A motion to reconsider was laid on the table.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 133) making further continuing appropriations for the fiscal year 2001, and for other purposes, to the end that the joint resolution be hereby passed; and that a motion to reconsider be hereby laid on the table.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 133 is as follows:

H.J. RES. 133
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 106±275 is further amended by striking the date specified in section 106(c) and inserting “December 21, 2000” and by adding the following before the period in section 113: “, and in addition, from within the amount provided by section 106, $217,000,000: Provided, That of these funds, $100,000,000 may be made available only pursuant to a certification by the Secretary of State that the United Nations has taken no action in calendar year 2000 prior to the date of enactment of this Act to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed the budget for the biennium 2000-2001 of $2,535,700,000.”.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?
There was no objection.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of December 15, 2000, to consider the conference report to accompany the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes; that the conference report be considered as read; that all points of order against the conference report and against its consideration be waived; and that the conference report be debatable for 90 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations or their designees.

NOTICE

Effective January 1, 2001, the subscription price of the Congressional Record will be $393 per year or $197 for six months. Individual issues may be purchased for $4.00 per copy. The cost for the microfiche edition will remain $141 per year with single copies remaining $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, Public Printer

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. TOOMEY. Mr. Speaker, reserving the right to object, I am concerned about what we are doing here today. We are here to vote on a package of bills that we have not seen, we have not read, and we certainly do not know what is in them. We are being asked to agree to dispense with the regular order of the House and simply vote yes or no on a combination of bills, despite the fact that we do not know for sure what bills they are, we do not know how they may or may not have been changed if we did know them, and we do not know what private dealings were struck and may have been inserted into those bills as recently as this afternoon.

Now, many of us support some of the elements that we think are in this package, such as the Medicare addbacks, which our hospitals badly need and which I support; but we do not support other elements of this package. Nevertheless, we are going to be forced to vote on the whole package up or down.

I know this certainly is not the first time we have been asked to vote on a package of bills that we have not seen, but that does not make it right. And I know we all want to go home. We all want to be with our families for the holidays. I certainly also want to do that. But do we not have a responsibility to our constituents to at least know what we are voting on when we vote on the largest nondefense appropriation bill in the Federal Government?

We are going to vote on one element of this package which alone is $309 billion of taxpayer money. I think it is disturbing that we are going to vote on that without knowing the details. But what is almost as disturbing as what we did not do in the things that we do know, or at least I think we know, about what is in this package. Mr. Speaker, we know that the spending on the Labor-HHS portion of that appropriation bill is, frankly, out of control. Using the Committee on Appropriations' own numbers, the budget deal that we are going to vote on today increases spending by $12 billion, or nearly 12 percent or nearly 5 times the rate of inflation. And if we take into account all the funding gimmicks, like advanced funding, and we look on an apples-to-apples basis, the actual money that will be spent is $23 billion more than in this previous year, an over-26 percent increase, nine times the rate of inflation. Frankly, we are squandering too much of the budget surplus that could be used for other purposes.

The bill apparently is going to create untold new programs, and I do not know how many. It is $7 billion higher than what the House approved; it is $4 billion more than what the Senate approved; it is even $3 billion higher than the President's request. And of course, we are not sure exactly how all that money has been spent.

Now, despite all of these big spending increases, some are probably going to come to this floor and say this is a cut of $36 billion from previously agreed-upon levels. I call upon my colleagues that the so-called agreement was to an arbitrary number by a handful of Members under the duress of a threatened veto which never was agreed to by either Chamber. If I went ahead and objected, Mr. Speaker, I am afraid that would not accomplish much. I know a rule could be brought up, it would be debated, and we would only be delaying the inevitable. But I will urge my colleagues to vote against final passage on this bill. Vote against the huge spending increase that is in this bill; vote against joining all these unrelated bills in one package; vote against a package the contents of which is a mystery to most of us.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

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:


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 House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 15, 2000 at 4:09 p.m.:

That the Senate agreed to Conference Report H.R. 4924.

With best wishes, I am.
Sincerely,
JEFF TRANDAHL,
Clerk of the House.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their marks on the conference report to accompany H.R. 4577, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the previous order of the House, from the Committee of Conference, I call up the conference report on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered as having been read.

For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 45 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

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

I would just briefly like to mention the fact that we have produced a four-page legal-sized document that identifies the highlights of this bill. This has been available now for more than 2 days. I would like Members to get a really good understanding of what is in this bill. I would suggest that anyone who wants to find some reason to oppose this bill, they can find it. It is a huge bill. It required hours and days and weeks of negotiation to get us to the point that we are.

Mr. Speaker, this bill should be passed today, and the House should conclude its business. I am going to ask shortly that the gentleman from Illinois (Mr. PORTER), who is the chairman of the subcommittee, manage the balance of the debate, inasmuch as he is the chairman of the Subcommittee on Labor, Health and Human Resources, and Education, and Related Agencies; but before I do, Mr. Speaker, I want to ask Members to adopt this legislation and to get quickly to a vote.

I have a brief statement I would like to read before I turn this time over before that I want to talk with the gentleman from Wisconsin (Mr. OBEY).

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

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. Speaker, I would like to at this point urge the chairman of the committee in a colloquy on the Low Income Energy Assistance Program, which I hope will address the concerns many Members have regarding the lack of an advanced appropriation for fiscal year 2001.

We are all aware of the drastic spike in price fuels that has occurred in the past year. Home heating fuels have
Mr. Speaker, I would also give it one more try. It is my hope and understanding that the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY) are here in this room, and I would ask the chair to recognize them now. A vote will be held on the amendment to the conference report on the Labor-Health bill, as well. And I know that the gentleman from Wisconsin (Mr. OBEY) missed his wedding anniversary and the gentleman from Wisconsin (Mr. OBEY) is going to miss being awarded a medal, if I understand my information. And if we do not get out of here tonight, he is going to miss making the cut in the next fiscal year for the Labor-H bill next year by October 1 and have to pass a continuing resolution after that date, is it your intention to include adequate funding in the first CR for LIHEAP so that States can adequately run their systems programs through the next winter heating season?

If the committee can offer that commitment, I think Members on this side of the aisle will feel much more comfortable in supporting this conference agreement knowing that the normal operations of this program will not be interrupted.

Mr. YOUNG of Florida. Mr. Speaker, let me respond to the gentleman that while I hope a continuing resolution would not be necessary next October, I would certainly support including funding for the full winter heating season in the first CR. Should we find ourselves in that position?

Mr. OBEY. Mr. Speaker, I thank the chairman of the committee for his strong support for the program and for his commitment to ensure that this lack of an advance appropriation in this bill will not result in the interruption of this critical assistance.

I also want to take this opportunity to thank him for the patience that he has shown as we worked our way through some very troubling difficulties. Thank goodness that they now appear to be behind us, at least for a month.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for his comments. We have had differences throughout the appropriations process, but we were able to come together. This is a good bipartisan bill. The gentleman from Wisconsin (Mr. OBEY) and I spent a lot of time in the wee hours of this morning trying to bring this bill to the floor today.

Before I turn my time over to the gentleman from Illinois (Mr. PORTER) who is the chairman of the subcommittee, I wanted to say, Mr. Speaker, that we are at that time of the year when holiday thoughts enter our mind; and I recall one of my predecessors who said, when back from the White House there came such a clatter, I sprang from my office, to my time.

Mr. Speaker, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Speaker, I yield the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would also like to take this opportunity, and I know he has to leave to take a plane for a very important event which his wife has set up involving a number of Florida children, but in addition to thanking the gentleman for his good cheer and courtesy throughout a tough time, I also want to take this opportunity to wish him in advance a happy birthday, which I understand is tomorrow.

Mr. YOUNG of Florida. Mr. Speaker, reclaiming my time, I thank the gentleman very much.

I recall late one night we were here and the gentleman from Wisconsin (Mr. OBEY) missed his wedding anniversary because of a late night session. And if we do not get out of here tonight, he is going to miss being awarded a very, very prestigious and impressive honorary degree at an institution of education that he founded back in Wisconsin.

So I wish him the best of luck and congratulations.

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

Mr. OBEY. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, before I get into my explanation of this bill, I want to take a moment to do something I think is very important. This institution takes a lot of abuse but there are some people in this institution who do a tremendous job on behalf of the taxpayers and they deserve, no matter how rushed the Members are, they deserve to be recognized.

I want to start by thanking the committee staff on our side of the aisle, Mark Mioduski and Cheryl Smith, who have worked so incredibly hard all year on the Labor-Health bill. Cheryl not only handles education programs for the minority, but she does the transportation bill, as well. And I know that there were occasions when they went 2½ days or more without a single hour’s sleep in order to serve this House, this committee, and its members; and I am very grateful.

I want to thank Mark Murray, who does a terrific job handling both the
Foreign Operations bill and the Legislative Branch appropriations bill; Dave Kilian, who has virtually single-handedly handled the Defense bill on our side of the aisle; Tom Forhan, who handles both the Military Construction bill and the District of Columbia bill; Dave Reich and Mike Stephens, who worked together on VA-HUD. And, in addition, Dave handles the Agriculture bill and Mike handles the Interior bill. Sally Chadbourne and Pat Schlueter worked on the Committee on Rules; and Sally also does the Energy and Water bill, and Pat does the Treasury-Postal bill.

None of these people would be nearly as effective if it were not for the tireless efforts of Mr. Bonner, who undoubtedly works as hard as any human being on Capitol Hill, and J ade Bren- nan, who was here early in the morning until early the next morning, and then back again after night. And I would also like to thank Kori Bernards, who has coordinated our communications efforts too and Norris Cochran and Christina Hamilton, who have provided further assistance in the committee.

This small group of people had to deal literally with every funding issue in every department and agency and program of the entire Federal Government. They have had to help Members with truly particular problems with government programs and very often have had to deal with the wrath of authorizing issues that have nothing to do with the appropriations but none-theless get dumped into our bills as a matter of principle. I want to say “thank you” to all of them. And I am sure that that feeling is shared on both sides of the aisle.

Now I would simply like to say this, and I will say one more thing about a person before I move to substance: The gentleman from Illinois (Mr. Porter) is leaving this institution after a distinguished career which would make any American proud; and I have to say that, whether I have served with him on the Subcommittee on Foreign Operations, or on the Subcommittee on Labor, Health, Education, he has invariably brought a high degree of thoughtfulness, a high degree of fairness, uncommon good judgment and good sense, and immense dedication to the public good.

I can think of no better phrase than to repeat the phrase that we have heard so often, “Well done, good and faithful servant.”

John has truly been a credit to this institution, to his party, to his country and to his district. I want to lead us all in a round of applause for the wonderful work that he has done while he has been with us in this institution.

And now, Mr. Speaker, on to the substance.

On Wednesday night, the country heard two very good speeches on reconciliation. From Mr. Gore and Mr. Bush. Both emphasized a need for bipartisanship.

Unfortunately, we serve in the institution which has suffered the greatest erosion of bipartisanship in recent years. But this institution does, in my judgment.

I know that there are few people in this country who appreciate how hard all of these people work and how much of a contribution they make to their party, their country and this institution, but I want to say “thank you” to all of them. And I am sure that that feeling is shared on both sides of the aisle.

Now I would simply like to say this, and I will say one more thing about a person before I move to substance: The gentleman from Illinois (Mr. Porter) is leaving this institution after a distinguished career which would make any American proud; and I have to say that, whether I have served with him on the Subcommittee on Foreign Operations, or on the Subcommittee on Labor, Health, Education, he has invariably brought a high degree of thoughtfulness, a high degree of fairness, uncommon good judgment and good sense, and immense dedication to the public good.

I can think of no better phrase than to repeat the phrase that we have heard so often, “Well done, good and faithful servant.”

John has truly been a credit to this institution, to his party, to his country and to his district. I want to lead us all in a round of applause for the wonderful work that he has done while he has been with us in this institution.

And now, Mr. Speaker, on to the substance.

On Wednesday night, the country heard two very good speeches on reconciliation. From Mr. Gore and Mr. Bush. Both emphasized a need for bipartisanship.

Unfortunately, we serve in the institution which has suffered the greatest erosion of bipartisanship in recent years. But this institution does, in my opinion, have a very good model for bipartisanship, and that is the Committee on Appropriations.

Even during the last 6 years, we have been able to produce a significant number of bills on a bipartisan basis. In all but one year, the Labor-HHS Education bill has been one of those bills. That has not been the fault of the distinguished gentleman and my good friend the gentleman from Illinois (Mr. Porter), the committee chairman.

Nor has it been the fault of the gentleman from Florida (Mr. Young) or his predecessor as full committee chair, Bob Livingston. They have struggled in the best traditions of this committee to reach across the aisle and to build the broadest possible consensus for each bill. But because of the restrictions placed on them by the Committee on the Budget and their leadership, their efforts have not often succeeded in my judgment.

This bill has been a poster child on how not to run a legislative body. And, in fact, in this process, a Member of the majority side of the aisle earlier correctly noted that there are dozens of items in this bill that have nothing whatsoever to do with the appropriations bill.

In fact, there are well over a hundred different authorizations that are being added to this bill by reference. We did not negotiate those items. We are not responsible for them. All we can try to do with our limited staff is to try to make certain that they were not sup-premely objectionable to this or that faction in the House. And I have to say that this is a spectacular example of how not to run a railroad.

This year has been especially frustrating to those of us who would like to see some of the most critical functions of Government funded on a bipartisan consensus. And the fact is that for 9 months of this year the deliberations of this committee were wasted on a phoney budget resolution that held funding for education, health research, worker protection and other critical programs in this bill at virtually last year’s funding level with no adjustment for inflation, with no recognition of the new challenges facing this country and yet the majority passed the bill.

The Senate recognized that was an unrealistic package when they passed a bill somewhat more in line with the Nation’s needs. In October, we reached a bipartisan agreement that in my view met the needs of a changing and growing country, but that bill was blocked from coming to the floor by the majority party leadership. Both parties then went out and campaigned for the education and the health and worker protection programs that were in this bill. But after the election the majority party leaders then demanded that this bill be cut by more than $3.7 billion before it could be brought back to the floor. That is a demand they did not make of the interior bill that was 25 percent above last year, or the transportation bill that was similarly way above last year, and also a bill such as the energy and water bill which was substantially above last year.

If we get an agreement in the last week, we had to cut $3.7 billion from the earlier agreement, we had to take $1.4 billion from advance funding for LIHEAP, we had to take $257 million...
out of handicapped education, $127 million out of efforts to reduce class size, $180 million out of after-school programs and $200 million out of biomedical research. I dislike all of those cuts and would point out that they were made in the face of meeting the budget limits that Congress imposed on itself in October and they were unnecessary in terms of passing this bill.

But nonetheless, even with these changes, I will support this bill for two reasons: one, because I have in essence a ministerial duty to do so. Sooner or later we have to resolve our differences and this is the day; and, secondly, I think there are other good reasons to vote for this bill. It now provides funding on a program basis that is nearly 15 percent higher than last year for critical education and health programs. Some people are alarmed by that. I am delighted by it. The overall increase in education in this bill is 18 percent. It is a major step forward in providing local schools with the kind of resources that will facilitate the kind of change and improvement in our schools that the American people are anxious to see.

Clarence’s efforts are increased 25 percent. Teacher quality efforts are increased 50 percent. School renovation is funded at a $1.2 billion level. For Pell grants, and I think this is perhaps the most important issue in the bill, the Pell grant in this bill is 18 percent. It is a major step forward in providing local schools with the kind of resources that will facilitate the kind of change and improvement in our schools that the American people are anxious to see.

Clarence’s efforts are increased 25 percent. Teacher quality efforts are increased 50 percent. School renovation is funded at a $1.2 billion level. For Pell grants, and I think this is perhaps the most important issue in the bill, the Pell grant in this bill is 18 percent. It is a major step forward in providing local schools with the kind of resources that will facilitate the kind of change and improvement in our schools that the American people are anxious to see.

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

The SPEAKER pro tempore (Mr. PEASE). Without objection, the time allotted to the gentleman from Florida (Mr. YOUNG) will be controlled by the gentleman from Illinois (Mr. PORTER).

There being no objection, Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I am sorry that the gentleman from Pennsylvania, who earlier had made his remarks and then criticized the bill, might have stayed on the floor because I am directing this portion of my remarks to him. In early 1988, Ronald Reagan came to the floor of this House to give his State of the Union address and slammed on the Clerk’s desk a bill that was probably twice the size of the one that is sitting there right now. It was an omnibus bill that had been passed about this time of year in 1987. President Reagan said, “Never again.” In early 1989, with the same efficiency that he expressed at that time, he lifted words out of a letter that I had written with 147 Members of the House of Representatives saying that this is not the way we ought to do the House’s business.

Very frankly, the gentleman from Pennsylvania is correct. Omnibus bills are never a proper way to legislate. But let me say to the gentleman that the Labor, Health and Human Services and Education appropriation bill was conferenced. We completed the conference on July 27. Appropriators would have brought that measure to the floor right away. Yes, it might have been vetoed by the President, but it would have had those obligations with the White House long ago and would have completed them presumably before the end of the fiscal year. We do not support delay in the consideration of this conference report. This is an idea that comes from outside the appropriations process.

I would say to the gentleman, if he were here, one other thing. It echoes the words that my colleague from Wisconsin mentioned a moment ago. We must have, early in the legislative process, a budget resolution adopted on a bipartisan basis. The White House needs to be on board. The Republicans in the Congress of both Houses need to be on board. The Democrats need to be on board. The Democrats need to be on board. The Democrats need to be on board. The Democrats need to be on board. The Democrats need to be on board.

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

Mr. OBRY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in support of this legislation. Included in this bill is a waiver of Medicare’s 24-month waiting period for persons disabled by ALS, Lou Gehrig’s Disease. This is not a Democratic or Republican issue. It is a universal issue of compassion. Tragically, their life expectancy is often less than the waiting period itself. Medicare coverage will ease their suffering and provide support for their families and friends. This provision comes from a bill authored by my husband, Walter Capps, which I reintroduced and which now has 282 House cosponsors. I want to thank these cosponsors.

Mr. Speaker, I reserve the balance of my time.
shoes. He gave them to Walter saying he had no further use for them, he was now confined to a wheelchair. Walter wore these shoes throughout his campaign for this House. He never forgot the struggle that is Tom's and thousands of other ALS victims.

This victory today is for ALS patients and their families who built support for our bill.

Mr. PORTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee on Commerce, Justice, and State, and Judiciary.

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

Mr. ROGERS. Mr. Speaker, I submit the following material that updates the statement of the managers to accompany the Commerce, Justice, State Appropriations Act for fiscal year 2001 to reflect changes made by the pending bill and other minor technical corrections. These changes include the support of our good friend, our ranking member, the gentleman from New York (Mr. SERRANO). This matter should be used to determine questions of intent with respect to our bill.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS

Following is explanatory language on H.R. 5548, as introduced on October 25, 2000, and subsequent amendments.

The conference on H.R. 4942 agree with the matter included in H.R. 5548 and enacted in this conference report by reference and the following description of it. The bill was developed through negotiations by subcommittee members of the Departments of Commerce, Justice, the Judiciary, and Related Agencies Subcommittees of the House and Senate on the differences in the House passed and Senate reported versions of H.R. 4942. In the following description to the “conference agreement” mean the matter included in the introduced bill enacted by this conference report, and subsequent amendments. References to the House bill mean the House passed version of H.R. 4940. References to the Senate reported amendment mean the Senate reported version of H.R. 4940.

