York (Mr. BOEHLERT).

BOEHLERT LAUDS COURT DECISION ON ONEIDA INDIAN LAND CLAIM

Mr. BOEHLERT. Mr. Speaker, I thank my colleague from Colorado for yielding.

Mr. Speaker, I have a very important announcement. There has been a Federal court decision today in one of the most highly visible and significant Indian land claims in the country.

Senior Judge Neal McCurn of the Federal Court of the Northern District of New York has denied request by the Oneida Indian Nation and the U.S. Department of Justice to amend a lawsuit in a claim to include 20,000 innocent landowners as defendants.

Let me repeat that.

Judge McCurn has ruled he has denied a request to amend a lawsuit in

the claim to include 20,000 innocent landowners as defendants.

That falls under the heading of very good news.

I am delighted with Judge McCurn's decision, which once and for all removes the threat of eviction and monetary damages from the innocent landowners in Madison and Oneida Counties, New York.

□ 2115

With this ruling, the innocent landowners are quite simply excluded as parties to this longstanding dispute. Their homes are not threatened in any way. That should be an enormous relief to all concerned.

This is precisely the result I have been working for ever since the Oneidas and the Justice Department filed their misguided motions back in December of 1998. I have repeatedly spoken and written to Judge McCurn and the Justice Department urging that the landowners be dropped from the case. The judge acknowledges my efforts on page 46 of his decision, when he notes that, along with Senator SCHUMER and Governor Pataki, I took up the landowners' cries, condemning the Federal Government for seeking to name the landowners as defendants in this action.

Now we finally come to an end of this sad, frightening and utterly unnecessary chapter of our area's history which began in December 1998. But there is still much work to be done in the Indian land claim. The tax and sovereignty issues still need to be resolved, and the State is potentially liable for damages. I hope that this ruling will bring the remaining parties back to the bargaining table to resolve all the issues in a way that safeguards our area's economy and public services just as well as Judge McCurn has safeguarded individual property rights. I will continue to work toward that end.

But today's court decision is unalloyed good news for the residents in the land claim who can all breathe a little easier and sleep more soundly.

I want to thank my distinguished colleague from Colorado for yielding to me for this very important announcement.

Mr. MCINNIS. Mr. Speaker, I am back for another nightside chat. I can tell you that it snowed in Colorado, it will not be long before we have our ski areas ready for all of you and I hope you get out there and enjoy the finest snow in the country out in Colorado. That was a little promotional spot here before I begin.

This evening, getting back to serious business, there are three areas that I really want to discuss with my colleagues: First is the move by the President and the Vice President, their policy of releasing fuel or barrels of oil from the Strategic Petroleum Reserve. I will talk for just a few minutes about that. Then I would like to move on from there and talk about taxes. In the last few weeks with the Presidential election coming up, with the general election coming up for Congress and the Senate, we have heard a lot about tax cuts and tax policies and surpluses. So I want to go into that a little and I want to distinguish the difference between the two parties.

My remarks tonight are not intended to be personal at all. But the fact is we do have a system which by design from day one has primarily two parties and it is one of the checks and balances. There are general differences. It is not applicable, by the way, to each member of each party but generally there are differences between the Democratic philosophy and the Republican philosophy.

Tonight I hope to distinguish between the two of them, especially when it comes to surplus, when it comes to taxes, when it comes to accountability to the taxpayer out there, when it comes to accountability for the services that we are required to render to the people that we are fortunate enough to serve back here in the United States Congress. And then I would like to spend a few minutes talking about Social Security. If a Presidential candidate, and I know George W. Bush has, but if any candidate running for office this year wants to focus on one thing for the young people or two things for the young people, let us say, and for the women of this country and frankly for the middle class of this economy, talk about Social Security. What are we going to do?

My generation and the generation ahead of me is okay. Our benefits will be there. But we owe it to the generation behind us to make sure that Social Security is a liquid fund, is a fund that can sustain the kind of liabilities that we have placed upon it for the generation behind me and the generation behind that generation and the generation behind that generation. That is our obligation. It is a point we ought to discuss this evening.

I intend to talk a little about Social Security and some of the things and a plan that I think will work, a plan that has worked for all the Federal employees that work for the government today. The government has its own plan, and many of my colleagues out there, their constituents do not realize that one of the proposals put out there, in fact frankly the proposal put out by George W. Bush is a policy that is already followed by every government employee. We, as government employees, already have this type of policy, an opportunity to choose. So we are going to talk about personal choice. We are going to talk about Social Security. And we are going to talk about the surplus. We will talk about tax cuts and, of course, we want to talk about the Strategic Petroleum Reserve.

First of all, I think a logical question, we have heard that a lot in the last couple of days, most of us have a pretty good understanding of what the petroleum reserve is, but for a little history, Mr. Speaker. As Members know, it was created in 1975, and the intention of it was to see if we could find a location, which we did, to store about 1 billion barrels of oil for an emergency reserve.

Now, emergency is a very delicate word. Emergency in my opinion means an overnight crisis, for example, if the Middle East or OPEC cut our oil off. I am not sure that you could classify as an emergency a price increase the likes of which we have seen in the last few weeks. Now it is a hardship, but does it go to the level, and that is the fundamental question we need to ask, does it go to the level that we should draw down on what in essence is 59 days? That is all we have of supply in this petroleum reserve. We have 59 days of supply in there.

Is the situation we are in right now, of which I am very unhappy about, I think frankly the oil companies have overplayed their hand. I think OPEC has overplayed their hand. But I caution all of us to think very carefully before we condone the actions and the policies of the Vice President and the President in going into the Strategic Petroleum Reserve and pulling out a significant portion of that reserve which, by the way, is not a significant portion of the consumption needs of this country. In fact, in any 30-day period, what you are doing is pulling out about a 36-hour supply out of 30 days.

Back to our history a little. The reserve is managed by the Department of Energy. I am a little disappointed by the way the Department of Energy has managed our energy policy. I am not sure that we have an energy policy that exists. We have the Secretary of Energy, Bill Richardson this year, and I would like to quote what Bill Richardson said. He said, ''We were caught napping. It's obvious the Federal Government was not prepared for the recent jump in oil prices. We got complacent.''

Look, Department of Energy, you have an obligation not to be complacent. That is what your Department is in place for. That is what Congress has charged this Department with. You have got to be on the ball. We have got to monitor that. Our country is economically dependent in a very significant way, we are economically dependent upon the energy policies and when oil goes up like it has gone up, we have not yet begun to feel it but we are going to begin to feel it. But we have over here a reserve and we have got to be very careful about that reserve, when we use it, and under what kind of conditions we should use it. We of course leave that discretion to the President of the United States.

I can tell my colleagues that right now, as I mentioned, our current days of inventory are 59 days. We have 571 million barrels of oil. The most we can draw down, this is just for your own information so you have an idea of how large this reserve is, we can draw down about 4 million barrels of oil a day, and it takes about, oh, 15 or 20 days for

that oil from when we draw it down, assuming we have refinery capacity which we do not have today, our refineries are at capacity for a number of different reasons, but assuming we have capacity we can move that oil and get it into those refineries in about a 15-day period of time.