The House passed H.R. 4940 on June 26, 2000. The Senate reported from Committee a Senate amendment to H.R. 4960 on July 21, 2000. References in the following statement to appropriations amounts or other items proposed by the House bill or the Senate-reported amendment refer only to those amounts and items recommended in the House-passed and Senate-reported versions of H.R. 4960. Any reference to appropriations amounts or other items included in the conference agreement reflects the final agreement on H.R. 4960. This statement reflects how the funds provided in the conference agreement were spent.

The conference agreement directs the Senate Appropriations Committee to consider H.R. 4960 and reject the Senate-passed and Senate-reported versions of H.R. 4960. Any reference to appropriations amounts or other items included in the conference agreement reflects the final agreement on H.R. 4960. This statement reflects how the funds provided in the conference agreement were spent.

The conference agreement includes $6,000,000 for the Counterterrorism Fund as proposed in the Senate-reported amendment, instead of $10,000,000 as proposed in the House bill. When combined with $32,844,150 in fiscal year 2000 funding for this purpose included in the Senate-reported amendment, an amount of $38,844,150 will be available in the Fund in fiscal year 2001 to cover unanticipated, extraordinary expenses incurred as a result of a terrorist threat or incident.

The conference agreement provides funding for the following activities as proposed in the Senate-reported amendment. Of the total amount provided, $159,570,000 is for the Office of Inspector General (OIG), $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

The conference agreement includes $95,445,000 for the Office of Intelligence Policy and Review for Foreign Intelligence Surveillance Act applications.

The conference agreement provides funding for the following activities as proposed in the Senate-reported amendment. Of the total amount provided, $20,445,000 is for the Federal Bureau of Investigation (FBI), $3,000,000 for the Telecommunications Carrier Compliance Fund, and $3,500,000 for the Counterrorism Fund.

The conference agreement includes $20,445,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

ADDITIONAL INFORMATION OF DEPARTMENT OF JUSTICE APPROPRIATIONS

The conference agreement includes $5,000,000 for the Department of Justice Wireless Network (JWN), and $1,000,000 to establish a new Federal Detention Trustee within the Department of Justice as proposed in the House bill. The Senate-reported amendment did not address this matter.

The conference agreement includes $201,420,000 for narrowband communications conversion activities as proposed in the Senate-reported amendment.

The conference agreement includes $205,000,000 for narrowband communications conversion activities as proposed in the Senate-reported amendment.

The conference agreement includes $9,566,000 for the Office of the Pardon Attorney.

The conference agreement includes $5,000,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $159,570,000 is for the Office of Inspector General (OIG), $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

The conference agreement includes $95,445,000 for the Office of Intelligence Policy and Review for Foreign Intelligence Surveillance Act applications.

The conference agreement includes $20,445,000 for the Federal Bureau of Investigation (FBI), $3,000,000 for the Telecommunications Carrier Compliance Fund, and $3,500,000 for the Counterrorism Fund.

The conference agreement includes $20,445,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

ADDITIONAL INFORMATION OF DEPARTMENT OF JUSTICE APPROPRIATIONS

The conference agreement includes $5,000,000 for the Department of Justice Wireless Network (JWN), and $1,000,000 to establish a new Federal Detention Trustee within the Department of Justice as proposed in the House bill. The Senate-reported amendment did not address this matter.

The conference agreement includes $201,420,000 for narrowband communications conversion activities as proposed in the Senate-reported amendment. Of the total amount provided, $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

The conference agreement includes $5,000,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $159,570,000 is for the Office of Inspector General (OIG), $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

The conference agreement includes $95,445,000 for the Office of Intelligence Policy and Review for Foreign Intelligence Surveillance Act applications.

The conference agreement includes $20,445,000 for the Federal Bureau of Investigation (FBI), $3,000,000 for the Telecommunications Carrier Compliance Fund, and $3,500,000 for the Counterrorism Fund.

The conference agreement includes $20,445,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

ADDITIONAL INFORMATION OF DEPARTMENT OF JUSTICE APPROPRIATIONS

The conference agreement includes $5,000,000 for the Department of Justice Wireless Network (JWN), and $1,000,000 to establish a new Federal Detention Trustee within the Department of Justice as proposed in the House bill. The Senate-reported amendment did not address this matter.

The conference agreement includes $201,420,000 for narrowband communications conversion activities as proposed in the Senate-reported amendment. Of the total amount provided, $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

The conference agreement includes $5,000,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $159,570,000 is for the Office of Inspector General (OIG), $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).

The conference agreement includes $95,445,000 for the Office of Intelligence Policy and Review for Foreign Intelligence Surveillance Act applications.

The conference agreement includes $20,445,000 for the Federal Bureau of Investigation (FBI), $3,000,000 for the Telecommunications Carrier Compliance Fund, and $3,500,000 for the Counterrorism Fund.

The conference agreement includes $20,445,000 for the Telecommunications Carrier Compliance Fund as proposed in the Senate-reported amendment. Of the total amount provided, $9,566,000 is for the United States Parole Commission, and $17,300,000 for the Executive Office for Immigration Review (EOIR).
proposed in the House bill, instead of the $7,380,000 as proposed in the Senate-reported amendment. The conference agreement adopts by reference the recommendation in the Senate-reported amendment.

**LEGAL ACTIVITIES**

**SALARIES AND EXPENSES, UNITED GENERAL LEGAL ACTIVITIES**

The conference agreement includes $335,771,000 for General Legal Activities, instead of $326,380,000 as proposed in the House bill, and $494,310,000 as proposed in the Senate-reported amendment.

The conference agreement includes a tiered fee structure that increases the filing fees available to U.S. Attorneys, instead of $113,269,000 as proposed in the House bill.

It is anticipated that the tiered fee structure will result in a net increase of $59,996,000 for pay and inflationary adjustments to enable the U.S. Attorneys to maintain the current operating level. The conference agreement does not include an undefined base restoration. The distribution of funding provided is as follows:

| Office of the Solicitor General | $7,118,000 |
| Office of Tax Division | 70,991,000 |
| Criminal Division | 110,851,000 |
| Civil Division | 154,092,000 |
| Environment and Natural Resources | 68,703,000 |
| Office of Legal Counsel | 4,967,000 |
| Civil Rights Division | 90,166,000 |
| Interpol-USEN CB | 7,686,000 |
| Legal Activities Office Automation | 18,877,000 |
| Office of Inspector General | 320,000 |

Total | 525,711,000 |

The conference agreement includes a 3% increase for the Civil Rights Division, including funding for civil enforcement for police misconduct, and other highest priority initiatives.

The conference agreement provides $18,877,000 to remain available until expended for office automation costs as proposed in the House bill and $151,571,000 as proposed in the Senate-reported amendment.

The conference agreement adopts language included in the Senate-reported amendment which limits the use of these funds to automation costs and allows such funds to be used for the United States Trustees Program. The conference agreement adopts by reference the Senate report language regarding extra-judicial reporting and extradition treaties.

The conference agreement provides $1,107,000 for the Foreign Claims Settlement Commission for fiscal year 2001, to be entirely funded from offsetting collections.

**UNITED STATES TRUSTEE SYSTEM FUND**

The conference agreement provides $225,000,000 for the United States Trustee System Fund, instead of $224,240,000 proposed in the House bill and $227,212,000 proposed in the Senate-reported amendment.

The conference agreement includes $560,438,000 as proposed in the Senate bill withholding 50 percent of the distribution of these resources. In addition, $10,000,000 is included on a base fee structure to continue a violent crime task force demonstration project, as proposed in the Senate-reported amendment. The conference agreement adopts by reference the direction included in the Senate report regarding an office in Western Kentucky. In addition, the Senate report includes language increasing the FBI's capacity to address the growing criminal immigration caseload along the Southwest Border, with particular emphasis to be placed on prosecutions of individuals who are in the country illegally, including drug smuggling, document fraud, and illegal aliens with multiple deportations.

The conference agreement adopts by reference the direction included in the Senate report regarding submission of a spending plan for these resources.

**UNITED STATES TRUSTEE SYSTEM FUND**

The conference agreement includes $1,007,000 for the Foreign Claims Settlement Commission, instead of $1,000,000 as proposed in the House bill and $1,000,000 as proposed in the Senate-reported amendment.

The conference agreement includes $572,665,000 for the U.S. Marshals Service Salaries and Expenses account, instead of $560,438,000 as proposed in the House bill and $550,472,000 as proposed in the Senate-reported amendment.

**SALARIES AND EXPENSES, UNITED STATES TRUSTEE SYSTEM FUND**

The conference agreement includes $3,262,000 for technology demonstration projects, and adopts by reference the direction included in the Senate report regarding distribution of these resources. In addition, $10,000,000 is included on a base fee structure to continue a violent crime task force demonstration project, as proposed in the Senate-reported amendment. The conference agreement also adopts by reference the direction included in the Senate and House reports regarding the unstaffed offices report, as well as the direction included in the Senate report regarding an office in Western Kentucky. In addition, the Senate report includes language increasing the FBI's capacity to address the growing criminal immigration caseload along the Southwest Border, with particular emphasis to be placed on prosecutions of individuals who are in the country illegally, including drug smuggling, document fraud, and illegal aliens.

The conference agreement includes $560,438,000 as proposed in the Senate bill withholding 50 percent of the distribution of these resources. In addition, $10,000,000 is included on a base fee structure to continue a violent crime task force demonstration project, as proposed in the Senate-reported amendment. The conference agreement adopts by reference the direction included in the Senate report regarding an office in Western Kentucky. In addition, the Senate report includes language increasing the FBI's capacity to address the growing criminal immigration caseload along the Southwest Border, with particular emphasis to be placed on prosecutions of individuals who are in the country illegally, including drug smuggling, document fraud, and illegal aliens.

The conference agreement includes $572,665,000 for the U.S. Marshals Service Salaries and Expenses account, instead of $560,438,000 as proposed in the House bill and $550,472,000 as proposed in the Senate-reported amendment.
decreases of $4,052,000 for one-time equipment purchases and $10,209,000 from the transfer of the Seized Assets Management Program to the Assets Forfeiture Fund. Within the latter, the transfer account total of $1,735,000 is included for the Warrant Information Network and other networks and online services, and $725,000 is for recurring costs of the Electronic Surveillance Unit as directed in the Senate report. The conference agreement does not adopt the recommendation included in the Senate-reported amendment to transfer funding of this account for U.S. Marshals Service costs associated with the Justice Prisoner Alien Transportation System (J-PATS), but instead provides $5,684,000 for U.S. Marshals Service requirements under this account.

In addition, the conference agreement includes $27,998,000 in program increases for the following:

Courthouse Security Staffing and Equipment—$21,211,000, for courthouse security personnel and equipment. Of this amount, $6,711,000, 89 positions and 45 FTE are provided for courthouse security personnel at new and expanded courthouses expected to open in fiscal year 2001. Language included in the Senate-reported amendment to the submission of a spending plan and allocation of resources in excess of requirements is adopted by reference.

In addition, $14,500,000 is provided for courthouse security equipment, as follows:

USMS Courthouse Security Equipment [In thousands of dollars]

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Las Vegas, NV</td>
<td>8,173</td>
</tr>
<tr>
<td>Cleveland, OH</td>
<td>(1,023)</td>
</tr>
<tr>
<td>Columbia, SC</td>
<td>(1,122)</td>
</tr>
<tr>
<td>Greenville, TN</td>
<td>(353)</td>
</tr>
<tr>
<td>Corpus Christi, TX</td>
<td>(178)</td>
</tr>
<tr>
<td>Laredo, TX</td>
<td>(989)</td>
</tr>
<tr>
<td>Providence, RI</td>
<td>(920)</td>
</tr>
<tr>
<td>Helena, MT</td>
<td>(658)</td>
</tr>
<tr>
<td>Wheeling, WV</td>
<td>(245)</td>
</tr>
<tr>
<td>Denver, CO</td>
<td>(737)</td>
</tr>
<tr>
<td>Spartanburg, SC</td>
<td>(1,078)</td>
</tr>
<tr>
<td>Other Security Requirements</td>
<td>5,684</td>
</tr>
</tbody>
</table>

Total, USMS Security Equipment ........................................... 14,500

The conference agreement adopts the higher priority security equipment needs for existing courthouses and new courthouses with the greatest deficiencies, and to submit a spending plan for these funds no later than December 1, 2000.

Electronic Surveillance Unit.—$3,150,000, and up to 6 positions and 3 FTE, for personnel and equipment for the Electronic Surveillance Unit.

Special Assignments.—$2,500,000 for security at high profile trials, and protective details for judicial personnel involved in these trials, including the World Trade Center bombing trial. The Marshals Service is directed to annually increase this in fiscal year 2002. Concerns have been expressed regarding the exclusion of the Marshals Service from the threat assessment and decision-making process, regarding certain special and other protective assignments. In addition, the level of protection at Federal facilities by the General Services Administration (GSA) is inadequate relative to the amount the Marshals Service and other agencies are charged by GSA for these services. The Department is directed to report to the Committees on Appropriations no later than December 15, 2000, on the role afforded to the Marshals Service in the threat assessment and decision-making process for special and other protective assignments, and to provide recommendations to augment the Marshals Service’s role in this activity. Furthermore, the conference agreement directs the Marshals Service to provide a report on the adequacy of support provided by GSA for facility protection, related to the amount GSA is charging for these services.

Financial Management.—$378,000, 8 positions and 4 FTE to improve financial management. Cost Saving Initiatives.—$150,000 for implementation and support of a variety of cost saving initiatives as directed in the Senate report. Should additional funds become available through savings achieved, the Marshals Service is directed to fund additional staff only in accordance with Section 605 of this Act.

The conference agreement adopts by reference the concerns expressed in the Senate report regarding the Special Operations Group (SOG) and directs the Marshals Service to provide a report to the Committees on Appropriations no later than January 15, 2001, on the utilization of the SOG, as well as the resource requirements necessary to ensure that the SOG can fulfill its intended mission.

The conference agreement includes language providing not to exceed 4,034 positions and 2,696 FTE, instead of 4,168 positions and 3,892 FTE as proposed in the House bill. The Senate-reported amendment did not include a similar provision. The conference agreement does not include a provision proposed in the Senate-reported amendment prohibiting the Marshals Service from providing a protective vehicle for the Director of the Office of National Drug Control Policy (ONDCP) unless certain conditions are met. A similar provision was not included in the House bill. However, the Marshals Service is directed to provide a report to the Committees on Appropriations no later than January 15, 2001, on the usage of a protective vehicle by the Director of ONDCP.

The conference agreement includes language providing not to exceed 3,150,000 and 3,982 FTE as proposed in the House bill. The conference agreement instead of 4,168 positions and 3,892 FTE as proposed in the House bill. The conference agreement does not include a provision proposed in the Senate-reported amendment prohibiting the Marshals Service from providing a protective vehicle for the Director of the Office of National Drug Control Policy (ONDCP) unless certain conditions are met. A similar provision was not included in the House bill. However, the Marshals Service is directed to provide a report to the Committees on Appropriations no later than January 15, 2001, on the usage of a protective vehicle by the Director of ONDCP.

The conference agreement includes language providing not to exceed 4,034 positions and 2,696 FTE, instead of 4,168 positions and 3,892 FTE as proposed in the House bill. The Senate-reported amendment did not include a similar provision. The conference agreement does not include a provision proposed in the Senate-reported amendment prohibiting the Marshals Service from providing a protective vehicle for the Director of the Office of National Drug Control Policy (ONDCP) unless certain conditions are met. A similar provision was not included in the House bill. However, the Marshals Service is directed to provide a report to the Committees on Appropriations no later than January 15, 2001, on the usage of a protective vehicle by the Director of ONDCP.

CONSTRUCTION

The conference agreement includes $18,128,000 in direct appropriations for the U.S. Marshals Service Construction account, instead of $6,600,000 as proposed in the House bill, and $7,055,000 as proposed in the Senate-reported amendment. The conference agreement includes the following distribution:

USMS Construction [In thousands of dollars]

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birmingham, AL</td>
<td>5472</td>
</tr>
<tr>
<td>Fort Smith, AR</td>
<td>400</td>
</tr>
<tr>
<td>Hartford, CT</td>
<td>200</td>
</tr>
<tr>
<td>Wilmingtom, DE</td>
<td>100</td>
</tr>
<tr>
<td>Bowling Green, KY</td>
<td>340</td>
</tr>
<tr>
<td>Boston, MA</td>
<td>650</td>
</tr>
<tr>
<td>Ann Arbor, MI</td>
<td>200</td>
</tr>
<tr>
<td>Detroit, MI</td>
<td>650</td>
</tr>
<tr>
<td>Millington, TN</td>
<td>765</td>
</tr>
<tr>
<td>Buffalo, NY</td>
<td>150</td>
</tr>
<tr>
<td>Tulsa, OK</td>
<td>300</td>
</tr>
<tr>
<td>Philadelphia, PA</td>
<td>400</td>
</tr>
<tr>
<td>Hato Rey, PR</td>
<td>793</td>
</tr>
<tr>
<td>Spartanburg, SC</td>
<td>1,441</td>
</tr>
<tr>
<td>greenhouse, MS</td>
<td>1,187</td>
</tr>
<tr>
<td>Other Renovation Projects</td>
<td>5,500</td>
</tr>
<tr>
<td>Security Specialists/Construction Engineers</td>
<td>610</td>
</tr>
</tbody>
</table>

Total, Construction ......................................................... 18,128

The Marshals Service is directed to use the $9,500,000 provided for Other Renovation Projects for the highest priority security construction needs in locations with a security score of 50 or less, and to submit a spending plan for these funds no later than December 1, 2000.
The conference agreement approves the conference agreement: 

FBI SALARIES AND EXPENSES, FISCAL YEAR 2001

<table>
<thead>
<tr>
<th>Activity</th>
<th>Pos.</th>
<th>FTE</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal, Security and Other Investigations</td>
<td>$27,711,000</td>
<td></td>
<td>$137,219,000</td>
</tr>
<tr>
<td>Organized Crime Enterprise</td>
<td>$3,993,000</td>
<td></td>
<td>405,678</td>
</tr>
<tr>
<td>White Collar Crime</td>
<td>$3,184,000</td>
<td></td>
<td>483,273</td>
</tr>
<tr>
<td>Other Programs</td>
<td>$10,304,000</td>
<td></td>
<td>1,007,024</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$18,819,000</td>
<td>1,941,027</td>
</tr>
<tr>
<td>Law Enforcement Support</td>
<td>$108,190</td>
<td></td>
<td>120,454</td>
</tr>
<tr>
<td>Training, Recruitment and Applicant Information</td>
<td>$92,680</td>
<td></td>
<td>116,004</td>
</tr>
<tr>
<td>Forensic Sciences</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information, Management, Automation &amp; Telecommunications</td>
<td>$56,562</td>
<td></td>
<td>166,121</td>
</tr>
<tr>
<td>Technical Support Services</td>
<td>$27,229</td>
<td></td>
<td>34,471</td>
</tr>
<tr>
<td>Criminal Justice Services</td>
<td>$2,171</td>
<td></td>
<td>216,957</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$4,667,000</td>
<td>401,178</td>
</tr>
<tr>
<td>Program Direction: Management and Administration</td>
<td>$2,083</td>
<td></td>
<td>216,957</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>25,369</td>
<td>25,142</td>
</tr>
<tr>
<td>Direct Appropriations</td>
<td>$3,235,600</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The conference agreement approves the conference agreement: 

The conference agreement includes total funding of $328,986,000 for the FBI, of which $298,986,000 is direct appropriations, and $3,000,000 is from prior year carryover. The House bill included $328,986,000 in direct appropriations, while the Senate-reported amendment proposed $316,702,000. The distribution of the total available funding is as follows:

Reimbursements by Agency

<table>
<thead>
<tr>
<th>Activity</th>
<th>Pos.</th>
<th>FTE</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Enforcement Administration</td>
<td>$106,190</td>
<td></td>
<td>112,468</td>
</tr>
<tr>
<td>Federal Bureau of Investigation Immigration and Naturalization Service</td>
<td>15,808</td>
<td></td>
<td>86,582</td>
</tr>
<tr>
<td>U.S. Attorney</td>
<td>1,984</td>
<td></td>
<td>4,284</td>
</tr>
<tr>
<td>Criminal Division</td>
<td>814</td>
<td></td>
<td>4,373</td>
</tr>
<tr>
<td>Tax Division</td>
<td>1,380</td>
<td></td>
<td>2,171</td>
</tr>
<tr>
<td>Administrative Office</td>
<td>1,672</td>
<td></td>
<td>2,171</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$328,986,000</td>
<td></td>
</tr>
</tbody>
</table>

The conference agreement includes total funding of $3,235,600 for the FBI, of which $2,986,000 is direct appropriations, and $250,000 is from prior year carryover. The House bill included $3,235,600 in direct appropriations, while the Senate-reported amendment proposed $3,000,000. The distribution of the total available funding is as follows:

Reimbursements by Agency

<table>
<thead>
<tr>
<th>Activity</th>
<th>Pos.</th>
<th>FTE</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Enforcement Administration</td>
<td>$106,190</td>
<td></td>
<td>112,468</td>
</tr>
<tr>
<td>Federal Bureau of Investigation Immigration and Naturalization Service</td>
<td>15,808</td>
<td></td>
<td>86,582</td>
</tr>
<tr>
<td>U.S. Attorney</td>
<td>1,984</td>
<td></td>
<td>4,284</td>
</tr>
<tr>
<td>Criminal Division</td>
<td>814</td>
<td></td>
<td>4,373</td>
</tr>
<tr>
<td>Tax Division</td>
<td>1,380</td>
<td></td>
<td>2,171</td>
</tr>
<tr>
<td>Administrative Office</td>
<td>1,672</td>
<td></td>
<td>2,171</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$328,986,000</td>
<td></td>
</tr>
</tbody>
</table>
National Infrastructure Protection/Computer Analysis Response Teams (CART).—The FBI is directed to convert 140 part-time positions for Computer Analysis Response Teams (CART) examiners to full-time positions to ensure that all intrusions/information protection personnel are not assigned to computer intrusion/information protection squads, similar to direction included in the Senate report. The conference agreement also adopts the direction included in the Senate report regarding training, promotion and retention of CART members and computer intrusion/information protection personnel in general.

The Senate direction regarding development of a cadre of computer experts from other agencies and the private sector is adopted by reference.

Victim/Witness Specialists.—The conference agreement includes a new general provision under Title I of this Act authorizing funds to be provided to the FBI to improve services for crime victims from the Crime Victims Fund. These services are to be limited to victim assistance as described in the Victims of Crime Act and shall not cover non-victim witness activities such as witness protection or non-victim witness management services, paralegal duties or community outreach. The FBI is directed to support the Office of Victims of Crime (OVC) in developing position descriptions, grade level and hiring requirements, training and annual reporting requests for these specialists. The conference agreement assumes $7,400,000 will be needed to support 112 victim/witness specialists to be distributed as directed in the Senate report. The Committees on Appropriations expect to be notified of the final distribution of these specialists.

Other.—The Senate report language regarding copyright enforcement, enhanced collaboration with the Southwest U.S. Law Enforcement, the Northern New Mexico anti-drug initiative, mitochondrial DNA, crimes against children, and checks on contractor bus drivers is adopted by reference. The conference agreement also adopts by reference the House report language regarding the Housing Fraud Initiative, the J ewelry and Gem program, and submission of a comprehensive information technology report.

In addition, the FBI is directed to fully reimburse the private funders for their costs in support of Hostage Rescue Team operations in St. Martin Parish, Louisiana, in December, 1999.

In addition to identical provisions that were included in both the House bill and the Senate-reported amendment, the conference agreement includes a provision adopted from the House bill, providing not to exceed 25,569 positions and 13,142 FTE for the FBI from funds appropriated in this Act. The Senate-reported amendment did not include a similar provision.

CONSTRUCTION

The conference agreement includes $186,887,000 in direct appropriations for construction of the FBI National Laboratory (FNL), the FBI Intelligence (FBI) instead of $1,267,000 as proposed in the House bill, and $42,887,000 as proposed in the Senate-reported amendment. The conference agreement provides an increased of $15,400,000 over the fiscal year 2000 level for the FBI Academy firearms range modernization project, as follows: $1,900,000 for relocation of the Central Visitation Center, $1,900,000 for a new storage facility and for lead abatement at existing outdoor ranges; and $13,500,000 for completion of Phase I and Phase II of this project.

Drug Enforcement Administration

The conference agreement includes $1,363,309,000 for the Drug Enforcement Administration (DEA) Salaries and Expenses account, instead of $1,362,309,000 as proposed in the House bill, and $1,345,655,000 as proposed in the Senate-reported amendment. In addition, $83,543,000 is derived from the Domestic Enforcement Control Fund for diversion control activities. The following narrative reflects how the funds provided in the conference agreement are to be spent.

Budget and Financial Management.—The conference agreement adopts by reference the concerns and direction included in both the House and Senate reports regarding budget and financial management. The conference agreement also includes a provision that identifies the funded position and FTE levels provided in the bill, which are consistent with the full base funding requested and program increases provided in the conference agreement.

The following table represents funding provided under this account:

<table>
<thead>
<tr>
<th>Activity</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enforcement:</td>
<td>2,525</td>
<td>2,133</td>
<td>2,570</td>
</tr>
<tr>
<td>Domestic Enforcement</td>
<td>2,525</td>
<td>2,133</td>
<td>2,570</td>
</tr>
<tr>
<td>Foreign Cooperative Investigation</td>
<td>732</td>
<td>699</td>
<td>732</td>
</tr>
<tr>
<td>Drug and Chemical Diversion</td>
<td>16,156</td>
<td>16,156</td>
<td>16,156</td>
</tr>
<tr>
<td>State and Local Task Forces</td>
<td>1,678</td>
<td>1,675</td>
<td>1,675</td>
</tr>
<tr>
<td>Subtotal</td>
<td>4,004</td>
<td>4,004</td>
<td>4,004</td>
</tr>
<tr>
<td>Investigative Support:</td>
<td>883</td>
<td>900</td>
<td>883</td>
</tr>
<tr>
<td>Intelligence</td>
<td>900</td>
<td>900</td>
<td>900</td>
</tr>
<tr>
<td>Laboratory Services</td>
<td>381</td>
<td>378</td>
<td>381</td>
</tr>
<tr>
<td>Management and Administration</td>
<td>865</td>
<td>865</td>
<td>865</td>
</tr>
<tr>
<td>Subtotal</td>
<td>1,653</td>
<td>1,653</td>
<td>1,653</td>
</tr>
<tr>
<td>Total, DEA</td>
<td>5,657</td>
<td>5,657</td>
<td>5,657</td>
</tr>
</tbody>
</table>

DEA is required to provide a synopsis of the above distribution subject to the reprogramming requirements of section 605 of this Act.

The conference agreement provides a net increase of $43,616,000 for base adjustments, as follows: increases totaling $46,098,000 for pay and other inflationary costs to maintain current operations; offset by decreases totaling $4,481,000 for funds associated with one-time and non-recurring equipment purchases, QSA rent decreases, and the transfer of funding to a construction project to the Office of Justice Programs.

In addition, the conference agreement includes program increases totaling $31,300,000, as follows:

Investigative and Intelligence Requirements.—$41,100,000 is provided for the following investigative and intelligence enhancements:

$3,100,000, 19 positions (11 agents) and 9 FTE within Domestic Enforcement for the Special Operations Division (SOD) to expand support for the Southwest Border Initiative and to address money laundering and financial investigations.

$45,000,000 for positions and 1 FTE within Automated Data Processing to continue development of Phase II of FIREBIRD. When combined with $44,870,000 in existing base resources, a total of $89,870,000 is available for this program in fiscal year 2001 to enable FIREBIRD to be fully deployed to all domestic offices and Western Hemisphere offices.

$30,000,000 is for deployment, $10,400,000 for startup and maintenance, $9,393,000 is for operations and maintenance and telecommunications costs. DEA is directed to provide quarterly $41,000,000 FIREBIRD status and obligation reports to the Committees on Appropriations.

$2,000,000 within Intelligence, of which $1,800,000 provides for the El Paso Intelligence Center (EPIC), and $200,000 is to meet expanded participation in the National Drug Pointer Index (NDPIX) information system. The House direction regarding a comprehensive report on participation and utilization of EPIC is adopted by reference.

$43,000,000, 2 positions and 1 FTE within Domestic Enforcement to establish an additional Regional Enforcement Team (RET). This amount, when combined with existing base resources, provides a total of $24,195,000 for RETS in fiscal year 2001.

$1,500,000, 14 positions (9 agents) and 7 FTE within Domestic Enforcement to enhance HIDTA program, for a total of $30,291,000 in fiscal year 2001 for this effort, as recommended in the Senate report. The Senate direction regarding black tar heroin is adopted by reference.

$1,500,000 within Domestic Enforcement to enhance methamphetamine enforcement, providing a total of $27,459,000 in fiscal year 2001 for this effort, as recommended in the Senate report.

$1,000,000 within State and Local Task Forces to enhance State and local methamphetamine training efforts, as recommended in the Senate report.

$6,000,000 within Research, Engineering and Technology (RET) Operations to secure three additional single-engine helicopters for drug enforcement activities along the Southwest border.

In addition, the conference agreement includes a total of $20,000,000 under the Community Oriented Policing Services Methamphetamine/Drug ‘Hot Spots’ program to assist State and local law enforcement agencies with the costs associated with methamphetamine clean-up.

Budget and Financial Management.—$1,000,000 for positions and 4 FTE within Program Management and Administration to improve DEA’s financial and resource management oversight, including funds to support DEA’s Federal Financial System and for additional staffing for Finance and Resource Management.

The conference agreement includes a total of $20,000,000 for the special investigative unit (SIU) program. Within the amount available, DEA may establish a joint Haitian-Dominican Republic SIU on the island of Haiti.

DEA is directed to report to the Committees on Appropriations are to be notified in accordance with section 605 of this Act. The conference agreement is directed to report to the Committees on Appropriations no later than February 1, 2001, on progress made in resolving these problems and recommendations to make the Mexico program effective.

The conference agreement adopts by reference the direction included in the House report regarding continuation of the increased in the HIDTA program, quarterly reports on source and transit countries, quarterly reports on implementation of the Caribbean initiative, and a report on requirements in the region. The conference agreement does not include funding under DEA for continuation of the demand reduction initiative recommended in the House report, but has instead transferred base funding for this program from DEA Domestic Enforcement to the Office of Justice Programs. DEA is also directed to better coordinate its operations with other Federal agencies, including INS and the FBI, along the Southwest Border, and to pursue co-location of offices whenever practical.

The instruction regarding DEA’s presence in Chile is adopted by reference. Within the amounts
provided under this account, DEA may use up to $500,000 for a study on methods to eliminate the effectiveness of anhydrous ammonia in methamphetamine production, as authorized in the House bill.

Drug Diversion Control Fee Account. The conference agreement provides $83,543,000 for DEA’s Drug Diversion Control Program for fiscal years 1999 and 2000, as provided in the House bill and the Senate-reported amendment. This amount includes an increase of $3,213,000 for adjustments to base, including the annualization of 25 positions provided in fiscal year 2000 for customer service improvements and drug data analysis. The conference agreement assumes that the level of balances is available to fund planned fiscal year 2001 expenditures.

Immigration and Naturalization Service SALARIES AND EXPENSES. The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS), instead of $3,121,213,000 as proposed in the House bill, and $3,696,400,000 as included in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS), instead of $3,121,213,000 as proposed in the House bill, and $3,696,400,000 as included in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

Imigration and Naturalization Service. The conference agreement adopts by reference, language which provides authority for the establishment of a joint task force to study emergency medical services for illegal aliens.

Joint Terrorism Task Forces. Language regarding quarterly hiring status reports are adopted by reference. Senate report language prohibiting the transfer of any border patrol agents or technology from the Northwest border to the Southwest border is also adopted by reference.

Should the INS be unable to recruit the required agents again in fiscal year 2001, the INS is to submit a reprogramming in accordance with section 605 of this Act, prior to expiration of the fund. The INS is to hire 1,000 new border patrol agents provided in each of those years.

The conference agreement includes $2,547,057,000 for Enforcement and Border Affairs, and $576,894,000 for Citizenship and Benefits, Immigration Support and Program Direction account. Neither account includes revenues generated in various fee accounts to fund program activities for both enforcement and border and naturalization, support and program resources are provided in the Citizenship and Benefits, Immigration Support and Program Direction account. Neither account includes revenues generated in various fee accounts to fund program activities for both enforcement and border and naturalization. Revenues in these accounts, which are in addition to the appropriated funds and are discussed below. Funds for INS construction projects continue to be provided in the INS Construction and Services account.

The conference agreement includes bill language which provides authority for the Attorney General to transfer funds from one account to another to ensure that the funds are properly aligned. Such transfers may occur notwithstanding any transfer limitations imposed under this Act but such transfers must be consistent with the program requirements under section 605 of this Act. It is expected that any request for transfer of funds will remain within the actives under those headings.

The conference agreement includes $2,547,057,000 for Enforcement and Border Affairs, and $576,894,000 for Citizenship and Benefits, Immigration Support and Program Direction account. Base adjustments. The conference agreement provides an increase of $101,008,000 and 641 FTE for adjustments to base for INS salaries and expenses, offset by a $89,000,000 and 404 FTE transfer to the INS Exams Fees account, a $61,000,000 and 288 FTE transfer to backlogged reduction initiatives, as proposed in the budget request. The conference agreement does not include transfers to the Exams Fees account, the Detention Account, and the Justice Prisoner Alien Transportation System (JPATS) Fund, as proposed in the Senate-reported amendment. For the Enforcement and Border Affairs account, the conference agreement includes an increase of $86,255,000 and 889 FTE for pay adjustments to border patrol agents not yet hired, and $3,343,000 for the portion of the fiscal year 2000 annualized pay raise which has already been paid in the current fiscal year. Funds have not been included for the proposed increase in the journeyman level for border patrol agents and immigration inspectors.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). None of these amounts include offsetting fees.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS). Instead of $3,121,213,000 as proposed in the House bill, the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,500,000 is provided as a non-reimbursable transfer of funds from other accounts in the Senate-reported amendment. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.
Congressional Record — House

December 15, 2000

$87,306,000. 120 positions and 60 FTE are for an additional 1,167 detention beds, including 1,000 beds in State and local facilities, and 120 juvenile detention beds, as proposed in the House report. $15,550,000 is for additional J PATS movements, as proposed in the House report. The conference does not include the proposed transfer of funds from INS to the J PATS Fund for this activity which was recommended in the Senate report.

$6,330,000 is for additional PRD positions, as proposed in the House report. The conference adopts the recommendation included in the Senate report regarding quarterly status reports are adopted by reference.

In addition, the conference agreement includes an additional $3,000,000 under the Community Oriented Policing Services program to expand the program to the provide for Detention Enforcement Officers (DEO) in light of the increasingly violent detainee population and other factors. INS is directed to complete a comprehensive assessment of its current staffing and course and provide a report to the Committees on Appropriations no later than July 1, 2001, with recommendations for improvements.

The conference agreement reflects concerns regarding INS failure to vigorously pursue an effective interior enforcement strategy, and directs INS to continue the planned technology to allow State and local law enforcement to confirm the status of an alien suspected of criminal activity. $3,000 positions and 14 FTE are for expansion of the on-going Criminal Alien Apprehension Program (CAAP), pursuant to Public Law 105-341. The Senate report language regarding consultation and submission of the budget plan and direct INS to report to Congress no later than December 1, 2000. The House report language regarding consultation and submission of a deployment plan is adopted by reference.

Concerns have been expressed regarding the adequacy of the current training course for Detention Enforcement Officers (DEO) in light of the increasingly violent detainee population and other factors. INS is directed to complete a comprehensive assessment of its current training course and provide a report to the Committees on Appropriations no later than July 1, 2001, with recommendations for improvements.

Immigration Examinations Fees. —The conference agreement includes a total of $1,004,851,000 to support the adjudication for applications for immigration benefits, including $773,917,000 as proposed in the Senate bill; (3) a prohibition on the use of new hires and overtime pay for the telephone customer service center, $13,000,000 (3) $16,000,000 for the following activities: (1) $16,000,000 for the conversion of INS microfilm images, for a total of $43,000,000, the full amount requested; (2) an additional $934,617,000 as requested in the Senate report. The conference agreement adoption of a deployment plan and direction requested in the Senate report and the conference agreement. The conference agreement reflects the INS' revised revenue estimates for collections from the Salaries and Expenses account, the same amount proposed in Senate Report No. 106-272 and the budget request, and $35,000,000 in continued direct appropriations under the Citizenship and Immigration, Immigration Supplemental Appropriations Act, 2000. The conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report.

Immigration Examinations Fees. —The conference agreement includes a total of $1,004,851,000 to support the adjudication for applications for immigration benefits, including $773,917,000 as proposed in the Senate bill; (3) a prohibition on the use of new hires and overtime pay for the telephone customer service center, $13,000,000 (3) $16,000,000 for the following activities: (1) $16,000,000 for the conversion of INS microfilm images, for a total of $43,000,000, the full amount requested; (2) an additional $934,617,000 as requested in the Senate report. The conference agreement adoption of a deployment plan and direction requested in the Senate report and the conference agreement. The conference agreement reflects the INS' revised revenue estimates for collections from the Salaries and Expenses account, the same amount proposed in Senate Report No. 106-272 and the budget request, and $35,000,000 in continued direct appropriations under the Citizenship and Immigration, Immigration Supplemental Appropriations Act, 2000. The conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report.

Immigration Examinations Fees. —The conference agreement includes a total of $1,004,851,000 to support the adjudication for applications for immigration benefits, including $773,917,000 as proposed in the Senate bill; (3) a prohibition on the use of new hires and overtime pay for the telephone customer service center, $13,000,000 (3) $16,000,000 for the following activities: (1) $16,000,000 for the conversion of INS microfilm images, for a total of $43,000,000, the full amount requested; (2) an additional $934,617,000 as requested in the Senate report. The conference agreement adoption of a deployment plan and direction requested in the Senate report and the conference agreement. The conference agreement reflects the INS' revised revenue estimates for collections from the Salaries and Expenses account, the same amount proposed in Senate Report No. 106-272 and the budget request, and $35,000,000 in continued direct appropriations under the Citizenship and Immigration, Immigration Supplemental Appropriations Act, 2000. The conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report. In addition, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate report.
The conference agreement includes $1,125,000 in spending from the H-1B Fund account, as proposed in the Senate report, and reflects the current estimate of revenues available in the Fund in fiscal year 2001 based upon current law. The conference agreement does not include the requirements requested in the Fund, but for Immigration Enforcement Expenses account to fully fund the detention requirements requested in the Fund, but for which revenues are insufficient in fiscal year 2001. The conference agreement includes $4,000,000 for the NIC to address issues related to children of prisoners, as described in the Senate report. The amount provided, up to $1,000,000 shall be for the NIC to address the issue of staff sexual misconduct involving female inmates as described in the Senate report.