So what has happened in the last few days? First of all, there was some rumor that the President might, as kind of an October surprise, as a policy for the upcoming Presidential election to assist the Vice President, that the President might order that a depletion be forthwith out of the Strategic Petroleum Reserve. In regards to that, last week the Wall Street Journal quoted the Secretary of Treasury who is appointed by the President, who had strong disagreement with the President and Vice President's policy to draw oil off this under the classification of emergency, and let me quote.

The Wall Street Journal wrote: Treasury Secretary Lawrence Summers advised President Clinton in a harshly worded memo that an administration proposal to drive down energy prices by opening the government's emergency oil reserve quote would be a major and substantial policy mistake. Mr. Summers' two-page memo argued that policy. He wrote that using the reserve would have at best a modest effect on prices and would have downsides that would outweigh the limited benefits.

Let me go on further. Another expert, one that Republicans and Democrats, in other words, both sides of the aisle, an individual that both sides of the aisle respect, his opinion on the President's policy to draw down on that:

''I think it would be a mistake to try and move the market prices with a small addition from the Strategic Petroleum Reserve,'' Federal Reserve Board Chairman Alan Greenspan told a U.S. committee this year. We are dealing with an overall market which is huge compared to our Strategic Petroleum Reserve. He said that adding from the reserve, quote, would not have a significant impact.

Where the impact is that I am concerned about is what the President is doing. We have the strategic oil reserve over here and, as I said, we have a 59-day supply and it is to be used for an emergency. That is our 911 call right there. We have over here a market, to give my colleagues an idea, a market on a monthly basis just for our country which looks about like this. So what you are doing by drawing down out of this is you are drawing in enough for a 36-hour dent in this market. Thirty-six hours. Proportionately that is not too far off from what the President has ordered. In the meantime, what you are doing is you are drawing down a significant portion of this emergency reserve here. The difficulty with that is at some point, especially when we see the volatility that is now taking place with the oil markets, it is a point in time I think that you should increase, not decrease your emergency reserves. Now, surely when you put this kind of fuel in for that 36-hour period of time, which is what it will supply for our country, when you put it into the market and I believe in the last 24 hours gasoline, not the gasoline but the Texas crude price has dropped a little in the last 24 hours, you are going to have some short-term benefit.

But, Mr. Speaker, the short-term benefit has a long-term expense associated with it. I think it is very clear, and it has been editorialized throughout the country, including this morning in the Wall Street Journal, but I think it is very clear that the policy of the Vice President and the timing consequently of the President to draw down on the Strategic Petroleum Reserve is in fact not an emergency but is a political convenience. It is a political tool. It is being used in a political manner. That policy is incorrect, the policy of those reserves.

All of us on this floor realize that politics is an everyday part of our life and when we are a month or 5 or 6 weeks out from an election, we are going to see more politics. But there are some areas that you have got to keep politics out of, no matter how tempting it is, no matter how close to the election it is, the best interests of the Nation demand that you not use that, certain items, that you do not use these items or twist your policies for political expediency. Instead, what you think of first are the best interests of the country. And I am concerned that the policy of drawing down this reserve to make a very small dent for a short-term benefit and, by the way, the benefit would mostly be realized between now and election day, and right after the election we are going to be in the same problem we were in before but we are going to have less reserve. It is not a good policy. I think the President and the Vice President should stop trying or make no further attempts to draw down unless this country truly faces an emergency.

□ 2130

Ever since this was created in 1977, excuse me, in 1975, when we created this reserve, we have only drawn down on it three times. Two of the drawdowns, two of the drawdowns, one was for the Persian Gulf War. That was truly an emergency. I do not think any of my colleagues here argue the fact that the Persian Gulf, when we went to war, that justified a drawdown on our emergency reserves.

The other two times that we drew down on that reserve were practice drawdowns to see how quickly we could get it out, to make sure we had the logistics between the point of drawing out of the oil reserve and getting it into the refineries, that we had that system down pat. We did twice. We had two trial runs.

So, during the entire 25, almost 26 year history of this emergency reserve, never has it been drawn down for political purposes, never has it been drawn down because the price of gasoline got higher. It has only been drawn down really, in reality, when you take outside the practices, it has only been drawn down when we went to war.

But now the President and the Vice President decide, 4 weeks again now from the election, or 5 weeks out from the election, that it is time to draw it down.

My point tonight, colleagues, whether you are Democrat or Republican, is this ought to be hands off. This should not be, whether or not we draw down from the Emergency Petroleum Reserve, should not be determined by whether or not the general election is 6 weeks away. Our Department of Energy Secretary, frankly, needs to get to work and shape that Department up down there so they do not fall asleep at the wheel, which is fundamentally what he admitted they had done in the last couple of months.

Now, do we have an answer? Sure you have an answer. Any time you have high prices, there is that point of diminishing returns. OPEC knows about it. OPEC does not want the prices to get too high. Why do they not want the prices too high? Well, if the prices get too high and the Government does not try and manipulate the prices, speaking of our government, then what happens is American ingenuity kicks in. One, you begin to see more conservation. I think that is a good, reasonable policy. And, two, you begin to get a reexamination of what we have done in our own country as far as exploration, what are we doing with resources in our own country.

Those are two good policies to follow. I mean, I think of myself the other day, to give you an example, I was driving off from the gas pump, I just paid the price for gasoline, and I said, what can we do for conservation? Is there something we can do immediately to help conserve the product that we are using?

You know what I did? I looked up in the left-hand side of the windshield of my car, and I see in my car that they recommend I change the oil for the vehicle that I was driving every 3,000 miles, and my recollection was that the driver's manual for that automobile recommended an oil change every 5,000 or 6,000 miles. So I got in the glove compartment, I looked at my owner's manual, and, sure enough, the people who built the car, the people who engineered the car and the people who guarantee the car say, look, for ultimate performance, all you need to do is change your oil every 5,000 or 6,000 miles. It did not say every 3,000; but obviously it says 5,000 or 6,000, which means not every 3,000.

If we found ourselves in a crunch, the American people could immediately conserve on consumption of oil products by actually having the oil changes on their automobiles when the manufacturer of the automobile recommends you do it.

I mean, that was just one idea. But I think putting in government manipulation right before an election, oh, it may have some political benefits for the President; but the fact is that in the long term, folks, it is going to be a very expensive way. It is not the proper method to approach the kind of fuel or oil difficulties that we are now facing. Save this for a true emergency. Wait until you have a real emergency before you go out and start drawing down on the petroleum reserves.

TAXES

Mr. Speaker, let me talk for a few moments now, kind of switch subjects, because I have heard a lot of discussions about taxes and surpluses. Tonight, while I was sitting in my office, I was thinking, you know, there really are some basic differences. Again, not to get personal, but I think it is important; and I think it is important when we talk to the young people of our country that we explain that there are some differences, fundamental differences, between Democratic leadership and Republican leadership.