The conference agreement includes $3,476,889,000 for the salaries and expenses of the Federal Prison System, instead of $3,430,569,000 as proposed in the House bill and $3,573,729,000 as proposed in the Senate-reported amendment. The agreement assumes that, in addition to the amounts appropriated, $9,000,000 will be available for necessary operations from unobligated carryover balances from the prior year.

The conference agreement includes funding to begin and or complete the activation of the following facilities:

- **Victorville, CA**: $5,892,000
- **Houston, TX**: 637,000
- **Alhambra, CA**: 8,131,000
- **Philadelphia, PA**: 5,719,000
- **Butner, NC**: 11,808,000
- **Loretto, PA expansion**: 613,000
- **Atwater, CA**: 39,313,000
- **Coleman, FL**: 10,235,000
- **Honolulu, HI**: 14,119,000
- **Yazoo City, MS expansion**: 674,000
- **Lompoc, CA expansion**: 907,000
- **El Paso, TX expansion**: 2,307,000
- **Seagoville, TX**: 1,208,000
- **Jesup, GA expansion**: 200,000

The conference agreement provides an additional $500,000 for the National Institute of Corrections (NIC) to study whether the location of new facilities as outlined below:

- **Salters, SC expansion**: 7,145,000
- **Brooklyn, NY**: 8,131,000
- **Houston, TX**: 637,000
- **Victorville, CA**: $5,882,000
- **Ft. Dix, NJ**: 4,893,000
- **Yazoo City, MS**: 4,000,000
- **San Diego, CA**: 1,208,000
- **El Paso, TX**: 2,307,000
- **Seagoville, TX**: 1,208,000
- **Jesup, GA**: 200,000

The conference agreement includes $3,430,596,000 as proposed in the Senate-reports amendment.

The conference agreement includes funding to plan and design a prison in Alaska while the House included no such funding. The managers note there is no Federal prison in Alaska and State prisons are severely overcrowded and are operating under a court order requiring some prisoners to be transported to lower 48 States. The allocation in Alaska must be transported by commercial air to Federal facilities thousands of miles away at a huge cost to taxpayers. The Senate provided $9,954,000 to plan and design a prison in Alaska while the House included no such funding. The managers note there is no Federal prison in Alaska and State prisons are severely overcrowded and are operating under a court order requiring some prisoners to be transported to lower 48 States. The allocation in Alaska must be transported by commercial air to Federal facilities thousands of miles away at a huge cost to taxpayers. The conference agreement includes a limitation of $51,134,000 for backlog removal in the 2001 budget and a total of $7,200,000; and (5) $53,641,000 for replacement of the case tracking system and hardware in field offices and continued development and installation of digital photography and fingerprinting capabilities in the Background Support Centers. Included within these amounts is $6,000,000 for installation of the CLAIMS 4 system in the Los Angeles, California area, which will facilitate the nationwide deployment of the system. INS is directed to submit a spending plan in accordance with the reprogramming procedures set forth in this Act, which allocates the remaining $51,134,000 in additional resources made available in the Exams Fees account, and the $35,000,000 in continued direct appropriations provided for back-log re-duction initiatives.

The INS is directed to make available to EOIR from the INS Examinations Fees account not less than $1,000,000 to be applied toward expenses related to EOIR’s acquisition of contract court interpreter services for immigration court proceedings.

**Land Border Inspections Fees.** The conference agreement includes $1,670,000 in spending from the Land Border Inspection Fund, as proposed in the Senate report, in instead of $1,641,000 as proposed in the House report. The current revenues generated in this account are from Dedicated Commuter Lanes at the Reuter’s Port of Lansing, Detroit Tunnel and Ambassador Bridge, Michigan, and Otay Mesa, California, and from Automated Permit Ports that provide processing for local border residents’ border crossing privileges by means of automated inspections.

**Immigration Breached Bond/Detention Fund.** The conference agreement includes $80,600,000 in spending from the Breached Bond/Detention Fund, as proposed in the House report, and $130,634,000 as proposed in the Senate report, and reflects the current estimate of revenues available in the Fund in fiscal year 2001 based upon current law. The conference agreement does not assume the reinstatement of Section 245(i), which was proposed in the Senate-reported amendment and the budget request. Instead, the conference agreement provides a $37,480,000 increase in the INS Salaries and Expenses account to fully fund the detention requirements requested in the Fund, but for which revenues are insufficient in fiscal year 2001. The conference agreement does not include any base transfer to the Breached Bond/Detention Fund account, as proposed in the Senate report.

**Immigration Enforcement Fines.** The conference agreement includes $1,850,000 in spending from Immigration Enforcement fines, the amount requested and proposed in the House report, instead of $5,593,000 as proposed in the Senate report.

**H-18 Fees.** The conference agreement includes $1,125,000 in spending from the H-1B Fee account, as requested and the amount proposed in the House report, instead of $1,473,000 as proposed in the Senate report.

**Constr**uction

The conference agreement includes $133,302,000 for construction for INS, as proposed in the Senate-reported amendment, instead of $110,664,000 as proposed in the House bill. The conference agreement includes the Administration’s request, funds $5,000,000 in habitability, life safety, and other improvements at the Charleston Border Patrol Academy, and provides increased funds over the requested amount of $7,353,000 for one-time out build and $9,814,000 for maintenance, repair, and alteration to accelerate these programs.

**JUSTICE ASSISTANCE

The conference agreement includes a limitation on administrative expenses of $3,429,000, as requested and as proposed in both the House bill and the Senate-reported amendment.
The conference agreement provides $15,000,000 for an education and development initiative to promote criminal justice excellence at Eastern Kentucky University in conjunction with the University of Kentucky.

The conference agreement includes $600,000 for NIJ support to develop a subjective national Vulnerability Assessment (VA) methodology for assessing the security of chemical facilities against terrorist and criminal attacks, with the requirements of Public Law 106–40. This report is expected to include recommendations for the Attorney General on the appropriate security level classification of release of information likely to be generated by a national VA of chemical facilities, including an analysis of expected risks and benefits. One year after enactment of this Act, the Attorney General shall provide to the Committees on Appropriations a comprehensive report on the findings derived from the development of the VA methodology. The information contained in this report will be used only to describe and validate conditions at chemical facilities in general and will contain no identifiable facility-specific information.

The conference agreement provides $70,000,000 for the National Institute of Justice, instead of $41,448,000 as proposed in the House bill and $46,000,000 as proposed in the Senate-reported amendment. Additionally, $5,200,000 for NIJ research and evaluation on the causes and impact of domestic violence is provided under the Violence Against Women Grants program; $17,500,000 is provided from within technology funding in the Community Oriented Policing Services account to be available to develop new, more effective safety technologies for safe schools; and $20,000,000 is provided to NIJ, as was provided in previous fiscal years, within the Local Law Enforcement Block Grant for assisting local units to identify, select, develop, modernize and purchase new technologies for use by law enforcement.

The conference agreement adopts by reference the following recommendations in the House report which are within the overall amounts provided to NIJ. The Office of Justice Programs is expected to continue funding prevention initiatives involving cyber crimes and the protocols for conducting investigations involving the Internet and online service providers. The Office of Justice Programs is expected to provide training and other assistance to state and local governments to investigate and prevent cyber attacks, consistent with the methodology for assessing the security of chemical facilities against terrorist and criminal attacks, with the requirements of Public Law 106–40. The Office of Justice Programs is expected to include recommendations for the Attorney General on the appropriate level of classification for release of information likely to be generated by a national VA of chemical facilities, including an analysis of expected risks and benefits. One year after enactment of this Act, the Attorney General shall provide to the Committees on Appropriations a comprehensive report on the findings derived from the development of the VA methodology. The information contained in this report will be used only to describe and validate conditions at chemical facilities in general and will contain no identifiable facility-specific information.

The conference agreement includes $97,000,000 for the FBI's VICAP system; and a $1,800,000 grant for facial recognition.

The conference agreement adopts the following recommendations in the Senate report that provides that within the overall amount provided to NIJ, the Office of Justice Programs is expected to review proposals, provide grants if warranted, and report to the Committees on Appropriations on its intentions regarding: a $400,000 grant for continued research into non-toxic drug detection and identification aerosol technology; a $300,000 grant for Washington State Breaking the Cycle; and a $100,000 grant for perfluorocarbon tracer.

Within the total amount provided to NIJ, the conference agreement directs that increased amounts over fiscal year 2000 be made available for computerized identification systems and technologies, and the National Institute of Justice, instead of no funding as proposed in the Senate-reported amendment.

The conference agreement provides $7,400,000 for pre-positioned equipment, to continue specialized cyberunits and to train state and local entities to respond to incidents of chemical, biological, radiological, and explosive weapons of mass destruction (WMD). The conference agreement continues the direction included in the fiscal 2001 Appropriations Act, allowing funds to be allocated only in accordance with an approved State plan, and adopts the direction included in the Senate report requiring 20 percent of each State’s funding to be provided to local communities with the greatest need. Within the total amount provided for these grants, up to $2,000,000 shall be made available for continued support of the Domestic Preparedness Equipment Technical Assistance program at the Pine Bluff Arsenal.

$6,500,000 is for equipment grants for State and local bomb technicians, instead of $10,000,000 as proposed in the House report; and $7,400,000 is for pre-positioned equipment, as proposed in the Senate report.

The conference agreement provides $5,000,000 for the White Collar Crime Information Center, instead of no funding as proposed in the House and Senate reports. The conference agreement includes $9,298,000 for the Missing Children Program, instead of no funding as proposed in the House and Senate reports. Additionally, $5,000,000 is for equipment grants for State and local first responders, including, but not limited to, fire-fighters and emergency services personnel, as follows:

- $97,000,000 for Domestic Preparedness Equipment Grants to be used to procure specialized equipment required by State and local first responders to respond to terrorist attacks involving chemical, biological, radiological, and explosive weapons of mass destruction (WMD). The conference agreement continues the direction included in the fiscal 2001 Appropriations Act, allowing funds to be allocated only in accordance with an approved State plan, and adopts the direction included in the Senate report requiring 20 percent of each State’s funding to be provided to local communities with the greatest need. Within the total amount provided for these grants, up to $2,000,000 shall be made available for continued support of the Domestic Preparedness Equipment Technical Assistance program at the Pine Bluff Arsenal.

$6,500,000 is for equipment grants for State and local bomb technicians, instead of $10,000,000 as proposed in the House report; and $7,400,000 is for pre-positioned equipment, as proposed in the Senate report.

Nunn-Lugar-Domenici Program (NLD) — $20,980,000 is for the NLD Domestic Preparedness Equipment Technical Assistance program authorized under the National Defense Authorization Act, 1997, and previously funded by the Department of Defense, to provide training and other assistance to the 120 largest U.S. cities. On April 6, 2000, the President proposed the transfer of responsibility for completion of the NLD
program to the Department of Justice. The conference agreement provides the full amount necessary to complete the NLD program, of which $8,100,000 is for training and $6,980,000 is for the remainder of the 120 cities; $3,000,000 is for Improved Response Plans; and $3,000,000 is for management and administrative costs associated with implementing the program. Within the amount provided for Domestic Preparedness Equipment grants, the Office of Justice Programs may provide equipment to NLD cities if such equipment will fulfill the requirements of the program. The conference agreement includes a series of new programs to address training and exercise requirements on a national basis, and expects the Office of Justice Programs to provide any future training and exercises through these programs. The Senate report language regarding administration of this program is adopted by reference.

Training.—$45,500,000 is for training programs for State and local first responders, to be distributed as follows:

- $33,500,000 is for the National Domestic Preparedness and Local Jurisdictions in Planning
- $15,500,000 is for the Center for Domestic Preparedness at Ft. McClellan, Alabama, including $500,000 for management and administration.
- $5,250,000 is for the Texas Engineering Extension Service at Texas A&M; and $12,750,000 is to be equally divided among the three other Consortium members;
- $5,250,000 is for additional training programs to address emergency training needs not provided for by the Consortium or elsewhere. In distributing these funds, OJP is expected to consider the need of firefighters and emergency services personnel, and State and local law enforcement;
- $3,000,000 is for continuation of distance learning training programs at the National Terrorism Preparedness Institute at the Southeastern Public Safety Institute to provide for the training of those with advanced degrees in distance learning technology and other mechanisms;
- $1,000,000 is for continuation of the State and Local Antiterrorism Training Program.

Exercises.—$7,000,000 is for exercise programs, of which $4,000,000 is for grants to assist States in planning and conducting exercises to enhance their response capabilities, and $3,000,000 is for planning, execution, and analysis of TOPOFF II. The conference agreement includes language providing for the submission of reports on testing new training and exercises, but does not include any funds for the conduct of the exercises themselves.

The conference agreement includes $2,848,929,000 for State and Local Law Enforcement Assistance. In addition, $2,823,950,000 is as proposed in the Senate bill, $3,450,000 is as proposed in the Senate-reported amendment. The conference agreement provides for the following programs:

- Local Law Enforcement Block Grant
- State Prison Grants
- Cooperative Agreement Program
- Indian Country Earmark
- Byrne Formula Grants
- Drug Courts
- Juvenile Crime Block Grant
- Violence Against Women
- Missing Persons Patient Program
- Law Enforcement Family Support Programs
- Motor Vehicle Theft Prevention
- Senior Citizens Against Marketing Scams

Total ........................................ 2,848,929,000

The conference agreement includes $523,000,000 for the Byrne Discretionary Grants Program, $34,000,000 is available for Indian tribes, and $2,000,000 is available for review of State environmental impact statements to determine compliance with Federal requirements and ensure that State projects are not displaced.

The conference agreement provides a total of $565,050,000 for the State Criminal Alien Assistance Program, $165,000,000 is available for the State Prison Grants program, as proposed by the Senate bill. The conference agreement includes $8,000,000, instead of $5,000,000 as proposed in the Senate-reported amendment, and no funding in the House bill, to assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems by providing resources for the necessary tools to maintain safer and more peaceful communities.

Edward Byrne Grants to States.—The conference agreement provides $569,050,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $69,050,000 is for discretionary grants and $500,000,000 is provided for formula grants under this program.

Byrne Discretionary Grants.—The conference agreement provides $63,010,000 for discretionary grants under the Edward Byrne Memorial State and Local Assistance Program to be administered by Bureau of Justice Assistance (BJA), instead of $50,000,000 as proposed in the Senate bill and the Senate-reported amendment. Within the amount provided for discretionary grants, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations of the House and the Senate on its intentions:

- $2,000,000 for the Drug Abuse Resistance Education (DARE AMERICA) program;
- $1,600,000 for continued support for the expansion of Search Group, Inc. and the National Technical Assistance and Training Program to assist the Virginia, to accelerate the automation of fingerprint identification processes;
- $4,400,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign, McGruff;
- $8,000,000 for the Haymarket Center;
- $5,000,000 for Project HomeSafe for safety packets which include a gun locking device and information on how to handle and store guns safely as described in the Senate report;
- $150,000 for the Ottawa County, MI, Sheriff's Department to support crime fighting technologies;
- $1,000,000 for the Tools for Tolerance Program;
- $500,000 for the Littleton Area Learning Center;
- $4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the St. John’s Advocacy Center;
- $2,000,000 for the Youth Safe Haven program;
- $1,900,000 for the Families and Schools Together (FAST) program;
- $1,500,000 for Project Return in New Orleans, LA;
- $2,000,000 for the Alaska Native Justice Center;
- $5,000,000 for the Ridge House in Reno, NV;
- $3,000,000 for a grant to the National Center for Justice and the Rule of Law at the
University of Mississippi School of Law to sponsor research and produce judicial education seminars and training for judges, court personnel, prosecutors, police agencies, and universities; and

- $350,000 for a grant to Turtle Mountain Community College’s Department of Justice for “Project Peacemaker”;
- $300,000 for the Chattanooga Endeavors program;
- $750,000 for a grant to the University of Kentucky College of Law for teleconferencing equipment for prosecutor training;
- $1,000,000 for the Fels Center at the University of Pennsylvania for a demonstration fellowship program;
- $1,400,000 for rural alcohol interdiction, investigations, and prosecutions in the State of Alaska;
- $350,000 for the MUSC Innovative Alternatives for Women program;
- $750,000 for the Nevada National Judicial Center;
- $3,000,000 for a grant for the National Fatherhood Initiative;
- $190,000 to the Hampshire County, MA, TRIAD project;
- $450,000 for the Gospel Rescue Mission;
- $2,250,000 for the Washington Metropolitan Area Drug Enforcement Task Force and for expansion of the regional gang tracking system;
- $2,000,000 for the Rural Crime Prevention and Prosecution Program;
- $1,000,000 for the Night Light program in San Bernardino, CA to assign probation officers to patrol with law enforcement during peak crime hours;
- $800,000 for the Illegal Firearms Reduction Program in Illinois;
- $550,000 for the DuPage County Children’s Sexual Abuse Center;
- $1,000,000 for Operation NITRO (Narcotics Interdiction To Reduce Open-Air Drug Markets) in Newark, NJ;
- $1,000,000 for the Center for Rural Law Enforcement Technology and Training;
- $2,505,000 for Kentucky Child Advocacy Centers;
- $1,000,000 for a community court pilot project in Los Angeles, CA;
- $1,000,000 for a Neighborhood Policing Initiative for the Homeless in Clearwater, FL;
- $1,000,000 for the National Children’s Advocacy Center in Huntsville, Alabama for a Child Abuse Investigation and Prosecution Enhancement Initiative;
- $1,100,000 for the National Training and Information Center;
- $30,000 for the Doe Fund’s Ready, Willing and Able program;
- $40,000 for the Crimestoppers program in Lexington, KY, to expand its efforts to involve citizens in crime prevention;
- $1,000,000 for the Ben Clark Public Safety Training program for law enforcement officers;
- $3,000,000 for the Regional Mobile Gang Task Force Enforcement Team in Orange County, CA;
- $500,000 for the Local Initiative Support Corporation;
- $300,000 for the National Association of Town Watch’s National Night Out crime prevention program;
- $2,000,000 for a Spokane County crime task force for costs associated with State and local law enforcement agencies;
- $750,000 for Operation Child Haven;
- $150,000 for the Samantha Reid Foundation;
- $50,000 for the Sunflower House in Shawnee, KS; and
- $400,000 for the Domestic Violence Services for Women in Substance Abuse Treatment program and the Substance Abuse Treatment for Women in Domestic Violence Shelters project at the University of Northern Iowa.

The conference agreement adopts the Senate report language supporting the national motor vehicle title information system. Within available resources for Byrne discretionary funds, the conference report is targeted to new programs and proposals, and provide grants if warranted, to the Alaska Federation of Natives and the Alaska court system for an alcohol law enforcement family support program, using Naltrexone and other drug therapies.

Byrne Formula Grants.—The conference agreement provides $500,000,000 for the Byrne Formula Grants
designed in the House bill, instead of $400,000,000 as proposed in the Senate-reported amendment.

Drug Courts.—The conference agreement includes $50,000,000 for drug courts, instead of $400,000,000 as proposed in the Senate-reported amendment and the House bill. Localities may also obtain funding for drug courts under the Local Law Enforcement Block Grant program and the Juvenile Accountability Incentive Block Grant program.