Now, not all Democrats vote always with the Democrats all the time. Not all Republicans always vote Republican with the Republican leadership all the time. As we know, a lot of votes back here are determined by geographical locations. For example, those of us in the West may have a difference of opinion than those in the East, regardless of whether they are Republicans or Democrats.

But clearly when it comes to government spending, there is a difference between the Democrats and the Republicans. I know as of late the Democrats have been criticizing tax reductions and tax cuts. I think we have to start with the basic philosophy of what is a surplus. I just looked it up, by the way. I just looked up over here in the dictionary ''surplus,'' which sits behind me, and the definition is clear. A surplus is you have more than you need.

The Government is not in the business to make money. The United States Government was never intended by our forefathers when they drafted the Constitution, when they had this thought, this dream, of uniting these States, of putting these 13 States together and expanding into the continent, they never dreamed of putting the United States Government in business. What they wanted the Government to do was to have their role restricted to that which individuals could not do. That is what their concept of government was about.

What has happened recently, and I hear it more and more from the Democratic side, from your policies of your leadership, is somehow this surplus belongs to us; us, Congress here in Washington, D.C. ''The taxpayers have not paid too much.'' Well, if you do not think that the taxpayers have paid too much, quit using the word ''surplus,'' because surplus means it is extra.

You know, we are here to produce and to provide that which individuals cannot do as individuals, but we are not here to accumulate large amounts of money. Now, the difficulty is that you cannot leave a surplus in Washington, D.C. very long, because, it is very simple, it gets spent. That is what happens to it.

If you leave this surplus here in Washington, D.C., pretty soon you are going to have new programs and new programs and new programs. So the Republican Party and our leadership has made it very clear that we have two priorities: number one, the priority is to fund the Government so that it runs efficiently and that we provide the fundamental services to the American people that individuals could not provide on their own.

For example, we have tremendous responsibilities in education, and we stand up to those responsibilities. We have tremendous responsibilities to defense for this country, to the military, to our transportation. But once we meet those responsibilities, and once we meet the responsibilities of spending those dollars in a responsible manner, then we have two other responsibilities: one, the next responsibility is that after, and, frankly, again not getting personal, but for 40 years the Democrats controlled the Congress, and take a look at what happened to so-called surpluses then. They were smoked. They were gone the minute they got here. We had deficits for 40 years.

So the next thing we do is, what about our overall debt? Our leadership, the Republican leadership, feels that we have an obligation to reduce that overall debt, and that we should take a portion of this surplus and reduce that debt.

But the other fact that we have to consider is who is the customer? Who are the people that we represent? Whose money is coming in here? It is not our money. It is money sent to us with the idea that we will act in a fiduciary manner and spend that money in such a way that, one, we provide for government services; and, two, if we find out that the people we represent have overpaid, then in fact we should refund that.

Now, there are some other things we have to take into mind. Every once in a while when we are out there raising money, i.e., the Federal Government is out there on the taxpayer, and they ask the taxpayer, they say to the taxpayer, look, we need to fund the military, we need to fund education, we have highways. Here is our government budget; and in order to meet the budget, we need to have you pay out of your work, and, remember, the people paying are not the people that are not working. The people that pay taxes to the Government are hard-working men and women. They are the people that go to work for 8 hours every day.

You are asking them to take a part of their labor every day, a part of their labor every day; in fact, you are asking them to work full time from January 1, to, I think, around the first of May. You are asking them to work full time. That is what amount of time an individual has to work in this country just to pay off their taxes for that year. So you are asking them to fund this.

Once in a while when we do this, we find out that we have taxes that are unfair, taxes that just fundamentally are not sound. I thought I would point out a couple of those, because the Republicans this year, without much help, now, we did have, I will grant to you, we did have some help from some Democrats, but some of those Democrats who helped us switched back, unfortunately, in my opinion, because of the fact they were put under pressure by the President to uphold his policies, so they would not override the vetoes. But let us talk about a couple of those taxes. I think the best way to do it is to talk about the middle class, because that is who we are really talking about here.

What happened is we discovered some taxes, that whether we have a surplus or not, we fundamentally disagree with the concept of these taxes. I will give you a good example.

The marriage penalty. That is a tax that Congress somehow in its history decided that marriage should be a taxable event. The Republican leadership this year, with the help of some Democrats, said to the President, and, by the way, obviously with the help of the United States Senate, said to the President, look, marriage should not be a taxable event. It is unfair to the middle class. It is unfair to anybody for the Federal Government, in an attempt to raise money for its operations, to go to people and say, simply because of the fact that you are married, we are going to impose a tax on you.

So what we did is we voted to eliminate the marriage tax. But the Democrats, through their leadership and through the President, put it back on the board. In their opinion, marriage is a taxable event; and the President's veto, he vetoed our process to eliminate the marriage tax, and the President put it back on the middle class of America, primarily, by the way.

The middle class pays, in my opinion, the biggest portion of taxes in this country. The middle class represents, quantity-wise, the largest number of workers. That is what you are doing. When the President and the Democratic policy, my colleagues here, when you put that marriage tax back on after we passed the bill to eliminate it, that is who you are taxing. And you are taxing our young people.

With our young people, we are trying to encourage marriage. We are trying to tell the young people, and boy, it is promising, we have some wonderful, wonderful people in the generation behind us, all of us know that. But is this the way to encourage that generation?

There is another tax we took a look at and said fundamentally, is it fair to tax death, the simple fact that somebody dies? Is that a fair tax? Is that a

taxable event? Is that an event that our forefathers ever imagined in the Constitution would be the basis of this price, that we go to our taxpayers and say we want you to pay this price to be a citizen in this country? Is death a taxable event, that the middle class pay? And do not kid yourself, it affects every class in society.

The Democrats like to say, well, it is only the rich. They like to play this class warfare. It is not class warfare. You take money, regardless of how many people are in the community, take a community with 5,000 people who have a person that has to pay the estate taxes, say a contractor or anybody, a contractor that owns a dump truck, a bulldozer and a couple of pickups, they are subject to the death tax. You go to those people, and you take it out of the community and you transfer that money right here to these Chambers in Washington, D.C. You are transferring money from local communities out in the United States out beyond the Potomac, and you are transferring it here. So it affects every class. So the fundamental question of fairness, that is an obligation we have, regardless of whether we have a surplus or not.

Now, it so happens we do have a surplus. But regardless of whether we have a surplus or not, should we tax the event of death? We said no. The Republicans said no, and, by the way, some Democrats joined us. They also said we should not tax death. We sent that bill to the President. The President vetoed it. He put it back on. The President said death is a taxable event.

□ 2145

And by the way, I sit on the Committee on Ways and Means. I know what the President's budget is. The President's proposal this year was not only do not eliminate the death tax; he has actually proposed in his budget to increase the death tax by $9.5 billion. So the Democratic policy and the President's policy, and again not getting personal here, but, look, there is a difference and the American people, we need to talk about these differences.

They want to keep the death tax in place. Not all of them, but most of the Democratic leadership. They want to add $9.5 billion according to the President's new policy on taxes. We think that has gone too far. Now, there are some taxes that we have been able to persuade, that the Republican leadership has come forward with and has been able to put into the Tax Code. It is surprising how many of our constituents out there do not know that this Congress, the Republican Congress, passed a tax reduction that probably is the most significant tax break that any individual out there who owns a home has probably had in their career.

What am I talking about? Very briefly, let us take a look. What I want my colleagues to do is if any of my colleagues in here have constituents who own homes, at every town meeting they go to they should ask their constituents how many of them own homes. My guess is, and it is an exciting thing, most of the people in the audience will own homes. What is great about this country is our homeownership.

When I was younger, one expected to own their first home when they were approaching 30. Now this new generation is able to buy homes at a much earlier age. And it is an American dream. What we found happening, what we talked about our Republican leadership and our philosophy was, look, it is unfair to tax these young, especially younger families who own a home and they sell their home. We hit them with a huge capital gains tax.

What the old law was, the law that we wanted to change, it said quite simply, look, if an American sells a house for a net profit, they make a net profit and we will take an example here. Here is an individual. Let us say an individual bought a home for $100,000. They sold the home for $350,000; and they had a profit of $250,000. Under the old law, they were taxed, they had income of $250,000.

We thought what we want to do, one of the things kind of like marriage, we encourage our younger generation to get married. We want our younger generation also to enjoy the economic benefits of homeownership. So what we decided to do, and it was the Republican leadership that did it, frankly, and I do not mind. Look, I know I am standing up here saying Republican and Democrat a lot, but we need to talk about this bill and who stood up when it was time to stand up.

I was surprised in the last couple of weeks. I thought the death tax was pretty nonpartisan. We had a lot of Democrats that joined our leadership in trying to do away with it. But a lot of them walked. We had a lot of Democrats who joined, many joined to get rid of the marriage tax. But they walked. So I think it is important for us to have discussions, because there are differences.

What the Republicans felt, we made a proposal. If an individual buys the home, same example, $100,000. Same example, $350,000. $250,000 profit, under our bill, they will be taxed zero. And this passed. This passed. And for couples the news is even better. For couples it in essence doubles. If you own a home in the United States and you sell that home for a net profit. Not your equity in the home. You may buy a home for $100,000. You pay down $50,000 of it. You only own $50,000. That balance is equity. I am talking about net profit.

Say a young couple buys a house and sells the house for a profit. What our bill does, and it was signed into law so it is now the law, they get to take that profit. They get to put that money into their pocket. No taxes up to $250,000 per person or $500,000 per couple. That is significant. That makes a big difference. That is tax policy that I think makes good sense.

In the last few days I have heard people, especially with the politics going around, people saying, well, tax cuts are bad. All the Republicans want are tax cuts. I think that what we want is a fairness in the Tax Code. I would bet anything that we would have a hard time finding a young couple, go pick a 21-year-old male or female college student or a 21-year-old male or female that is working in a blue collar job and ask them do you think it is fundamentally wrong for one party wanting to advocate for changes in the Tax Code that would bring more fairness to the Tax Code? That would be an incentive to couples your age or single mothers to have the opportunity to buy a home? Of course they would agree with that.

Mr. Speaker, that is what the Republican leadership is talking about. George W. Bush and his campaign in the last month or 6 weeks has been talking about these tax reductions. He is not talking about going out and picking out the wealthiest people of the country. He is across the board. Read any analysis out there. Why? Because of the fairness of the Tax Code. When we are fairer to income producers, our income producers produce more income. That is just a fundamental law.

Let us talk about some other taxes that we have had. Capital gains, for example. It used to be the old Democratic argument was that capital gains is only for the rich. For many years I think the Democrats were probably right on that, because there were periods of time in our country where the only people who ever worried about paying capital gains taxation were the wealthy.

Now, I am not one who believes in class warfare, and I say that to my colleagues. I think over the long run, class warfare is not what the American system is about. That is not what has made the American system great. But the fact is we did at one point in time decades ago, decades ago have one segment of our society that only benefited from capital gains.

But what has happened in the last 10 or 15 years, we have lots more people investing in land. We have a lot of people in the lower-income brackets who own their homes. We have a lot of people whose employer or on their own or through their employer have gone into 401(k) plans, or they are invested in mutual funds. Now all of the sudden a much broader population faces capital gains taxation, and yet we cannot get the Democratic leadership, it was very difficult to get them to come to our side to reduce that taxation.

The reduction of that taxation was not just a reduction in taxation to the wealthy, it came across the board. And, finally, they admitted it. But now the rhetoric that I have heard the last couple of weeks, because the elections are coming up, is that any consideration of a Tax Code revision or a tax cut such as marriage tax, get rid of it, or the

death tax, get rid of it, or capital gains or elimination of the taxes on the profit of the sale of your home. Some of my colleagues on the left, the liberal aspect, act as if we are going to ruin the budget, act as if that is what led to the deficit.

Remember, in my opinion, I think a fair Tax Code is a conservative approach. I think a fair Tax Code is a moderate approach. But I do not think a fair Tax Code is a liberal approach. I think the liberal approach is bringing the money any way you can, that money belongs in Washington, D.C., it ought to be spent in Washington, D.C., as a collective benefit for the country or for people to take the individual responsibilities, move those individual responsibilities to Washington, D.C., and fund it as a collective issue.

Mr. Speaker, I disagree fundamentally with that policy, and so do a lot of American people.

But I think we have kind of disclosures in truth when we go out and speak to our constituents. I think we have an obligation when we go out there and say, look, ''tax cuts'' is a very broad term. Let us talk specifically what we mean when we talk about tax cuts. We are talking about things like the capital gains tax issue. We are talking about things like elimination of the death tax. We are talking about things like the marriage penalty. We are talking about the fact why do we go to our young people, of whom we have an obligation to act in a responsible manner for their future, why do we go to them and penalize them for being married when in fact we encourage them to be married? Those are policies that I think are fair game because they are fair on their face.

So, Mr. Speaker, I hope that my colleagues, as they go out there during this election process, that they take the time to talk to some, and by the way not just the young people. The policies for the taxes of the young, but take a look as well at what we, the Republican leadership, did, the moderate approach did for our seniors. We not only talked about the death tax issue, we not only talked about the marriage penalty, we not only reduced the capital gains taxation under Republican leadership, we not only eliminated the taxation up to $250,000 when we sell our home out here in America. But we also went to the seniors and said we have discovered another thing that is unfair with our Tax Code. We are finding out just because of the fact you are between the years 65 and 69, we are going to penalize you on your Social Security if you hold a job outside of your home.

Where is the fairness of that? For years it was like pulling teeth from the liberal contingents. From the liberals it was like pulling their teeth to get them to admit that that was unfair to seniors. Finally, this year, frankly because of some good editorials written across this country, the liberal segment of our politics back here conceded and gave in on that and we passed that into law.