The conference agreement recognizes that there are currently over 480 drug courts in the United States. These drug courts play an important role in controlling the behavior and drug addiction of offenders falsely released from correctional facilities. There are only three comprehensive drug court systems in the country, one of which is in Denver, Colorado. Denver’s adult drug court was the first in the nation. A juvenile drug court was established. The conference agreement recognizes the Denver concept has demonstrated its efficacy and, with sufficient resources, could serve as a model for other drug courts.

Juvenile Accountability Incentive Block Grant.—The conference agreement provides $250,000,000 for the Juvenile Accountability Incentive Block Grant program to address the problem of juvenile crime as proposed in the House bill instead of $200,000,000 as proposed in the Senate-reported amendment.

Violence Against Women Act Grants.—The conference agreement includes $288,679,000 for grants to support the Violence Against Women Act, instead of $283,750,000 as proposed in the House bill, and $284,854,000 as proposed in the Senate-reported amendment. The conference agreement provides funding under this account as follows:

General Grants ............... $210,179,000
Civil Legal Assistance ....... $31,625,000
National Institute of Justice Training Programs .......... 5,200,000
OJJDP-Safe Start Program ...................................... (5,200,000)
Violence on College Campuses .................................. (10,000,000)
Victims of Child Abuse Programs: Court-Appointed Special Advocates ............................................. 11,500,000
Training Personnel ................................................... 2,000,000
Grants for Televised Testimony ..................................... 1,000,000
Grants to Enforce Arrest Policies ................................... 34,000,000
Rural Domestic Violence ............................................ 25,000,000
Training Programs .................................................... 5,000,000
Total ................................................................. 288,679,000

State Prison Drug Treatment Program.—The conference agreement includes $63,000,000 for substance abuse programs within the Federal Bureau of Prisons, instead of $50,000,000 as proposed in the House bill and the Senate-reported amendment. The conference agreement provides funding to this program from being used for aftercare programs.

Indian Country Alcohol and Crime Prevention.—The conference agreement increases $1,000,000 for grants in Indian country to combat alcohol and crime in Indian country. No funding was proposed for this program in either the House bill or the Senate-reported amendment. These funds are only available for law enforcement activities.

Safe Return Program.—The conference agreement includes $500,000,000 as proposed in both the House bill and the Senate-reported amendment.

New Enforcement Family Support.—The conference agreement includes $1,500,000 for law enforcement family support programs, as proposed in both the Senate-reported amendment and the House bill.

Senior Citizens Against Marketing Scams.—The conference agreement includes $2,000,000 for programs to assist law enforcement in stopping and stopping scams against senior citizens, as proposed by both the House bill and the Senate-reported amendment. The conference agreement adopts by reference the Senate report language on the National Advocacy Center and coordinating with the Federal Trade Commission.

Motor Vehicle Theft Prevention.—The conference agreement includes $1,300,000 for grants to combat motor vehicle theft as proposed in the House bill.

The conference agreement adopts the House report language by reference concerning false residential and commercial alarms. The conference agreement also includes language proposed in the House bill providing for Guam to be considered a State for purposes of the Byrne Formula Grant program and the Juvenile Accountability Incentive Block Grant program.

WEED AND SEED PROGRAM

The conference agreement includes a direct appropriation of $34,000,000 for the Weed and Seed program, instead of $33,500,000 proposed by the House bill and $40,000,000 as proposed by the Senate-reported amendment. The conference agreement modifies the expectation that an additional $6,500,000 will be made available from the Assets Forfeiture Super Surplus Fund.

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes $1,032,325,000 for the Community Oriented Policing Services (COPS) program, instead of $812,025,000 in the Senate-reported amendment and $955,000,000 in the House bill. This conference agreement assumes that $5,000,000 will be available to the program in unobligated balances, providing for a total program level of $1,037,325,000.

Police Hiring Initiatives.—The conference agreement includes $470,000,000 for police hiring initiatives. Of this total, $250,000,000 is provided specifically for school resource officers and $35,000,000 is provided specifically for hiring police officers for Indian Country, with an additional $5,000,000 from unobligated carryover balances from fiscal year 2000 for Indian Country grants. Since fiscal year 1998, the COPS program has recovered over $100,000,000 per year in prior year funds. The conference agreement includes a provision requiring the COPS program office to provide a letter requesting to the Committees on Appropriations before spending any funds made available through prior year deobligations, and an exception for law enforcement and administration funding.

Safe Schools Initiative (SSI).—To address the issue of violence in our schools, the conference agreement increases $227,500,000 for the Safe Schools Initiative (SSI), including funds for technology development, prevention, community planning and school safety officers. Within this total, $350,000 is from the COPS hiring program to provide school resource officers who will work in partnership with schools and other community-based organizations to improve the safety of elementary and secondary school children and educators in and
around schools; $15,000,000 is from the J uvenile Justice At-Risk Children's Program and $15,000,000 is from the COPS program ($30,000,000 total) for programs aimed at preventing violence in schools through partnerships with schools and community-based organizations; and $17,500,000 is provided from the Crime Identification Technology Program to develop technologies to improve school safety.

Indian Country.—The conference agreement includes a total of $40,000,000 to improve enforcement capabilities on Indian lands, both for hiring uniformed officers and for the purchase of equipment and training for new and existing officers, as proposed by the Senate. $35,000,000 is from the conference agreement, and $5,000,000 is from unobligated balances.

Management and Administration.—The conference agreement includes language that provides that not to exceed $31,825,000 shall be expended for management and administration of the program.

Non-Hiring Initiatives.—The COPS program reached its original goal of funding 100,000 officers in May of 1999. Accordingly, the conference agreement funds initiatives to ensure there is adequate infrastructure for the new police officers, similar to the focus that has been provided federal law enforcement. This will enable police officers to work more efficiently, equipped with the protection, tools, and technology they need; to address crime at the scene of the crime; to provide law enforcement technology for local law enforcement; to combat the emergence of methamphetamine in new areas and police hot spots in existing areas; to make more bullet proof vests available for local law enforcement officers and correctional officers. In addition, the conference agreement funds $1,000,000 for Community and Gun Violence Prosecutors, law enforcement costs associated with Defender Reentry programs and Police Integrity training. The conference agreement includes funding for the following non-hiring grant programs:

1. COPS Technology Program.—The conference agreement includes $140,000,000 to be used for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, stopping, and preventing crime. In particular, it supports the sharing of criminal information and intelligence between State and local law enforcement to address national crimes.

Within the amounts made available under this program, the conference agreement includes the expectation that the COPS office will award grants for the following technology proposals:

$3,000,000 for a grant to the Law Enforcement On-Line Program (LEO). The conference agreement directs the Department of Justice to submit a report to the Committee on Appropriations by February 1, 2001, on the future of the LEO system. The report shall present the Department's vision for LEO, interoperability of LEO with other FBI and Departmental systems, and the relationship of LEO to the Global Justice Information Network. The report shall also include funding requirements and a project time line for achieving the Department's vision and address whether management of LEO should remain with the FBI, or be transferred to JMD;

$500,000 for a grant to Delaware County, IN, for mobile data terminals for law enforcement vehicles;

$250,000 for a grant to Clackamas County, OR, for police communications equipment;

$1,000,000 for a grant for the Utah Community Emergency Network (UCAN) for enhancements and upgrades of security and communications infrastructure to assist with the law enforcement needs arising from the Winter Olympic Games; $250,000 for a grant to Lane County, OR, for an area information records system; $550,000 for a grant to the Clearwater Economic Development Association to provide funding to sheriffs' offices in Clearwater, Idaho, Lemhi, Lewis and Nez Perce counties, ID, for radio communications equipment; $200,000 for a grant to the Pawtucket, RI, Police Department for patrol car mobile data terminals; $300,000 for a grant to Bolivar County, MS, for public safety equipment and automated system technologies to improve county law enforcement; $500,000 for a grant to the Maine State Police to upgrade their police radio system; $350,000 for a grant to Huntington County, PA, for rural law enforcement technology needs;

$2,200,000 for a grant to the Alaska Department of Public Safety for technology, policing, and enforcement initiatives; $2,000,000 for a grant to the Virginia Department of State Police for law enforcement technologies; $250,000 for a grant to the Easley, SC, Police Department for police equipment upgrades and computer enhancements; $110,000 for a grant to the Scotts Bluff County, NE, consolidated communications center to improve law enforcement response times; $250,000 for a grant to the Vermont State Police for computer and radio system upgrades and integration; $3,000,000 for a grant for the Southeastern Law Enforcement Technology Center's Coastal Plain Police Communications Initiative for regional law enforcement communications equipment; $1,300,000 for a grant to the Alaska Department of Public Safety for the law enforcement photo network to provide statewide access to the Alaska booking, driver, and ID photographic information throughout the State; $100,000 for a grant to the Lawrence, MA, Police Department for a police identification management system; $150,000 for a grant to Grand Rapids, MI, for computer equipment for police officer vehicles; $3,000,000 for a grant to the Milwaukee, WI, Police Department for communications infrastructure equipment; $500,000 for a grant to Nye County, NV, for computer upgrades and other technologies; $750,000 for a grant to the Virginia Department of Public Safety for mobile communications technology upgrades for law enforcement; $1,650,000 for a grant to the South Carolina Law Enforcement Division for emergency response technology equipment, including datamasters; $100,000 for a grant to Deschutes County, OR, for mobile data and radio communications upgrades; $500,000 for a grant to the City of Paducah and McCracken County, KY, for a Public Safety Mobile Data System to assist law enforcement; $1,000,000 for a grant to the Arkansas Crime Information Center to address software and hardware requirements; $500,000 for a grant to the City of Seattle and King County, WA, for technology upgrades and to assist with inter-jurisdictional investigations;
$1,800,000 for a grant to the State of Alaska for the training of Village Public Safety Officers and the purchase of emergency response equipment;
$350,000 for a grant to Madison, WI, for communications upgrades needed to address police radio transmitting capacity and interagency communications;
$125,000 for a grant to the Yellowstone County, MT, Sheriff’s office for training technologies upgrades;
$500,000 for a grant to Baltimore, MD, for police training programs and equipment;
$2,000,000 for a grant to Clark County, NV, to upgrade mobile and in-vehicle computers;
$400,000 for a grant to the Virginia State Police’s Bureau of Criminal Intelligence Division for technical equipment;
$500,000 for a grant to the Johnson County, KS, Sheriff’s Department for a countywide public safety radio network;
$400,000 for a grant to the Montgomery, AL, Police Department for an integrated communications system;
$150,000 for a grant to the Bozeman, MT, police department for high risk activity training equipment;
$100,000 for a grant to St. Clair County, MI, to assist with law enforcement data needs;
$600,000 for a grant to the Alabama Department of Public Safety for technology and automated systems to assist law enforcement;
$3,000,000 for a grant for the continuation of the Southwest Border States Anti-Drug Information System, which will provide for the purchase and deployment of the technology network between all State and local law enforcement agencies in the four Southwest Border States;
$200,000 for a grant to Hall County, NE, for mobile device technology and systems;
$100,000 for a grant to Burrillville, RI, for a communications system to assist law enforcement;
$200,000 for a grant to Irvington, NJ, for police technology needs;
$3,000,000 for a grant for virtual teleconferencing equipment necessary to assist State and local law enforcement in contacting the Immigration and Naturalization Service to allow them to confirm the identification and status of illegal and criminal aliens in this country;
$2,000,000 for a grant to Ventura County, CA, for an integrated justice information system;
$3,000,000 for a grant for the Southwest Alabama Justice Integration Project;
$5,000,000 for a grant for the Ohio Senate and House Joint Commission on Criminal Justice;
$1,750,000 for a grant to the Missouri State Highway Patrol for an integration technology program;
$1,720,000 for a grant to the California Highway Patrol for a communications system;
$3,000,000 for a grant for SmartCOP in Alabama;
$3,000,000 for a grant for Project Hoosier SAFE-T;
$2,000,000 for a grant for the Access to Court Electronic Data for Criminal Justice Agencies project;
$660,000 for a grant to modernize and update the Idaho State Police’s equipment in East Baton Rouge Parish, Livingston Parish and Ascension Parish, LA;
$1,000,000 for a grant to the Riverside, CA, police department for mobile data terminals;
$1,000,000 for a grant to Orange County, CA, for a seamless, integrated communications technique system for mobile devices;
$260,000 for a grant to Shively, KY, for police department communications improvements;
$500,000 for a grant for the Citrus Heights, CA, police force for computer networking and radios;
$250,000 for a grant for the Suffolk County, NY, Police Department Technology Crimes Initiative;
$750,000 for a grant for Riviera Beach, FL, for a police radio communications system;
$750,000 for a grant for Clearwater, FL, for laptop computers and printers for police vehicles and network operations;
$750,000 for a grant to the Chattanooga, TN, Police Department to improve information sharing;
$3,000,000 for a grant for the purchase and installation of mobile data computers for the Huntsville, AL, police department;
$830,000 for a grant for the Long County, GA, police department for a communications system;
$3,500,000 for a grant for Pinellas County, FL, law enforcement agencies to demonstrate with the Florida Department of Motor Vehicles how facial recognition technology may be used by police;
$1,300,000 for a grant for vehicle-mounted cameras and facial recognition units for the Jefferson County, KY, police department;
$3,000,000 for a grant for the Lexington, KY, police department for communications equipment to improve officer safety and effectiveness;
$350,000 for a grant for the Daviess County, KY, sheriff’s department for a wireless mobile information system;
$250,000 for a grant for the City of Falls Church, VA, police department for a computer-aided dispatch and records management system;
$3,000,000 for a grant for Yuma, AZ, for telecommunication and technology infrastructure improvements for law enforcement officers;
$152,000 for a grant for Mexico Beach, FL, to upgrade its dispatch communications service;
$1,500,000 for a grant for an integrated public safety records management and document imaging system for the Wichita Police Department (KS);
$250,000 for a grant for the East Valley Regional Community Analysis Center for a data warehousing project;
$7,500,000 for a grant for a regional law enforcement technology program in Kentucky;
$1,255,000 for a grant for the Virgin Islands for technology equipment and upgrades;
$1,500,000 for a grant to the Justice Tracking Information System (J UST I S ) for San Francisco;
$250,000 for a grant for Glendale, CA, for police training equipment and technologies;
$1,390,000 for a grant for Pasadena, CA, for a computerized geographic information system;
$152,000 for a grant for the New Jersey State Police’s High-Tech Crime Unit for technology equipment;
$500,000 for a grant for the Tuckahoe, NY, police department for technology upgrades;
$1,000,000 for a grant for the Greater Atlanta Data Center;
$500,000 for a grant for the Berkshire County Regional Strategic Response Team in Pittsfield, MA;
$500,000 for a grant for mobile data terminals for Louisville, KY, to improve information retrieval on-scene and greatly reduce time used to complete paperwork off-scene;
$790,000 for a grant for the Louisiana State Police for communications and computer system upgrades for the Public Safety Emergency Services Training Center;
$500,000 for a grant for Fond Brook, NJ, police department for law enforcement technology;
$1,000,000 for personnel, equipment, and training for Arizona law enforcement to combat methamphetamine; 
$250,000 for the Nye County, NV, Methamphetamine Initiative; 
$750,000 to the Alabama Department of Public Safety to combat methamphetamine production and distribution; 
$250,000 to the Bi-County Public Safety and Narcotics Enforcement Division to address methamphetamine diversion, production, distribution, and enforcement efforts; 
$400,000 for the Vermont State Multi-jurisdictional Drug Task Force; 
$2,300,000 for the Bi-State Methamphetamine Training Program (IA/SD/NE) to train officers from rural areas on methamphetamine interdiction, covert operations, intelligence gathering, locating clandestine laboratories, case development, and prosecution; 
$1,000,000 to form a Western Kentucky Methamphetamine training program and provide equipment and personnel; 
$1,000,000 for the Eastern Appalachian Task Force on Methamphetamine Eradication in Tennessee, including $100,000 to establish videoconferencing with the Hamilton County District Attorney's Office; 
$250,000 for the Polk County, FL, sheriff's office to conduct an on-site assessment of local law enforcement officers, intelligence gathering and forensic capabilities, training and community outreach programs for an expanded methamphetamine program; 
$750,000 for Central Kentucky to assist local police and sheriffs' departments with costs associated with combating the production and distribution of methamphetamine; 
$1,500,000 for the Oklahoma State Bureau of Investigation for costs associated with combating the production and distribution of methamphetamine; 
$300,000 for the Ascension Parish, LA, sheriff's office to support officer training and outreach programs.

The conference agreement expects the COPS office to review requests from the California Bureau of Narcotics Enforcement's Methamphetamine Strategy and Merced County, CA, and provide grants, if warranted.

3. COPS Safe Schools Initiative (SSI)/School Violence Reduction. The conference agreement includes $35,000,000 to provide resources for programs aimed at preventing violence in public schools, and to support the assignment of new, more effective safety technologies such as less obstructive weapons detection and surveillance equipment and information systems that provide communities the success to information they need to identify potentially violent youth. The conference agreement includes $500,000 to upgrade the Indianapolis Automated Fingerprint Identification System; and 

The conference agreement provides $35,000,000 for States to upgrade criminal history records so that these records can interface with other databases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal law; provide funding for the National sexual offender registry (NSOR) component of the Criminal History Records Update Program; and $2,000,000 to the FBI to improve communications and information sharing between local, State and Federal law enforcement, schools, and other agencies.

December 15, 2000
CONGRESSIONAL RECORD—HOUSE
H12459
Virginia University Forensic Identification Program; $500,000 to the Vermont Forensic Laboratory; $2,500,000 to the National Center for Forensic Science at the University of Central Florida; $500,000 to the National Law Enforcement Academy for Forensic Computing and Investigation in Charlotte, NC; $500,000 to Ohio forensic science laboratory improvements; $150,000 to the Bureau of Alcohol, Tobacco, Firearms and Explosives for a new latent fingerprint examination instrument; $550,000 to the Bellevue, WA, Police Department's Forensic Services Unit; $700,000 to the Department of Public Safety Southern Regional Crime Laboratory for forensic equipment; and $2,600,000 to the National Forensic Science Technology Center.

The conference agreement encourages the CLIP/DNA program to support within existing funds to ensure the Mississippi Crime Lab improving its capacity to analyze and process forensic, DNA and toxicology evidence and in upgrading its technology.

The conference agreement adopts the Senate report language directing OJP to conduct a study of the funding requirements for the operation of forensic science laboratories given the caseload growth and backlog.

7. Community Prosecutors.—The conference agreement includes $100,000,000 for the Community Prosecutors Program. The House bill and the Senate-reported amendment did not include funding for this program. Of the funds provided, $25,000,000 is for continuation of the current community prosecutors program and $75,000,000 is for community prosecutors in high gun violence areas. The $75,000,000 is to be used exclusively for community prosecutors to prosecute cases involving violent crimes committed with guns, and violations of gun statutes in cases involving drug trafficking and gang-related crimes in high gun violence areas. The Department of Justice is directed to submit a report to the Committees on Appropriations by December 15, 2000, outlining how the $75,000,000 for community prosecutors in high gun violence areas will be spent. The report shall include but not be limited to the following information: (1) a definition of a high gun violence area; (2) the amount of funding per prosecutor that will be provided; and (3) an explanation of how local communities will be able to continue to employ the prosecutors that are hired after the grant has expired.