I commend the moderates on this floor, and I commend the conservatives on this floor that were able to see that earnings limitation on Social Security trashed. And I also want to say, even though we did not get it passed because the President vetoed it, and by the way it is the Vice President's policy as well, I still commend my colleagues for stepping forward and standing up to the fact that death is not a taxable event and that should have been thrown out the window, that marriage is not a taxable event and that should have been thrown out the window.

Mr. Speaker, we need to have fairness and we can talk about income tax bracketing as well. But the fact is we have an obligation, a fiduciary obligation to the taxpayers and to the citizens of this country to have a Tax Code that is fair.

Let me move on to another area, one of my favorite areas: Social Security. First of all, I want to tell about what the Government does for its employees. And I am one of those employees. I hear a lot, of course, out there on the campaign trail or when I am out there in my town meetings. I go back to my district every weekend. My district is larger that the State of Florida. I put about 50,000 miles a year in my district in the car. I listen to people. I stop at the coffee stop.

A lot of people do not realize that government employees have almost essentially the same type of retirement plan, in addition to Social Security, we also have Social Security. Congress, for example, I saw somebody e-mail me the other day that they got something off the Internet that Congressmen do not have to pay Social Security. Of course we pay Social Security. But we have got about 2 or 3 million government employees on a system that is very similar to the system that George W. Bush has proposed.

Mr. Speaker, I am amazed. I am amazed of the number of my colleagues who are trashing George W. Bush's proposal on Social Security when, in fact, on the other hand, we live within a policy or a program here provided for all government employees that is almost identical to what he is proposing.

What is it? It is called ''personal choice.'' Let me explain very briefly how the government program works. The government program works this way. Every government employee has an amount of money taken out of their pay to provide for their retirement. It is an amount of money that they have no choice of how it is spent or where it is invested. On the other hand, while they have no voice or input as to what happens with that, they also get a guaranteed retirement after they put in a certain amount of years and turn a certain age; and after they vest, they get a certain guaranteed retirement. They have a safety net there. It is not a lot, but it is there and it is funded by the amount of money that they have drawn out of their check. We as government employees, all 3 million of us, have drawn out of our check.

But there is a second program in addition to Social Security, and that program is called the Thrift Savings Program. What that allows government employees to do, such as myself, I am allowed, as are 3 million other Federal employees, we are allowed to by personal choice take an amount money up to 10 percent of our pay, and we are allowed to invest that in the Thrift Savings Program, and the Federal Government will match it up to the first 5 percent. They will match the first 5 percent, although we are entitled to put in 10 percent, and we get a choice. You can put it in a risky fund like the stock market, although the higher the risk the higher the return. We can put it in a safer fund, or we can put it in a guaranteed savings fund which has low return but almost zero risk.

□ 2200

We have that right to make that choice, but it is only with 10 percent of our income, so we never overstep or never get in over our heads, so to speak, on the amount of money that we put in, and we personally get to choose how to invest it. Do you know how many people in the Federal Government participate in that program? A very, very high percentage.

Mr. Speaker, I would bet that every one of my colleagues sitting here on the floor participates in that program. Participates in choice. Why can we not do that for Social Security? If it is good for us, why is it not good for the rest of America? If it is good for us, our system, the Thrift Savings Plan works, why is not George W. Bush's plan good for the rest of America?

I know that some people have said this kind of policy is a risky policy. Risky? We have tried it and we tested it, and the government employees like it. They get involved in it. They get personal choice; that is the avenue that all of us should approach in trying to figure out how to rehabilitate the Social Security system.

Now, as you know, our Social Security system, there are some factors that put it into trouble. I mean we know that in 1935, for every worker that was retired, every person that was retired in 1935, when Social Security came in, we had 42 workers, 42 workers over here, providing for that 1 person that is retired. Today, for every person that is retired, we only have 3 workers providing for them, because we have so many people retired.

Back then in 1935, the average person lived to about, I do not know, it was probably 61, I think, for men and 65, somewhere in that range, today it is pushing the 80s. People are living longer. That is good news, but it also puts more of a burden on Social Security. And as a result of that, while Social Security is cash-rich, in other words, on a cash flow basis, the money coming in today, our Social Security is in the black.

The fact is, on an actuarial basis, the basis of which we look into the future

and say can Social Security make it, on that basis, Social Security's bankrupt. So what do we do?

First of all, if we are going to make changes in Social Security, we have to do what George W. Bush has proposed and what a number of us support very strongly; that is, one, we have to guarantee that the people like, for example, my age and the generation ahead of me are not going to lose their benefits. They are not. There is nobody on Social Security today or nobody from age 40 or above say, for example, that is going to have their benefits threatened.

The Social Security benefits will be there, and do not let the liberals use the fear tactics of telling you that we cannot be bold in Social Security, that we should not try something new, that we ought to stay with the same old thing, even though it is not working in the long run.

We have to have some kind of assurance to the workers presently in the later stages of their career that your benefits are okay. I am telling you, the generation, the X generation, or the younger generation, whatever you want to call them, these people are bright people. They are energetic people. They want choice more than ever in the history of this country. This generation following us wants independence, and they are bright enough to handle it.

They have experience in business. They want to have choice. They want to be able to choose. They want to choose more than ever, whether they live in the country or here, they want to choose whether their kids go to public school or private school. I think George W. Bush has hit the button right on the top of it, this generation, this young generation wants to make some choice in Social Security.

We have a plan that is tried, true and tried, so to speak, right here. We are part of it. What is the opposition to going to the Social Security and putting that into effect, the same kind of plan that every one on the floor of the House of Representatives and almost three million other Federal employees enjoy. It works. I think we ought to try it.

Mr. Speaker, I will tell my colleagues the biggest mistake we can make here and biggest misservice we can do to our constituents here is to sit idle. Look, this is election time, in the next 4 weeks, 5 weeks, or 6 weeks, we are going to have a lot of political rhetoric, but the minute that goes by, in 6 weeks, I think we have an obligation to step up to the plate and do it; get it done; get this train back on course.

Now, I think there is always going to be a disagreement between what I would call moderate and conservative on economics and the liberal philosophy. The liberal philosophy, in my opinion, has a huge safety net that takes care of everybody and does it on a collective basis.

Now, I am not sure how they pay for it, but they feel that the responsibility of the individual is the obligation of the government, but the moderate and the conservatives feel that the responsibility of the individual is exactly that, the responsibility of the individual with the assistance from the government, where the individual cannot provide.

I think doing something with Social Security fits in the latter category. It is allowing individuals to have some choice. It does not give them complete choice because we do not want a person who loses all of their money to still look to us and put the blame on us, the government; what we want an individual to do is to have some choice. It is at that point where I think people are economically savvy enough to make some of these choices.

Mr. Speaker, a lot of people, a lot of workers, no matter what kind of job they have decided to participate in mutual funds. They are making more choices on their personal finances. They are becoming more and more knowledgeable about it. They are becoming more and more confident about it. We have a good economy.

What is interesting, too, is when we have those down days on the stock market, these people do not hit the panic button. It is not like the great panic in the early last century. These people are more patient with it. So why can we not be? I mean we work for them. We work for the people.

Why do we not step forward and let them have more choice in the Social Security plan that they want to participate in? I mean it is a big part of their future, and they ought to play as active a role in that as they can possibly do it.

Frankly, I think the plan that the Republicans and some Democrats and George W. Bush has put forward is worth looking at. I am amazed in these last few weeks how it has been trashed and trashed and trashed, when, in fact, as I said earlier in my comments, 3 million government employees are on that type of plan right now, and it works for us. It will work for our constituents.

Let me wrap up and conclude my remarks this evening.

First of all, I think it is a mistake. And I think it has driven the policy, as underlying as its foundation, to take oil from our strategic petroleum reserve, that reserve should be restricted to true emergencies.

The fact that our gasoline prices have gone up is discouraging. Who is not angry about that? Who does not think that there is not some gouging going on out there? Sure, it is discouraging, but is that really, truly the type of emergency that we would envision, or is that driven by political policy? My position is the policy of the President is not that policy that was intended when we created the strategic petroleum reserve.

Second of all, tax; when they talk out there on the political trail and they talk about tax reductions, make a question, is it fair? Should it be there in the first place?

Third of all, give us some choice in Social Security. We need a new, bold plan that protects current beneficiaries of Social Security, guarantees certain benefits for future generations of Social Security, but also let these beneficiaries participate and help choose and help direct the investments they make with that program.

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LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ENGLISH (at the request of Mr. ARMEY) for today on account of weather and traffic conditions.

Mr. POMBO (at the request of Mr. ARMEY) for today on account of travel delays.

Mr. SMITH of Michigan (at the request of Mr. ARMEY) for today and September 26 on account of personal reasons.

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SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. PASCRELL, for 5 minutes, today.

Ms. SLAUGHTER, for 5 minutes, today.

(The following Members (at the request of Mr. HYDE) to revise and extend their remarks and include extraneous material:)

Mr. NETHERCUTT, for 5 minutes, September 26.

Mr. SOUDER, for 5 minutes, today.

Mr. PORTER, for 5 minutes, September 27.

Mr. HYDE, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today and September 26, 27, 28, 29.

Mr. BILIRAKIS, for 5 minutes, October 2.

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SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2511. An act to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes; to the Committee on Resources.

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ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 9 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 26, 2000, at 9 a.m., for morning hour debates.

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EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10263. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Citrus Canker; Addition to Quarantined Areas; Correction [Docket No. 00–036–2] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10264. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Melon Fruit Fly Regulations; Regulated Areas, Regulated Articles and Removal of Quarantined Area [Docket No. 99–097–3] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10265. A communication from the President of the United States, transmitting the request and availability of appropriations for the Low Income Home Energy Assistance Program of the Department of Health and Human Services; (H. Doc. No. 106–295); to the Committee on Appropriations and ordered to be printed.

10266. A letter from the Director, Office of Equal Opportunity Program, Department of the Treasury, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1190–AA28) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10267. A letter from the Associate Administrator for Equal Opportunity Programs, National Aeronautics and Space Administration, transmitting the Administration's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1190–AA28) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10268. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL–6877–4] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10269. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pennsylvania: Final Authorization of State Hazardous Waste Management Program [FRL–6875–3] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10270. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6874–6] received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10271. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee: Final Authorization of State Hazardous Waste Management Program Revision [FRL#6874–6] received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10272. A letter from the Associate Bureau Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule— Amendment of Parts 2 and 95 of the Commission's Rules to Establish a Medical Implant Communications Service in the 402–405 MHz Band [WT Docket No. 99–66; RM–9157] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10273. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Electronic Filing of Documents [Docket No. RM00–12–000; Order No. 619] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10274. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold commercially under a contract to the Netherlands [Transmittal No. DTC 101–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10275. 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 Norway and Spain [Transmittal No. DTC 100–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10276. 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 South Korea [Transmittal No. DTC 110–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10277. 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 Argentina [Transmittal No. DTC 108–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10278. 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.

10279. A letter from the Director, U.S. Fish and Wildlife Service, Department of Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Santa Barbara County Distinct Population of the California Tiger Salamander as Endangered (RIN: 1018–AF81) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10280. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Resubmission of Disapproved Measure in Amendment 9 [Docket No. 00211038–0232–02; I.D. 101499D] (RIN: 0648–AM93) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10281. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Polskie Zaklady Lotnicze Spolka zo.o. Models PZL M18A, and PZL M18B Airplanes [Docket No. 99–CE–84–AD; Amendment 39–11897; AD 2000–18–12] (RIN: 2120–AA64) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10282. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials Regulations: Editorial Corrections and Clarifications [Docket No. RSPA–00–7755 (HM–189Q)] (RIN: 2137–AD47) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10283. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Underwater Abandoned Pipeline Facilities [RSPA–97–2094; Amdt. Nos. 192–89; 195–69] (RIN: 2137–AC54) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10284. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293; Amendment No. 121–279, 125–35, 135–77, and 145–22] (RIN: 2120–AF17) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10285. A letter from the Commissioner of Social Securtity, transmitting a draft bill intended as an addendum to the draft bill, ''Social Security Amendments of 2000''; to the Committee on Ways and Means.

10286. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Kathy A. King v. Commissioner—received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10287. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—October 2000 Applicable Federal Rates [Rev. Ruling 2000–45] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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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. BLILEY: Committee on Commerce. H.R. 2641. A bill to make technical corrections to title X of the Energy Policy Act of 1992; with amendments (Rept. 106–886). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 591. Resolution providing for consideration of the joint resolution (H.J. Res. 109) making continuing appropriations for the fiscal year 2001, and for other purposes (Rept. 106–887). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 592. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 106–888). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than September 26, 2000.

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PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS:

H.R. 5271. A bill to amend title 38, United States Code, to revise the rules applicable to net worth limitation with respect to eligibility for pensions for certain veterans; to the Committee on Veterans' Affairs.

By Mr. GILMAN (for himself, Mr. NADLER, Mr. LAZIO, Mrs. LOWEY, and Mr. REYNOLDS):

H.R. 5272. A bill to provide for a United States response in the event of a unilateral declaration of a Palestinian state; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACHUS (for himself, Mr. LEACH, Mr. LAFALCE, and Ms. WATERS):

H.R. 5273. A bill to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LAZIO (for himself, Mr. MCHUGH, Mr. RAHALL, Mr. MCKEON, Mr. OBERSTAR, and Mr. LIPINSKI):

H.R. 5274. A bill to amend title XIX of the Social Security Act to provide public access to quality medical imaging procedures and radiation therapy procedures; to the Committee on Commerce.

By Mr. BOUCHER (for himself, Mr. BURR of North Carolina, Mr. LAHOOD, and Mr. UPTON):

H.R. 5275. A bill to amend title 17, United States Code, with respect to personal interactive performances of recorded nondramatic musical works, and for other purposes; to the Committee on the Judiciary.