8. Offender Reentry.—In recognition of the public safety threat generated by the increasing number of offenders who have served their sentences and are returning from jails and prisons to our communities, the conference agreement includes $30,000,000 for the law enforcement costs related to establishing offender reentry programs. The House bill did not include funding for this program. The Senate-reported amendment included $7,000,000 for this program within State Prison Grants.

Offender reentry programs establish partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delinquency. The conference agreement directs the Department of Justice to engage in active dialog with those organizations no longer associated with the program. With a concerted effort by all parties, problematic issues can be resolved which will ultimately benefit the cause of child abuse prevention.

$1,000,000 to continue the Achievable Dream after-school program for at-risk youth.

$3,000,000 to the Suffolk University Center for Juvenile Justice; $3,000,000 to Prevent Child Abuse America for the National Family Support Roundtable; $2,000,000 to continue the L.A.'s Best youth programs; $500,000 to the Culver City Jvenile Crime Diversion Initiative; $275,000 to the Sports Foundation to work with at-risk youth; $300,000 to the National Law Enforcement Council to continue the Intensive Juvenile Justice Diversion Program; $1,500,000 to the State of Alaska for a child abuse investigation program; $1,250,000 to Aberdeen, SD, for a youth enrichment program; $350,000 to the National Association of State Fire Marshals for implementing a national juvenile fire-setter intervention mobilization plan that will facilitate and promote the establishment of juvenile fire-setter intervention programs based on existing model programs at the State and local level; $7,500,000 for the “Innovative Partnerships for High Risk Youth” demonstration.

9. Police Integrity Program.

$3,000,000 to continue funding for the National Programs and Special Emphasis Programs; $438,000 to the National Association of Juvenile Probation and Parole Officers; $1,500,000 to the State of Alaska for a child abuse investigation program; $1,250,000 to Aberdeen, SD, for a youth enrichment program; $350,000 to the National Association of State Fire Marshals for implementing a national juvenile fire-setter intervention mobilization plan that will facilitate and promote the establishment of juvenile fire-setter intervention programs based on existing model programs at the State and local level; $7,500,000 for the “Innovative Partnerships for High Risk Youth” demonstration.

$7,500,000 for the Youth ChalleNge Program; $1,500,000 to the Mel Blount Youth Home; $300,000 to the New Mexico PAL program; $250,000 to the juvenile assessment center in Billings, MT, for child and family intervention services; $150,000 to Sioux Falls, SD, Turning Point locations, including the Bowden Youth Center; $300,000 to the New Mexico Cooperative Extension Service 4-H Youth Development Program; $1,000,000 for Project Escape; $400,000 to the Institute for Character Development, Civic Responsibility, and Leadership at Neumann College; $1,000,000 to Utah State University's Youth and Families with a Promise program; $120,000 to the South Dakota Unified Judicial System to continue the Intensive Juvenile Detention Program; $250,000 to the Hawaii Navigator Project; $500,000 to the North Eastern Massachusetts Law Enforcement Council; $150,000 to the Vermont Coalition of Teen Centers; $250,000 to the Better Way program in Minnesota; $350,000 to drug prevention programs in Shelby County, KY; $150,000 to the South Dakota Network Against Family Violence and Sexual Assault; $100,000 to the Alief University Coordination Services for Families and Youth program; $500,000 to the Kansas Youthfriends program; $500,000 to perform a national demonstration of the Learning for Life Program which is then to be replicated by the Gulf Ridge Council and others; $1,647,000 to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Part A); $5,000,000 for Formula Grants for assistance to State and local programs (Part B); $3,025,000 for Discretionary Grants for National Programs and Special Emphasis Programs (Part C).

The conference agreement includes the understanding that the Senate-reported amendment included funding for this initiative.

JUVENILE JUSTICE PROGRAMS

The conference agreement includes $298,597,000 for Juvneile Justice programs, instead of $287,097,000 as proposed in the House bill and $279,697,000 as proposed in the Senate-reported amendment. The conference agreement includes $37,000,000 for police training. The conference agreement will be used to fund the operational costs of this program after their grants expire.

3. Police Integrity Program.—The conference agreement provides $37,000,000 for police integrity training to promote funding and technical assistance grants to develop and implement new policing policies and strategies. Neither the conference agreement nor the Senate-reported amendment included funding for this initiative.

$1,500,000 to expand the Milwaukee Safe and Sound Program to other Milwaukee neighborhoods;
program for youth and adolescents at risk of delinquency;
$250,000 to the Ella H. Baker House to support its juvenile delinquency intervention and prevention program; $365,000 to Project Bridge to continue to assist at-risk youths in Riverside County, CA; $500,000 to Wichita State University for a juvenile justice program; $500,000 to the Wayne County Department of Human Services for an at-risk youth program including prevention and intervention services; $500,000 for the West Farms program to assist at-risk youth; and $500,000 for the Maryhurst Youth Center.

The conference agreement recognizes Project CRAFT (Community Restitution and Apprenticeship-Focused Training) as a successful model and proven intervention technique in the rehabilitation and reduced recidivism of accused and adjudicated juvenile offenders. The OJP is encouraged to work in cooperation with the Department of Labor to replicate Project CRAFT in order to offer at-risk and adjudicated youth pre-apprenticeship training and job placement in the residential construction trades.

4. §8. $900,000 to fund the Youth Gangs (Part D) program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes.

5. §10. $10,000,000 for Discretionary Grants for State Challenge Activities (Part E) to increase the amount of a State's formula grant by up to 10 percent, if that State agrees to undertake some or all of the ten challenge activities designed to improve various aspects of a State's juvenile justice and delinquency prevention program.

6. §16. $1,000,000 for the Juvenile Mentoring Program (Part G) to reduce juvenile delinquency, improve academic performance, and reduce the drop-out rate among at-risk youth by bringing young people in high crime areas together with law enforcement officers and other responsible adults who are willing to serve as long-term mentors. OJP DP is directed to provide a $3,000,000 grant for the Big Brothers/Big Sisters of America program.

7. §99. $55,000,000 for the At Risk Children's Program (Title V). Under Title V Juvenile Justice programs, the At Risk Children's Program provides funding to support comprehensive delinquency prevention plans formulated at the community level. The program will assist at-risk students, children, and school violence; gangs, guns, and drugs; and other influences that lead juveniles to delinquency and criminality.

Safe School Initiative (SSI).—The conference agreement includes $15,000,000 within Title V grants for the Safe School initiative as proposed in the Senate report. Within the amount appropriated, OJP DP is directed to review the following proposals, provide grants if warranted, and submit a report to the Committees on Appropriations on its intentions regarding:

$3,600,000 to the Hamilton Fish National Institute on School and Community Violence;
$1,250,000 to the Teens, Crime, and Community Program;
$200,000 to the Decatur Mentoring Project in Decatur, IL; $250,000 to an Allegheny County, PA, youth development program; $1,000,000 to establish and enhance after-school programs for at-risk youth in Baltimore, MD; $750,000 to the University of South Alabama for Youth Violence Prevention Research; $900,000 to the Stop Truancy Outreach Program; $58,000 to the Southern Kentucky Truancy Diversion program; $1,000,000 to the “I Have a Dream” foundation for at-risk youth program; $260,000 to the Urban League of Greater Columbus, and Community Leaders of America (FCCLA), STOP the Violence—Students Taking On Prevention Project; $1,000,000 to the Little Rock School District to create a safe, secure and healthy school environment.

Tribal Youth Program.—The conference agreement includes $12,500,000 within the Title V grants for programs to reduce, control and prevent crime, as proposed in the Senate report. Enforcing the Underage Drinking Laws Program.—The conference agreement includes $25,000,000 within the Title V grants for programs to reduce or prevent the enforcement of under-age drinking laws, as proposed in the Senate report. Within the amounts provided for underage drinking, OJP shall make awards of $700,000 to expand Oregon Partnership programs and $500,000 to the Sam Houston State University and Mothers Against Drunk Driving for the National Institute of Victims Studies.

Drug Prevention Program.—The conference agreement includes $11,000,000 as proposed in the House bill to develop, demonstrate and disseminate prevention programs that identify and intervene among children and youth that drug use is risky, harmful, or unattractive.

Victim Program.—The conference agreement includes $8,500,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA), as proposed in the House bill. The following programs are included in this amount: $1,250,000 to Regional Children's Advocacy Centers, as authorized by section 213 of VOCA; $5,000,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA; $1,500,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 216a of VOCA; and $750,000 for a continuation grant to the National Network of Child Advocacy Centers for continuing general technical assistance and services, as authorized by section 216a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes $35,624,000, instead of $33,224,000 as proposed in the House report, for the recipients of special veterans service. This includes $33,224,000 for the death benefits program and $2,400,000 for the disability benefits program. In addition to the $2,400,000 appropriated for disability benefits, it is estimated there will be $500,000 in available disability carryover balances for a total of $2,900,000 for disability payments in fiscal year 2001.

In addition, the conference agreement includes $32,300,000 unobligated balance available for the Education Assistance for Deceased State and Local Police Officer’s Families Act for fiscal year 2001. This amount is estimated to be sufficient to cover the cost of this program, which has recently been expanded to provide benefits to the children and spouses of Federal, State and local public safety officers permanently disabled in the line of duty as long ago as 1978.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice:

Sec. 101. The conference agreement includes section 101, identical in the House bill and the Senate-reported amendment, which makes up to $45,000 of the funds appropriated to the Department of Justice available for reception and representation expenses.

Sec. 102—The conference agreement includes section 102, modified from language proposed in the House bill and the Senate-reported amendment, which continues certain authorities for the Department of Justice contained in the Department of Justice Appropriation Authorization Act, fiscal year 1980, until enactment of subsequent authorizing legislation.

Sec. 103—The conference agreement includes section 103, as proposed in the House bill, which prohibits the use of funds to perform abortions in the National Security System. The Senate-reported amendment did not include a similar provision.

Sec. 104—The conference agreement includes section 104, as proposed in the House bill, which prohibits the use of funds to require any person to perform, or facilitate the performance of, an abortion. The Senate-reported amendment did not include a similar provision.

Sec. 105—The conference agreement includes section 105, as proposed in the House bill, which includes nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek medical care and reproductive care facilities.

Sec. 106—The conference agreement includes section 106, identical in both the House bill and the Senate-reported amendment, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per reward.

Sec. 107—The conference agreement includes section 107, as proposed in the House bill, which continues the current 5 percent and 10 percent limitations on transfers among Department of Justice accounts. The Senate-reported amendment included a minor technical difference in the language.

Sec. 108—The conference agreement includes section 108, as proposed in the House bill, which sets forth the grant authority of the Assistant Attorney General for the Office of Justice Programs and makes these authorities for the Department of Justice available in the Senate-reported amendment included such authorities only for fiscal year 2001.

Sec. 109—The conference agreement includes section 109, as proposed in the House bill, which continues a provision in the fiscal year 2000 Appropriations Act to allow assistance and services to be provided to the families of the victims of Pan Am 103. The Senate-reported amendment did not include a similar provision.

Sec. 110—The conference agreement includes a new provision, numbered as section 110, which modifies section 614 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) to reduce the fees charged for parole to parole, and provides for parole in parole to parole, and participants in summer work travel programs for collection of certain information. The Senate-reported amendment included a provision to repeal section 614 and section 110 of the IIRIRA, while the House bill did not address this matter.

Sec. 111—The conference agreement includes section 111, modified from language proposed in the House bill, which relates to the payment of certain compensation from funds appropriated to the Department of Justice. A similar provision was included as section 113 of the Senate-reported amendment.

Sec. 112—The conference agreement includes section 112, as proposed in the House bill, which establishes fees for
services and voluntary premium processing for
Immigration and Naturalization Service
activities. The Senate-reported amendment
did not include a similar provision.

Sec. 114—the conference agreement includes
section 114, proposed as section 110 in
the Senate-reported amendment, which al-
 lows funds to be provided to the FBI from
the Crime Victims Fund to improve services
to crime victims. Additional direction re-
garding implementation of this provision is
included under the FBI Salaries and Ex-

tenses amendment. In addition, the conference
agreement assumes that funding will con-
tinue to be provided to the U.S. Attorneys
to support the current number of victim wit-
nesses and crime victims assistance mon-
ies provided from the Fund in fiscal year
2000.

Sec. 114.—The conference agreement in-
cludes section 112, proposed as section 112 in
the Senate-reported amendment, which per-
manently allows funds appropriated to the
Federal Bureau of Prisons (BOP) to be used
to place prisoners in privately operated pris-
ons provided that the Director of BOP deter-
dines such placement is consistent with
Federal classification standards. The House
bill did not include a similar provision.

Sec. 115.—The conference agreement in-
cludes section 116, proposed as section 114 in
the Senate-reported amendment, which makes
available up to $1,000,000 for technical
assistance from funds appropriated for part
G of title II of the Juvenile Justice and De-


ingenuity Prevention Act of 1974, as amended.
The House bill did not include a similar provision.

Sec. 115.—The conference agreement in-
cludes section 117, proposed as section 115 in
the Senate-reported amendment, which makes
available funds provided in fiscal year
2000 for certain activities. The House bill
did not include a similar provision.

Sec. 116.—The conference agreement in-
cludes section 118, proposed as section 116 in
the Senate-reported amendment, which per-
manently prohibits funds from being pro-
vided to any local jail that runs a “pay to
stay” program. The House bill did not in-
clude a similar provision.

Sec. 118.—The conference agreement in-
cludes a new provision which allows the At-
torney General to enter into contracts and
other agreements for detention and incarcer-
ation on any basis. The House bill did not
include a similar provision.

TITLE II—DEPARTMENT OF COMMERCE,
TRADE AND INFRASTRUCTURE
DEVELOPMENT RELATED AGENCIES
OFFICE OF THE UNITED STATES TRADE
REPRESENTATIVE

Salaries and Expenses
The conference agreement includes
$20,517,000 for the salaries and expenses of the
Office of the United States Trade Repre-
sentative (USTR) instead of $20,433,000 as pro-
posed in the House bill and $20,100,000 as pro-
posed in the Senate-reported amendment. The
USTR is directed to provide the nec-


ESSENTIAL TO THE ADMINISTRATION OF
INTERNATIONAL TRADE POLICIES

The conference agreement includes
$377,441,000 for the salaries and expenses of the
 Continent, $321,448,000 as proposed
in the House bill, and $318,686,000 as proposed by
the Senate-reported amendment. The confere-


able as provided in the current year, and
$24,000,000 is for Planning, $9,100,000 is for Ex-


For this activity, the full amount re-
quested in the budget, Senate report lan-
guage regarding the Mid-American Regional
Council is incorporated by reference.

Salaries and Expenses
The conference agreement includes
$48,100,000 for the salaries and expenses of the
International Trade Commission (ITC) instead of
$46,956,000 as proposed in the House bill and $47,000,000 as proposed in the
Senate-reported amendment. The conference
agreement incorporates by reference report
language in both the Senate and House re-
ports.

DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

The conference agreement includes
$3,377,441,000 for the salaries and expenses of
the operations and administration of the Interna-
tional Trade Administration (ITA) for fiscal year
2001, of which $3,000,000 is de-

ded from $194,638,000 for the salaries and expenses of the
Office of the U.S. Trade Representative (OUSTR) as provided in the
House bill and $194,638,000 as proposed in the
Senate-reported amendment. The conference
agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.

Export Administration
OPERATIONS AND ADMINISTRATION

The conference agreement includes
$61,037,000 as proposed in the House bill
and $61,037,000 as proposed in the
Senate-reported amendment. The
conference agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE
PROGRAMS

The conference agreement includes
$411,879,000 for Economic Development Ad-
ministration (EDA) grants instead of $361,879,000 as proposed in the
House bill and $218,000,000 as proposed in the Senate-re-
ported amendment. The amounts provided, $286,700,000 for Public
Works and Economic Development, $49,629,000 for Economic Adjust-
ment Assistance, $31,450,000 for the Nuclear Conser-
vation, $24,000,000 for Planning, $9,100,000 is for Technical Assistance, including
Un


EARTHCRAFTING TECHNOLOGY CORPORA-


The conference agreement makes funding
available until expended, providing total availability of $12,706,000 for the administra-
tive and policy functions of the IITA. The conference
agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding.

The conference agreement includes
$31,328,000 for Export Administration,
including Chemical Weapons Convention (CWC) implementa-
tion and $7,250,000 is for CWC inspections; $25,033,000 is for Export Enforcement,
including $500,000 for computer export verification
as in the current year and $1,000,000 for the
Chemical Weapons Convention Treaty; $4,051,000 is for Management and Policy Co-
ordination; and $4,867,000 is for the Critical Infrastructure Assurance Base. The
House report language regarding the final
year of operation for the CIAO is incor-
porated by reference.

The conference agreement does not include
under this heading, a provision proposed in
the House bill regarding the processing of li-
censes for the export of satellites to the Peo-
ples' Republic of China. The conference
agreement does not include set-aside funding
under this account available until expended,
providing total availability of $12,706,000 for the administra-
tive and policy functions of the IITA. The conference
agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding.

The conference agreement includes
$61,037,000 as proposed in the House bill
and $61,037,000 as proposed in the
Senate-reported amendment. The
conference agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.

Export Administration
OPERATIONS AND ADMINISTRATION

The conference agreement includes
$61,037,000 as proposed in the House bill
and $61,037,000 as proposed in the
Senate-reported amendment. The
conference agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.

Export Administration
OPERATIONS AND ADMINISTRATION

The conference agreement includes
$61,037,000 as proposed in the House bill
and $61,037,000 as proposed in the
Senate-reported amendment. The
conference agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.

Export Administration
OPERATIONS AND ADMINISTRATION

The conference agreement includes
$61,037,000 as proposed in the House bill
and $61,037,000 as proposed in the
Senate-reported amendment. The
conference agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.

Export Administration
OPERATIONS AND ADMINISTRATION

The conference agreement includes
$61,037,000 as proposed in the House bill
and $61,037,000 as proposed in the
Senate-reported amendment. The
conference agreement does not include Senate-reported
amendment language regarding Executive
Direction and Administration funding. The
House report language regarding trade mis-
sions, buying power maintenance, and trade show revenues is included by reference.
The conference agreement includes $327,314,000 for the programs of the Minority Business Development Agency (MBDA), as proposed in the House bill, instead of $27,000,000 as proposed in the Senate amendment. House report language regarding the Entrepreneurial Technology Apprenticeship Program is included by reference.

**ECONOMIC AND INFORMATION INFRASTRUCTURE**

**ECONOMIC AND STATISTICAL ANALYSIS**

**SALARIES AND EXPENSES**

The conference agreement includes $53,745,000 for salaries and expenses of the activities funded under the Economic and Statistical Analysis account, instead of $40,490,000 as proposed in the Senate bill and $53,992,000 as proposed in the Senate-reported amendment. The conference agreement includes the necessary task of updating and improving statistical measurements of the U.S. economy, international transactions, and the effects of economic and social phenomena and the effects of economic and social phenomena that are measured by the bureau.

The conference agreement includes 

- **SALARIES AND EXPENSES**
  - **For current economic statistics programs**, the conference agreement provides a total of $103,228,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 2001, instead of $123,157,000 as proposed in the Senate reported amendment. The agreement provides a direct appropriation of $693,610,000 as proposed in the Senate-reported amendment.
  - **Current Economic Statistics**
    - $103,228,000
  - **Current Demographic Statistics**
    - $50,100,000
  - **Survey Development and Data Surveys**
    - $3,899,000

  Total: $157,227,000

For current economic statistics programs, the conference agreement provides a total of $103,228,000, of which $11,295,000 is for adjustments to base, and $3,000,000 is for program enhancements. The following is the amounts for the current economic statistics programs:

- **SALARIES AND EXPENSES**
  - **For current economic statistics programs**, the conference agreement provides a total of $103,228,000, of which $11,295,000 is for adjustments to base, and $3,000,000 is for program enhancements. The following is the amounts for the current economic statistics programs:

  - **Current Economic Statistics**
    - $103,228,000
    - **Current Demographic Statistics**
      - $50,100,000
    - **Survey Development and Data Surveys**
      - $3,899,000

  Total: $157,227,000

The conference agreement includes $35,924,000 for the assessment of the Census Bureau for fiscal year 2001, instead of $46,000,000 as proposed in the Senate reported amendment. The agreement includes an additional unobligated balance of $130,898,000 as proposed in the Senate report and an additional unobligated balance of $300,000,000 is from prior year unobligated balances available from the decennial census, of which $130,898,000 is provided from direct appropriations. This amount is provided as a direct appropriation, and the remainder is provided as a direct appropriation for the programs of the Minority Business Development Agency (MBDA), as proposed in the Senate-reported amendment.

- **Current Economic Statistics**
  - $103,228,000
  - **Current Demographic Statistics**
    - $50,100,000
  - **Survey Development and Data Surveys**
    - $3,899,000

  Total: $157,227,000

For current economic statistics programs, the conference agreement provides a total of $103,228,000, of which $11,295,000 is for adjustments to base, and $3,000,000 is for program enhancements. The following is the amounts for the current economic statistics programs:

- **Current Economic Statistics**
  - $103,228,000
  - **Current Demographic Statistics**
    - $50,100,000
  - **Survey Development and Data Surveys**
    - $3,899,000

  Total: $157,227,000

For current economic statistics programs, the conference agreement includes a total of $185,508,000 for other periodic censuses and programs, of which $40,000,000 is derived from prior year unobligated balances available from the decennial census, instead of a direct appropriation of $137,968,000 as proposed in the Senate bill and $145,508,000 as proposed in the Senate-reported amendment. The following table represents the distribution of funds for non-decennial periodic censuses and related programs:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economics Statistics Programs</td>
<td>$49,928,000</td>
</tr>
<tr>
<td>Demographic Statistics Programs</td>
<td>$96,380,000</td>
</tr>
<tr>
<td>Interagency Demographic Services</td>
<td>$5,983,000</td>
</tr>
<tr>
<td>Continuous Measurement</td>
<td>$21,615,000</td>
</tr>
<tr>
<td>Demographic Survey Sample Redesign</td>
<td>$4,769,000</td>
</tr>
<tr>
<td>Electronic Information Collec-</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>tion (CASIC)</td>
<td></td>
</tr>
<tr>
<td>Geographic Support</td>
<td>$35,108,000</td>
</tr>
<tr>
<td>Data Processing Systems</td>
<td>$23,305,000</td>
</tr>
<tr>
<td>Saulte Federal Center</td>
<td>$42,920,000</td>
</tr>
</tbody>
</table>

Total: $185,508,000

The conference agreement includes a total of $185,508,000 for other periodic censuses and programs, of which $40,000,000 is derived from prior year unobligated balances available from the decennial census, instead of a direct appropriation of $137,968,000 as proposed in the Senate bill and $145,508,000 as proposed in the Senate-reported amendment. The following table represents the distribution of funds for non-decennial periodic censuses and related programs:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economics Statistics Programs</td>
<td>$49,928,000</td>
</tr>
<tr>
<td>Demographic Statistics Programs</td>
<td>$96,380,000</td>
</tr>
<tr>
<td>Interagency Demographic Services</td>
<td>$5,983,000</td>
</tr>
<tr>
<td>Continuous Measurement</td>
<td>$21,615,000</td>
</tr>
<tr>
<td>Demographic Survey Sample Redesign</td>
<td>$4,769,000</td>
</tr>
<tr>
<td>Electronic Information Collec-</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>tion (CASIC)</td>
<td></td>
</tr>
<tr>
<td>Geographic Support</td>
<td>$35,108,000</td>
</tr>
<tr>
<td>Data Processing Systems</td>
<td>$23,305,000</td>
</tr>
<tr>
<td>Saulte Federal Center</td>
<td>$42,920,000</td>
</tr>
</tbody>
</table>

Total: $185,508,000

The Secretary of Commerce is directed to submit to the Congress, no later than September 30, 2001, a written report on any methodology, logistical, and other issues associated with the inclusion in future federal censuses of data on or about noncitizens and their dependents living abroad, for apportionment, redistricting, and other purposes for which decennial census results are used. This report shall include estimates of the number of Americans living abroad in the following categories: Federal civilian employees, military personnel, employees of business enterprises, employees of non-profit entities, and individuals not otherwise described.

Saulte Federal Center—The conference agreement includes a total of $43,200,000 for activities related to renovation of Census Bureau facilities at the Saulte Federal Center, of which $90,000,000 is provided from prior year unobligated balances and $150,000,000 is provided from direct appropriations. This amount represents the Census Bureau’s costs for the renovation and improvement of the building and its facilities at the Saulte Federal Center.
The conference agreement includes $6,200,000 as referenced in the Senate-reported amendment. Of the amount provided, $14,000,000 is for grants and cooperative agreements as referenced in Section 209 of this Act; and $262,737,000 as proposed in the Senate-reported amendment.

Of the amount provided, $24,000,000 is for grants and cooperative agreements as referenced in Section 209 of this Act; and $28,879,000 as proposed in the Senate-reported amendment.

In addition to the new budget authority associated with renovation of this facility, as follows: $3,200,000 for planning and design work, and $40,000,000 for above-standard costs. The construction and tenant build-out costs for the Bldg.

The conference agreement includes $8,080,000 for the Technology Administration, instead of $7,945,000 as proposed in the House bill, and $8,216,000 as proposed in the Senate-reported amendment. The conference agreement continues direction as in fiscal years 1998, 1999, and 2000 regarding the use of Technology Administration and Department of Commerce resources to support foreign policy initiatives and programs.

The conference agreement includes $312,617,000 for the internal (core) research account of the National Institute of Standards and Technology (NIST), instead of $292,056,000 as proposed in the House bill, and $305,003,000 as proposed in the Senate-reported amendment.

The conference agreement includes funding for the core research programs of NIST as follows:

- Electronics and Electrical Engineering
- Manufacturing Engineering
- Chemical Science and Technology
- Physics
- Material Sciences and Engineering
- Building and Fire Research
- Computer Science and Applied Mathematics
- Technology Assistance
- Baldridge Quality Awards
- Research Support
- Infrastructure Protection
- Research Grants
- Subtotal
- Deobligations
- Total

The conference agreement includes bill language concerning PTO's partnership with the National Inventor's Hall of Fame and Inventure Place, and Senate report language concerning PTO's partnership with the National Inventor's Hall of Fame and Inventure Place, and Senate report language regarding the overlap of funding under the National Institute of Standards and Technology (NIST), instead of $7,945,000 as proposed in the House bill, and $8,216,000 as proposed in the Senate-reported amendment.

The conference agreement includes Senate-reported amendment language regarding the official insignia of Native American Tribes, and agency budget forecasts.

The conference agreement includes $5,137,000 for the Manufacturing Extension Partnership Program (MEP), instead of $5,137,000 as proposed in the House bill, and $104,836,000 as proposed in the Senate-reported amendment.

The conference agreement includes $310,137,000 for the Manufacturing Extension Partnership Program (MEP), instead of $310,137,000 as proposed in the Senate-reported amendment. The conference agreement includes no funding for new initiatives. Additional funding is required for new initiatives for the centers. The conference agreement incorporates direction in the Senate report that the Northern Great Plains Initiative e-commerce project should assist small manufacturers with marketing and business development purposes in rural areas.

The conference agreement includes $1,958,046,000 as proposed in the Senate-reported amendment. Of these amounts, the conference agreement includes $145,700,000 for the Advanced Technology Program (ATP), instead of $153,600,000 as proposed in the Senate-reported amendment, and no funding as proposed in the House bill. The amount of carryover funding available in fiscal year 2001 is $45,000,000, providing total available funding of $300,000,000.

The conference agreement includes $28,879,000 as proposed in the Senate-reported amendment. Of the amount provided, $26,000,000 as proposed in the House bill, and $262,737,000 as proposed in the Senate-reported amendment.

The conference agreement includes bill language, modified from the Senate language, designating $60,700,000 for new ATP awards.

The conference agreement provides a total funding level of $2,627,500,000 for all programs of the National Oceanic and Atmospheric Administration (NOAA), instead of $2,230,959,000 as proposed in the House bill, and $2,687,070,000 as proposed in the Senate-reported amendment. Of these amounts, the conference agreement includes $1,869,170,000 for the Operations, Research, and Facilities (ORF) account, instead of $2,230,959,000 as proposed in the Senate-reported amendment. Of the amount provided, $1,989,170,000 in the Operations, Research, and Facilities (ORF) account, instead of $2,230,959,000 as proposed in the Senate-reported amendment.

The conference agreement includes $1,084,000,000 for the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration (NOAA), instead of $1,084,000,000 as proposed in the House bill, and $1,989,170,000 as proposed in the Senate-reported amendment.

The conference agreement includes $1,084,000,000 for the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration (NOAA), instead of $1,084,000,000 as proposed in the Senate-reported amendment.

The conference agreement includes $1,958,046,000 as proposed in the Senate-reported amendment. Of the amount provided, $1,958,046,000 as proposed in the Senate-reported amendment.

The conference agreement includes $1,958,046,000 as proposed in the Senate-reported amendment.
The conference agreement includes language proposed in the House bill, which makes the use of deobligated balances subject to standard reprogramming procedures. NOAA is directed that any use of deobligations above $16,650,000 is subject to the procedures set forth in section 605 of this Act. In addition, the conference agreement includes House bill language limiting administrative charges assessed on assigned activities, as in the current year. The Senate-reported amendment included no similar provisions.

The conference agreement does not include language in the Senate-reported amendment regarding lawsuits. The House bill did not address this matter.

The conference agreement does not include $34,000,000 in controversial new fisheries and navigation safety fees that were proposed in the budget request. House and Senate report language regarding these fees is incorporated by reference.

The conference agreement does not include a provision, as proposed in the Senate-reported amendment, permitting the Secretary to have NOAA occupy and operate research facilities at Lafayette, Louisiana.

The following table reflects the distribution of the funds provided in this conference agreement.

### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 2001

|-------------|--------------|--------------|------------|------------|------------|

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NATIONAL OCEAN SERVICE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Navigational Services:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mapping and Charting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address Survey Backing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geodetics</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tide and Current Data</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition of Data</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NOAA Corps strength increase</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Navigational Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ocean Resources Conservation and Assessment:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ocean Assessment Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GLERL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Response and Restoration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oceanic and Coastal Research</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal—Estuaries &amp; Coastal Assessment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal Ocean Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Ocean Resources Conservation &amp; Assessment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ocean and Coastal Management:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CEN Grants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nonpoint Pollution Control</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal, Coastal Management</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Sanctuary Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Ocean &amp; Coastal Management</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, NOS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NATIONAL MARINE FISHERIES SERVICE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information Collection and Analysis:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resource Information</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Information, Collection, and Analyses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fishery Industry Information:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fish Statistics</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alaska Groundfish Monitoring</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pacific Salmon Treaty Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red Snapper Monitoring and Research</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SE Cooperative Research</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaiian Monk Seals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrimp Sea Lion Recovery Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaiian Sea Turtles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Information, Collection, and Analyses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**December 15, 2000**

CONGRESSIONAL RECORD — HOUSE

H12465

account entitled “Promote and Develop Fishery Products and Research Related to American Fisheries”, as proposed in the House bill, instead of $72,628,000 as proposed in the Senate-reported amendment. In addition, the conference agreement assumes prior year deobligations totaling $16,650,000, $4,000,000 in offsets from fee collections, and $5,200,000 to be transferred from the Coastal Zone Management Fund to the ORF account.

The conference agreement does not include language proposed in the House bill designating the amounts provided under this account for the six NOAA lines offices. The Senate-reported amendment contained no similar provision.

The conference agreement includes language, similar to language proposed in the House bill and carried since the 1999 Appropriations Act, designating the amount available for Executive Direction and Administration and prohibiting augmentation of specified offices through formal or informal personnel details, transfers, or reimbursements above 42 personnel. The Senate-reported amendment contained no such provision.

The conference agreement includes language proposed in the House bill making the use of deobligated balances subject to standard reprogramming procedures. NOAA is directed that any use of deobligations above $16,650,000 is subject to the procedures set forth in section 605 of this Act. In addition, the conference agreement includes House bill language limiting administrative charges assessed on assigned activities, as in the current year. The Senate-reported amendment included no similar provisions.

The conference agreement does not include language in the Senate-reported amendment regarding lawsuits. The House bill did not address this matter.

The conference agreement does not include $34,000,000 in controversial new fisheries and navigation safety fees that were proposed in the budget request. House and Senate report language regarding these fees is incorporated by reference.

The conference agreement does not include a provision, as proposed in the Senate-reported amendment, permitting the Secretary to have NOAA occupy and operate research facilities at Lafayette, Louisiana.

The following table reflects the distribution of the funds provided in this conference agreement.
### Fiscal Year—

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Conservation and Management Operations:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fisheries Management Programs</td>
<td>38,830</td>
<td>37,873</td>
<td>36,880</td>
<td>79,295</td>
<td>62,888</td>
</tr>
<tr>
<td>Columbia River Fisheries</td>
<td>17,055</td>
<td>15,032</td>
<td>14,000</td>
<td>13,742</td>
<td>14,055</td>
</tr>
<tr>
<td>Columbia River Endangered Species</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>788</td>
<td>788</td>
<td>788</td>
<td>788</td>
<td>788</td>
<td></td>
</tr>
<tr>
<td>Regional Councils</td>
<td>13,310</td>
<td>13,150</td>
<td>14,000</td>
<td>14,000</td>
<td>13,150</td>
</tr>
<tr>
<td>International Fisheries Commissions</td>
<td>478</td>
<td>478</td>
<td>478</td>
<td>478</td>
<td>478</td>
</tr>
<tr>
<td>Pacific Tuna Management/Teleoic Fisheries</td>
<td>2,200</td>
<td>1,750</td>
<td>1,750</td>
<td>3,000</td>
<td>2,650</td>
</tr>
<tr>
<td>Fisheries Habitat Restoration</td>
<td>2,500</td>
<td>4,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>NE Fisheries Management</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
</tr>
<tr>
<td>NE Cooperation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Enforcement &amp; Surveillance</td>
<td>17,950</td>
<td>22,354</td>
<td>17,950</td>
<td>22,354</td>
<td>22,354</td>
</tr>
<tr>
<td><strong>Subtotal, Fisheries Mgmt. Programs</strong></td>
<td>75,501</td>
<td>80,425</td>
<td>75,501</td>
<td>80,425</td>
<td>75,501</td>
</tr>
<tr>
<td><strong>Habitat Conservation</strong></td>
<td>9,200</td>
<td>11,079</td>
<td>9,200</td>
<td>11,079</td>
<td>10,140</td>
</tr>
<tr>
<td><strong>Subtotal, Conservation, Management &amp; Operations</strong></td>
<td>170,273</td>
<td>205,407</td>
<td>186,904</td>
<td>258,669</td>
<td>240,404</td>
</tr>
<tr>
<td><strong>State and Industry Assistance Programs:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersjurisdictional Fisheries Grants</td>
<td>2,620</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
</tr>
<tr>
<td>Anadromous Grants</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
</tr>
<tr>
<td>Interstate Fish Commissions</td>
<td>7,750</td>
<td>4,000</td>
<td>7,750</td>
<td>8,750</td>
<td>8,000</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>12,450</td>
<td>8,690</td>
<td>12,440</td>
<td>13,440</td>
<td>12,690</td>
</tr>
<tr>
<td><strong>Fisheries Development Program:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Product Quality and Safety/Seaford Inspection</td>
<td>9,500</td>
<td>8,328</td>
<td>8,328</td>
<td>8,778</td>
<td>8,328</td>
</tr>
<tr>
<td>Hawaiian Fisheries Development</td>
<td>750</td>
<td>750</td>
<td>750</td>
<td>750</td>
<td>750</td>
</tr>
<tr>
<td>Alaska Fisheries Development Foundation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>10,250</td>
<td>8,328</td>
<td>8,328</td>
<td>9,078</td>
<td>9,078</td>
</tr>
<tr>
<td><strong>Total, State and Industry Programs</strong></td>
<td>22,700</td>
<td>17,018</td>
<td>20,768</td>
<td>23,768</td>
<td>21,768</td>
</tr>
<tr>
<td><strong>Subtotal, NMFS</strong></td>
<td>421,496</td>
<td>452,870</td>
<td>406,583</td>
<td>540,839</td>
<td>517,945</td>
</tr>
<tr>
<td><strong>OCEANIC AND ATMOSPHERIC RESEARCH</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Climate and Air Quality Research:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersjurisdictional &amp; Seasonal</td>
<td>16,000</td>
<td>14,980</td>
<td>17,000</td>
<td>14,980</td>
<td>14,943</td>
</tr>
<tr>
<td>Climate &amp; Global Change Research</td>
<td>67,000</td>
<td>67,000</td>
<td>67,000</td>
<td>68,500</td>
<td>68,500</td>
</tr>
<tr>
<td>GLOBE</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Climate Observations &amp; Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>86,900</td>
<td>111,081</td>
<td>75,900</td>
<td>97,881</td>
<td>98,693</td>
</tr>
<tr>
<td>Long-term Climate &amp; Air Quality Research</td>
<td>30,000</td>
<td>30,025</td>
<td>29,409</td>
<td>33,025</td>
<td>33,019</td>
</tr>
<tr>
<td>Information Technology/High Performance Computing</td>
<td>12,750</td>
<td>12,750</td>
<td>12,750</td>
<td>13,750</td>
<td>13,750</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>45,750</td>
<td>43,275</td>
<td>41,409</td>
<td>45,775</td>
<td>45,769</td>
</tr>
<tr>
<td><strong>Total, Climate and Air Quality Research</strong></td>
<td>129,650</td>
<td>154,356</td>
<td>117,309</td>
<td>143,656</td>
<td>144,462</td>
</tr>
<tr>
<td><strong>Atmospheric Programs:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weather Research</td>
<td>37,350</td>
<td>37,075</td>
<td>35,850</td>
<td>38,075</td>
<td>37,500</td>
</tr>
<tr>
<td>STORM</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Wind Profiler</td>
<td>4,350</td>
<td>4,350</td>
<td>4,350</td>
<td>4,350</td>
<td>4,350</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>43,700</td>
<td>41,425</td>
<td>40,200</td>
<td>43,425</td>
<td>42,200</td>
</tr>
<tr>
<td>Solar/Osmagnetic Research</td>
<td>7,000</td>
<td>6,182</td>
<td>6,000</td>
<td>6,182</td>
<td>6,000</td>
</tr>
<tr>
<td><strong>Total, Atmospheric Programs</strong></td>
<td>50,700</td>
<td>47,607</td>
<td>46,200</td>
<td>49,607</td>
<td>48,200</td>
</tr>
<tr>
<td><strong>Ocean and Great Lakes Programs:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Prediction Research</td>
<td>27,325</td>
<td>22,595</td>
<td>19,725</td>
<td>30,245</td>
<td>32,525</td>
</tr>
<tr>
<td>GLERL</td>
<td>6,875</td>
<td>5,715</td>
<td>7,000</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Sea Grant Program</td>
<td>59,250</td>
<td>59,250</td>
<td>67,000</td>
<td>64,750</td>
<td>62,750</td>
</tr>
<tr>
<td>National Undersea Research Program</td>
<td>13,800</td>
<td>5,750</td>
<td>13,000</td>
<td>15,800</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Ocean and Great Lakes Programs</strong></td>
<td>107,200</td>
<td>87,595</td>
<td>88,100</td>
<td>111,995</td>
<td>117,575</td>
</tr>
<tr>
<td>Acquisition of Data</td>
<td>12,952</td>
<td>12,952</td>
<td>12,952</td>
<td>12,952</td>
<td>12,952</td>
</tr>
<tr>
<td><strong>Total, OAR</strong></td>
<td>300,502</td>
<td>302,510</td>
<td>264,561</td>
<td>318,210</td>
<td>323,189</td>
</tr>
<tr>
<td><strong>NATIONAL WEATHER SERVICE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations and Research:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Warnings and Forecasts</td>
<td>444,487</td>
<td>466,471</td>
<td>459,252</td>
<td>463,337</td>
<td>462,180</td>
</tr>
<tr>
<td>Susquehanna River Basin flood system</td>
<td>1,125</td>
<td>619</td>
<td>1,250</td>
<td>1,500</td>
<td>1,313</td>
</tr>
<tr>
<td>Aviation forecasts</td>
<td>35,596</td>
<td>35,596</td>
<td>35,596</td>
<td>35,596</td>
<td>35,596</td>
</tr>
<tr>
<td>Advanced Hydrological Prediction System</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>WFO Maintenance</td>
<td>3,250</td>
<td>5,250</td>
<td>3,250</td>
<td>5,250</td>
<td>4,500</td>
</tr>
<tr>
<td>Weather Radio Transmitters</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>460,758</td>
<td>506,936</td>
<td>503,344</td>
<td>505,403</td>
<td>508,647</td>
</tr>
<tr>
<td>Central Forecast Guidance</td>
<td>37,081</td>
<td>38,001</td>
<td>37,081</td>
<td>38,001</td>
<td>37,500</td>
</tr>
<tr>
<td>Atmospheric and Hydrological Research</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td><strong>Total, Operations and Research</strong></td>
<td>520,839</td>
<td>550,005</td>
<td>543,429</td>
<td>546,472</td>
<td>548,181</td>
</tr>
<tr>
<td><strong>Systems Acquisition:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Warnings and Forecast Systems:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEXRAD</td>
<td>38,836</td>
<td>38,802</td>
<td>38,802</td>
<td>38,802</td>
<td>38,802</td>
</tr>
<tr>
<td>ADS</td>
<td>7,345</td>
<td>7,423</td>
<td>7,423</td>
<td>7,423</td>
<td>7,423</td>
</tr>
<tr>
<td>AWPS/NOAA Port</td>
<td>32,150</td>
<td>38,642</td>
<td>38,120</td>
<td>38,642</td>
<td>35,986</td>
</tr>
</tbody>
</table>
### Fiscal Year—