By Mr. CAMP:

H.R. 5276. A bill to amend title XVIII of the Social Security Act to revise the coverage of immunosuppressive drugs under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. MATSUI, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. MOORE, Mr. FARR of California, Mr. TIERNEY, Mr. LANTOS, Mrs. THURMAN, Mr. OLVER, Mr. NADLER, Mr. GREEN of Texas, Mr. BENTSEN, Mr. CROWLEY, Mr. WEINER, and Ms. SLAUGHTER):

H.R. 5277. A bill to amend the Internal Revenue Code of 1986 to avoid duplicate reporting of information on political activities of certain State and local political organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. HYDE:

H.R. 5278. A bill to express the sense of Congress that the President should take action to develop a comprehensive energy policy and to amend the Internal Revenue Code of 1986 to repeal the 1993 4.3-cent increases in highway motor fuel taxes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINGE (for himself, Mr. POMEROY, Mr. THUNE, Mr. EVANS, Mr. GUTKNECHT, and Mr. PETERSON of Minnesota):

H.R. 5279. A bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota (for himself, Mr. SABO, Mr. OBERSTAR, and Mr. MINGE):

H.R. 5280. A bill to amend the Equity in Educational Land-Grant Status Act of 1994 to add White Earth Tribal and Community College to the list of 1994 Institutions; to the Committee on Agriculture.

By Mr. PETERSON of Minnesota (for himself, Mr. SABO, Mr. RAMSTAD, and Mr. MINGE):

H.R. 5281. A bill to amend title XXI of the Social Security Act to provide for more equitable distribution of block grant funds under the State children's health insurance program; to the Committee on Commerce.

By Mr. RYAN of Wisconsin:

H.R. 5282. A bill to establish a demonstration project to waive certain nurse training requirements for specially trained individuals who perform certain specific nursing-related tasks in Medicare and Medicaid nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON:

H.R. 5283. A bill to amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to authorize the Federal Trade Commission to issue new rules regulating telemarketing firms, and for other purposes; to the Committee on Commerce.

By Mr. SCOTT (for himself, Mr. BLILEY, Mr. DAVIS of Virginia, Mr. GOODE, Mr. BOUCHER, Mr. MORAN of Virginia, Mr. SISISKY, Mr. WOLF, and Mr. GOODLATTE):

H.R. 5284. A bill to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse''; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Texas (for himself and Mr. FOLEY):

H.R. 5285. A bill to amend the Immigration and Nationality Act to prevent human rights abusers from being eligible for admission into the United States and other forms of immigration relief, and for other purposes; to the Committee on the Judiciary.

By Mr. WELDON of Florida (for himself and Mr. GREEN of Texas):

H.R. 5286. A bill to provide for a study of anesthesia services furnished under the Medicare Program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. GIBBONS, Mr. SAXTON, Mr. POMBO, and Mr. DOOLITTLE):

H.R. 5287. A bill to establish the National Museum of Jewish Heritage and the National Museum of Jewish Heritage Board of Directors; to the Committee on Resources.

By Mr. SHERWOOD (for himself, Mr. PETERSON of Pennsylvania, and Mr. MINGE):

H.R. 5288. A bill to amend part C of title XVIII of the Social Security Act to increase the minimum payment amount to MedicareChoice organizations offering MedicareChoice plans to correct inequities in amounts paid in rural and urban areas; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Florida:

H.J. Res. 109. A joint resolution making continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. UPTON:

H. Con. Res. 407. Concurrent resolution to direct the Secretary of the Senate to correct technical errors in the enrollment of S. 1455; considered and agreed to

By Mr. METCALF:

H. Con. Res. 408. Concurrent resolution expressing appreciation for the United States service members who were aboard the British transport HMT ROHNA when it sank, the families of these service members, and the rescuers of the HMT ROHNA's passengers and crew; to the Committee on Armed Services.

By Mr. TALENT:

H. Res. 590. A resolution providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 2392; considered and agreed to

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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. PASCRELL:

H.R. 5289. A bill for the relief of Moise Marcel Sapriel; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H.R. 5290. A bill to provide private relief for Salah Idris of Saudi Arabia and El Shifa Pharmaceuticals Industries Company relating to the bombing and destruction of the El Shifa Pharmaceutical plant in Khartoum, Sudan, and for other purposes; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H. Res. 593. A resolution to provide for the consideration of a private relief bill by the United States Court of Claims, and for other purposes; to the Committee on the Judiciary.

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ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 284: Mr. SHIMKUS, Mr. EVANS, Mr. HORN, Mr. JONES of North Carolina, Mr. BORSKI, and Ms. SANCHEZ.

H.R. 534: Mr. GEJDENSON.

H.R. 783: Mr. DIXON.

H.R. 983: Ms. RIVERS.

H.R. 1071: Ms. ROYBAL-ALLARD, Mr. TANNER, Mr. EDWARDS, Mr. THOMPSON of California, and Mr. MCINTYRE.

H.R. 1194: Mr. GRAHAM.

H.R. 1217: Mr. MEEKS of New York and Mr. BONILLA.

H.R. 1248: Mr. CRAMER, Mr. CASTLE, Mr. SHERMAN, Mr. DIXON, Mr. SERRANO, and Mr. LEVIN.

H.R. 1275: Mr. MINGE, Mr. POMEROY, Mr. GONZALEZ, Mrs. KELLY, Mr. MASCARA, Mr. GILCHREST, Mr. BORSKI, Mr. HOEFFEL, Mr. BARTLETT of Maryland, Mr. BOUCHER, Mr. JONES of North Carolina, Ms. MCCARTHY of Missouri, and Mr. OSE.

H.R. 1399: Mr. WEXLER.

H.R. 2025: Mr. STUPAK.

H.R. 2166: Mr. METCALF, Mr. OLVER, and Mr. THOMPSON of California.

H.R. 2200: Mr. MINGE and Mr. UDALL of Colorado.

H.R. 2308: Mr. STUPAK and Mr. HAYWORTH.

H.R. 2380: Mr. SANDERS.

H.R. 2620: Mr. KUCINICH.

H.R. 2710: Mr. PORTMAN, Mr. PORTER, and Mr. BASS.

H.R. 2722: Mr. BROWN of Ohio.

H.R. 2900: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, Mr. CARDIN, Mr. GONZALEZ, Mr. RODRIGUEZ, and Mr. FROST.

H.R. 3250: Mrs. DEGETTE and Mr. LAMPSON.

H.R. 3325: Mr. WYNN.

H.R. 3463: Mr. RANGEL.

H.R. 3466: Ms. DUNN.

H.R. 3633: Ms. WATERS and Mr. PORTER.

H.R. 3766: Mr. ROEMER, Mr. ROMERO-BARCELO, Mr. GEPHARDT, Ms. DEGETTE, Mr. SERRANO, and Mr. POMEROY.

H.R. 3842: Mr. BARCIA.

H.R. 3850: Mr. SNYDER.

H.R. 3881: Mr. SHADEGG.

H.R. 3982: Mr. SHADEGG.

H.R. 4025: Mr. HORN.

H.R. 4028: Mr. OLVER.

H.R. 4082: Mr. HOYER, Mrs. MORELLA, and Mr. FRANK of Massachusetts.

H.R. 4259: Mr. HAYES, Mr. RYAN of Wisconsin, Mr. BISHOP, Mr. BOEHNER, Mr. RADANOVICH, Mr. PRICE of North Carolina, Mrs. LOWEY, Mrs. ROUKEMA, Ms. BALDWIN, Mr. CRAMER, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. STEARNS, Mr. DELAHUNT, Mr. GOODLATTE, Mr. BOUCHER, Mr. FARR of California, Ms. DEGETTE, Mr. BALDACCI, Mr. CAPUANO, Mr. COSTELLO, Ms. ESHOO, Mr. EHLERS, Mr. HOEKSTRA, Mrs. JOHNSON of Connecticut, Mrs. EMERSON, Mr. MANZULLO, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. VISCLOSKY, Mr. CLYBURN, Mr. DREIER, Mr. FRANK of Massachusetts, Mr. LEACH, Mrs. CAPPS, Mr. EHRLICH, and Mr. TANNER.

H.R. 4328: Mr. KUCINICH and Mr. DELAHUNT.

H.R. 4330: Mr. HOLT, Ms. ROS-LEHTINEN, and Mr. DOYLE.

H.R. 4395: Mr. BRYANT, Mr. WEYGAND, Mr. UPTON, and Mr. BLAGOJEVICH.

H.R. 4483: Ms. ESHOO.

H.R. 4493: Mr. BACHUS, Mr. VITTER, and Mr. HORN.

H.R. 4547: Mr. TERRY and Mr. PETERSON of Pennsylvania.

H.R. 4592: Mr. BLUNT.

H.R. 4634: Mrs. MALONEY of New York, Mr. BONIOR, and Mr. STARK.

H.R. 4640: Mr. ROTHMAN.

H.R. 4649: Mr. ALLEN and Mr. BISHOP.

H.R. 4689: Mr. DIAZ-BALART.

H.R. 4723: Mr. TALENT.

H.R. 4740: Mr. MOAKLEY, Mr. SABO, Mr. CAPUANO, Ms. DEGETTE, Mr. SHIMKUS, Mr. ETHERIDGE, Mrs. MCCARTHY of New York, and Mr. HILL of Montana.

H.R. 4827: Mr. CAMP.

H.R. 4838: Mr. DIAZ-BALART,

H.R. 4841: Mr. CAMP and Mr. JONES of North Carolina.

H.R. 4894: Mr. EVANS, Mr. DINGELL, Mr. JOHN, Mr. BISHOP, and Mr. MCINTOSH.

H.R. 4895: Mr. EVANS, Mr. JOHN, Mr. BISHOP, and Mr. MCINTOSH.

H.R. 4926: Ms. BERKLEY, Mr. BERMAN, Ms. DELAURO, Mr. KILDEE, Mr. UDALL of Colorado, and Mr. GEPHARDT.

H.R. 4939: Mr. BONIOR, Ms. NORTON, Mr. KUCINICH, and Mrs. MEEK of Florida.

H.R. 4964: Mr. CLEMENT and Mr. BILBRAY.

H.R. 4966: Mr. ABERCROMBIE.

H.R. 4971: Mr. BOYD, Mr. SWEENEY, Mr. BURR of North Carolina, Mr. SISISKY, and Mr. INSLEE.

H.R. 4976: Mr. WAMP, Mrs. MYRICK, Mr. STUPAK, Ms. WOOLSEY, Mr. RAMSTAD, Mr. WEYGAND, and Mr. LAMPSON.

H.R. 4977: Mr. CRANE.

H.R. 5065: Mr. WEXLER.

H.R. 5066: Mr. BLUMENAUER.

H.R. 5067: Mr. MEEHAN.

H.R. 5095: Mr. NADLER, Mr. MCGOVERN, Mr. CONYERS, and Mr. MARKEY.

H.R. 5114: Mr. SKELTON and Mr. TANCREDO.

H.R. 5117: Mr. TALENT and Mr. POMBO.

H.R. 5151: Mr. MCHUGH, Mr. FOLEY, and Mr. LATOURETTE.

H.R. 5152: Mr. PICKERING.

H.R. 5175: Mr. FOSSELLA, Mr. ROEMER, Mr. GILLMOR, Mr. SHOWS, Mr. GARY MILLER of California, Mr. BACA, Mr. FRELINGHUYSEN, Ms. DANNER, Mr. LARGENT, Mr. TURNER, Mr. BILIRAKIS, Mr. BISHOP, Mr. KINGSTON, Mr. MCINTYRE, Mr. GOODLING, Mr. SANDLIN, Mr. SWEENEY, Mr. REYNOLDS, Mr. DEAL of Georgia, Mr. BUYER, Mr. MCHUGH, and Mr. BLUNT.

H.R. 5178: Mr. FRANKS of New Jersey, Mr. HOBSON, Mr. UPTON, Mr. WEYGAND, Mr. FILNER, Mr. GILMAN, Mr. FOLEY, Mr. SANDERS, Mr. SAXTON, and Mr. HILLIARD.

H.R. 5180: Mrs. JOHNSON of Connecticut.

H.R. 5211: Mr. HINCHEY, Mr. HOLDEN, Mr. MASCARA, and Mr. DOYLE.

H.R. 5228: Mr. MOLLOHAN.

H.R. 5257: Mr. DAVIS of Virginia and Mr. SOUDER.

H.R. 5267: Mr. MCHUGH and Mr. SWEENEY.

H. Con. Res. 58: Mr. UDALL of New Mexico.

H. Con. Res. 62: Mr. ROTHMAN.

H. Con. Res. 341: Mr. ISAKSON and Mr. SPENCE.

H. Con. Res. 357: Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. DOGGETT, and Mr. LANTOS.

H. Con. Res. 370: Mr. SHERMAN and Mr. KLINK.

H. Con. Res. 376: Mr. ROMERO-BARCELO.

H. Con. Res. 382: Mr. NADLER.

H. Con. Res. 389: Mr. BARRETT of Wisconsin and Mr. SCHAFFER.

H. Con. Res. 399: Mr. SCHAFFER, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. KOLBE, Ms. MILLENDER-MCDONALD, Mr. MOORE, Mr. MORAN of Kansas, Mrs. NORTHUP, Mr. SHIMKUS, and Ms. SLAUGHTER.

H. Con. Res. 404: Mr. OSE, Ms. HOOLEY of Oregon, Mr. UDALL of Colorado, Mr. FOLEY, and Mr. THOMPSON of California.

H. Res. 576: Mr. REYNOLDS, Mrs. FOWLER, Mrs. BIGGERT, Mr. PORTMAN, Mr. HOBSON, and Mr. MORAN of Virginia.

H. Res. 577: Mr. PAYNE and Mr. GILLMOR.

H. Res. 578: Ms. SANCHEZ, Mr. SESSIONS, Mr. SMITH of Washington, Mr. TOOMEY, Mr. MCINTOSH, Mrs. CHENOWETH-HAGE, Mr. WELDON of Florida, and Mr. HAYWORTH.

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DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 5194: Mr. STUPAK.