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total, Systems Acquisition</td>
<td>78,331</td>
<td>84,867</td>
<td>79,297</td>
<td>84,867</td>
<td>81,621</td>
</tr>
<tr>
<td>Total, NWS</td>
<td>599,170</td>
<td>634,872</td>
<td>621,726</td>
<td>633,339</td>
<td>630,802</td>
</tr>
<tr>
<td><strong>Satellite Observing Systems:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ocean Remote Sensing</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Environmental Observing Systems</td>
<td>53,500</td>
<td>59,913</td>
<td>50,800</td>
<td>56,412</td>
<td>53,600</td>
</tr>
<tr>
<td>National Environmental Satellite Data and Information Network</td>
<td>5,500</td>
<td>3,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Satellite Observing Systems</td>
<td>57,300</td>
<td>63,412</td>
<td>50,800</td>
<td>60,412</td>
<td>60,300</td>
</tr>
<tr>
<td><strong>Data and Information Services:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Data Management Systems</td>
<td>38,700</td>
<td>32,454</td>
<td>40,790</td>
<td>35,754</td>
<td>40,790</td>
</tr>
<tr>
<td>Regional Climate Centers</td>
<td>12,335</td>
<td>12,335</td>
<td>12,335</td>
<td>12,335</td>
<td>12,335</td>
</tr>
<tr>
<td>Total, EDMS</td>
<td>53,735</td>
<td>44,789</td>
<td>55,785</td>
<td>51,689</td>
<td>64,035</td>
</tr>
<tr>
<td><strong>Total, N O A A:</strong></td>
<td>111,085</td>
<td>108,201</td>
<td>106,585</td>
<td>112,101</td>
<td>125,235</td>
</tr>
</tbody>
</table>

### Administration and Services:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Systems Acquisition Office</td>
<td>19,387</td>
<td>19,902</td>
<td>19,902</td>
<td>19,902</td>
<td>19,902</td>
</tr>
<tr>
<td>NWS Study</td>
<td>712</td>
<td>712</td>
<td>700</td>
<td>712</td>
<td>712</td>
</tr>
<tr>
<td>Total, Systems Acquisition</td>
<td>20,099</td>
<td>20,614</td>
<td>19,900</td>
<td>21,364</td>
<td>21,364</td>
</tr>
<tr>
<td>Administration and Services</td>
<td>51,949</td>
<td>53,746</td>
<td>51,750</td>
<td>54,496</td>
<td>69,496</td>
</tr>
<tr>
<td>Total, Administration and Services</td>
<td>51,949</td>
<td>53,746</td>
<td>51,750</td>
<td>54,496</td>
<td>69,496</td>
</tr>
<tr>
<td>Aircraft Services</td>
<td>10,760</td>
<td>11,009</td>
<td>11,000</td>
<td>14,309</td>
<td>11,609</td>
</tr>
<tr>
<td>Rent Savings (Transferred to ORF)</td>
<td>(4,650)</td>
<td>(4,650)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Aircraft Services</td>
<td>13,410</td>
<td>15,659</td>
<td>12,409</td>
<td>18,609</td>
<td>12,609</td>
</tr>
<tr>
<td>Total, Facilities</td>
<td>11,024</td>
<td>11,452</td>
<td>11,015</td>
<td>31,267</td>
<td>11,235</td>
</tr>
<tr>
<td>Direct Obligations</td>
<td>1,793,411</td>
<td>1,989,890</td>
<td>1,736,012</td>
<td>2,025,875</td>
<td>1,991,420</td>
</tr>
<tr>
<td>Offset for Fee Collections (Adjustment)</td>
<td>(4,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reimbursable Obligations</td>
<td>199,367</td>
<td>208,000</td>
<td>212,000</td>
<td>212,000</td>
<td>212,000</td>
</tr>
<tr>
<td>Total, Obligations</td>
<td>1,992,778</td>
<td>2,197,890</td>
<td>1,948,012</td>
<td>2,254,875</td>
<td>2,203,420</td>
</tr>
<tr>
<td>Financing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Environmental Satellite Data and Information Network</td>
<td>(36,000)</td>
<td>(36,000)</td>
<td>(36,000)</td>
<td>(16,650)</td>
<td></td>
</tr>
<tr>
<td>Unobligated Balance transferred, net</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offset Obligations</td>
<td>(3,600)</td>
<td>(3,600)</td>
<td>(3,600)</td>
<td>(3,600)</td>
<td></td>
</tr>
<tr>
<td>Reimbursable Obligations (data sales)</td>
<td>(4,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Financing</td>
<td>229,367</td>
<td>244,000</td>
<td>218,000</td>
<td>229,650</td>
<td></td>
</tr>
<tr>
<td>Total, Program Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, ORF</strong></td>
<td>1,753,411</td>
<td>1,953,890</td>
<td>1,790,012</td>
<td>2,036,875</td>
<td>1,974,770</td>
</tr>
</tbody>
</table>

### Additional Adjustments:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Travel</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Office Supplies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Mandatory, non-capitalized equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal, ORF</td>
<td>1,681,411</td>
<td>1,828,690</td>
<td>1,608,012</td>
<td>1,947,397</td>
<td>1,869,170</td>
</tr>
</tbody>
</table>

### Systems Acquisition:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AWIPS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACGO</td>
<td>16,000</td>
<td>17,300</td>
<td>18,000</td>
<td>19,309</td>
<td>19,309</td>
</tr>
<tr>
<td>GESDIS</td>
<td>3,865</td>
<td>5,125</td>
<td>5,385</td>
<td>5,385</td>
<td>5,385</td>
</tr>
<tr>
<td>MFRD</td>
<td>8,380</td>
<td>9,380</td>
<td>9,380</td>
<td>9,380</td>
<td>9,380</td>
</tr>
<tr>
<td>Computer Facilities Upgrades</td>
<td>11,100</td>
<td>15,085</td>
<td>11,100</td>
<td>15,085</td>
<td>15,085</td>
</tr>
<tr>
<td>Polar Satellitecraft and Launching</td>
<td>190,979</td>
<td>233,619</td>
<td>201,000</td>
<td>233,619</td>
<td>210,310</td>
</tr>
<tr>
<td>Geostationary Satellitecraft and Launching</td>
<td>246,615</td>
<td>290,824</td>
<td>290,824</td>
<td>290,824</td>
<td>290,824</td>
</tr>
<tr>
<td>RGSO</td>
<td>3,000</td>
<td>7,000</td>
<td>7,000</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Visor Array Demonstration</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>GSO Supercomputer</td>
<td>6,244</td>
<td>6,244</td>
<td>6,244</td>
<td>6,244</td>
<td>6,244</td>
</tr>
<tr>
<td>National Data Archive (NEDAS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal, Systems Acquisition</td>
<td>508,829</td>
<td>593,100</td>
<td>554,024</td>
<td>593,620</td>
<td>580,977</td>
</tr>
</tbody>
</table>
The following narrative provides additional information related to certain items included in Table 6 above.

**NATIONAL OCEAN SERVICE**

The conference includes a total of $1,250,000 for fish forensics and enforcement, and $500,000 is for reef monitoring in Florida, and $500,000 is for reef monitoring in Puerto Rico through the Department of Natural Resource; $4,425,000 for pfiesteria and other harmful algal bloom research and monitoring, of which $500,000 is for a pilot project to preemptively address emerging problems prior to the occurrence of harmful blooms, to be carried out by the South Carolina Department of Marine Resources; $2,500,000 for the JASON project; and $2,923,000 for the NOAA Beaufort/Oxford Laboratory. In addition, the conference agreement includes $18,750,000 for the Coastal Services Center, including funds for initiation of a collaborative program in Hawaii for the U.S. Pacific Basin, consistent with activities identified in the fiscal year 2000 conference report, and funding for planning and design for additional space at the Coastal Services Center.

**Office of Response and Restoration**

The conference agreement includes $2,000,000 above the request for data acquisition and for building NOAA corps officer strength and for additional days at sea. Ocean Assessment Program—The conference agreement includes $3,250,000 for the Marine Environmental Technology; $900,000 for the Cooperative Institute for Coastal and Estuarine Environmental Technology; $200,000 for the South Florida ecosystem restoration program; $2,000,000 to support coral reef studies in the Pacific and Southeast, of which $1,000,000 is for Hawaiian coral reef monitoring, $500,000 is for reef monitoring in Florida, and $500,000 is for reef monitoring in Puerto Rico through the Department of Natural Resource; $4,425,000 for pfiesteria and other harmful algal bloom research and monitoring, of which $500,000 is for a pilot project to preemptively address emerging problems prior to the occurrence of harmful blooms, to be carried out by the South Carolina Department of Marine Resources; $2,500,000 for the JASON project; and $2,923,000 for the NOAA Beaufort/Oxford Laboratory. In addition, the conference agreement includes $18,750,000 for the Coastal Services Center, including funds for initiation of a collaborative program in Hawaii for the U.S. Pacific Basin, consistent with activities identified in the fiscal year 2000 conference report, and funding for planning and design for additional space at the Coastal Services Center.

**Coastal Zone Management**

The conference agreement includes $66,250,000 for this activity, of which $52,000,000 is for grants under sections 306, 306A, and 309 of the Coastal Zone Management Act (CZMA), and $4,500,000 is for program administration. NOAA is directed to prepare an assessment of the National impact of this program and submit such assessment to the Committees on Appropriations no later than March 15, 2001. The conference agreement does not include funding for the Non-Point Pollution program authorized under section 6217 of the CZMA. The conference agreement also includes $9,750,000 for the National Estuarine Research Reserve System (NERRS) operations.
and maintenance program, an increase of $3,750,000 above the current year level.

**Marine Sanctuary Program**—The conference agreement includes $20,500,000 for the National Marine Sanctuary Program. Within this amount, $500,000 is provided to support the activities of the Northwest Straits Citizens Advisory Commission as outlined in the Senate report.

**NATIONAL MARINE FISHERIES SERVICE**

The conference agreement includes a total of $517,945,000 for the National Marine Fisheries Service (NMFS), instead of $406,583,000, as recommended by the Senate. Within this total, $30,000,000 is for the Magnuson-Stevens Act to support the Community and Individual Fishery Quota Program.

**Resource Information**—The conference agreement provides $119,455,000 for fisheries resource information. Within the funds provided for resource information, $85,145,000 is provided for the base programs. The conference agreement includes $4,250,000 for west coast groundfish. NMFS is directed to distribute the funding to appropriate labs based on criteria established by NMFS. NMFS is directed to provide no less than the current level of funding for such activities. Funding above the amounts for the base program is as follows: $1,700,000 is to expand the Alaska Fisheries Information Network; $1,500,000 is for the Gulf of Mexico; and $500,000 is for the Hawaiian Community Development Program and fishery demonstration projects for native fisheries, as referenced in the Senate report.

In addition, within the total funds provided for resource information, the conference agreement includes: $6,500,000 for the Gulf of Alaska for continued implementation of the Magnuson-Stevens Act, as referenced by the Senate report. Funding of $2,500,000 for Gulf of Alaska near shore fisheries, to be distributed at the current level; $850,000 for the Chesapeake Bay Oyster recovery partnership; $300,000 for the Chesapeake Bay Center; $1,000,000 for research on shrimp pathogens; $300,000 for research on oyster habitats; $150,000 for lobster sampling; $500,000 for research on the Charleston bump; $300,000 for research on Southeastern sea turtles; $36,450,000 is for the Pacific salmon recovery; and $2,700,000 is for other species, $3,338,000 is for the Pacific salmon recovery, and $5,000,000 is for right whales.

**Fisheries Management Programs**—The conference agreement includes $62,888,000 for this activity. Within this amount, $29,288,000 is provided for base activities, and $4,000,000 is included to fund the Pacific Tuna Management line. In addition, $21,000,000 is included to provide increases for data collection on fishery management programs, including $8,000,000 to respond to lawsuits under the National Environmental Policy Act (NEPA), $3,000,000 for research regarding Hawaiian sea turtles related to fisheries, and $10,000,000 for research relating to the Alaska Steller sea lion and herring pollock lawsuit. Of the $10,000,000 provided for research relating to lawsuits concerning Alaska Stellar sea lion and herring Sea Area, $500,000 is for the Aleutian Islands and groundfish, $6,000,000 is for the Office of Oceanic and Atmospheric Research, $2,000,000 is for the National Oceanic Service, and $2,000,000 is for the North Pacific Fishery Management. The requested levels for the Atlantic Salmon Recovery Plan, the State of Maine Recovery Plan, and Rancho Nuevo sea turtles are included. Funding is included for continuation of the Magnuson-Stevens Act to support the Community and Individual Fishery Quota Program.

**Fishery Industry Information**—The conference agreement provides $37,630,000 for this activity. Within the $6,750,000 provided for this activity, $1,700,000 is allocated according to the direction in the Senate report. The conference agreement includes $12,300,000 to be used for research and development activities related to the Steller sea lion recovery.

**Marine Mammal Protection Act.**—Within the conference agreement provides $15,000,000 for research and monitoring of marine mammals, the conference agreement provides $150,000 for Chinook salmon monitoring, the conference agreement provides $4,250,000 for the cooperative research program to address the lack of sufficient funding for research for the southeast.

**Fishery Industry Information**—The conference agreement provides $37,630,000 for this activity. Within the $6,750,000 provided for this activity, $1,700,000 is allocated according to the direction in the Senate report. The conference agreement includes $12,300,000 to be used for research and development activities related to the Steller sea lion recovery.

**Marine Mammal Protection Act.**—Within the conference agreement includes $4,250,000 for the cooperative research program to address the lack of sufficient funding for research for the southeast.

**Fishery Industry Information**—The conference agreement provides $37,630,000 for this activity. Within the $6,750,000 provided for this activity, $1,700,000 is allocated according to the direction in the Senate report. The conference agreement includes $12,300,000 to be used for research and development activities related to the Steller sea lion recovery.

**Marine Mammal Protection Act.**—Within the conference agreement includes $4,250,000 for the cooperative research program to address the lack of sufficient funding for research for the southeast.
on whale-friendly fishing gear and operations, surveys and studies to reduce potential conflicts between right whales and local industries, and other research including tagging, habitat research, and hydrodynamic modeling studies. Of the funding provided, $2,100,000 is to help meet its responsibilities for the implementation of programs and activities required under regulations for the recovery of the right whale, including the use of aerial surveys, of which no more than 30 percent can be used for salaries. Due to the Commerce Department's data in providing a spending plan and allocating right whale funds in fiscal year 2000, NMFS is directed to provide the Committees on Appropriations no later than January 31, 2001, with a spending plan for fiscal year 2001. In addition, the Committee expects NMFS to develop and submit by July 31, 2001, a five-year research and management plan to facilitate right whale recovery.

Native Marine Mammal Commissions.—The conference agreement recommends that funding be distributed at current year levels.

Observers and Training.—The conference agreement distributes funding as follows: (1) $425,000 for the North Pacific fishery observer training program; (2) $1,975,000 for North Pacific marine resources observers; (3) $350,000 for east coast observers; (4) $2,275,000 for west coast observers; (5) $1,200,000 for observers for Hawaii; and (6) $350,000 for Atlantic coast observers. NMFS is directed to submit a spending plan prior to allocation of funding. Senate language regarding enforcement and surveillance is adopted by reference.

Interstate Fish Commissions.—The conference agreement includes $8,000,000 for this activity, of which $750,000 is to be equally divided among the three commissions, and $7,250,000 is for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

Other.—In addition, within the funds available for the Saltonstall-Kennedy grants program, NMFS is directed to provide to the Alaska Fisheries Development Foundation funding to be used in accordance with the direction included in the Senate report, and to provide funds pursuant to the direction included in the House report to support ongoing efforts related to Vibrio vulnificus. Senate report language regarding the Hawaiian fishery management program and the Oceanoic Institute is adopted by reference.

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes a total of $323,189,000 for Oceanic and Atmospheric Research activities, instead of $264,561,000 as of the Senate report, for the National Oceanic and Atmospheric Administration. Of the funds provided for Local Warnings and Forecasts, $270,000 is for the North Dakota Agricultural Weather Network. The NWS is directed to submit a spending plan for hurricane-related research. STORM.—The conference agreement includes $500,000 for the Cooperative Observers Network. The NWS is directed to submit a spending plan to the Committees on Appropriations for the Cooperative Observers Network. Within the total amount provided for Local Warnings and Forecasts, $270,000 is for the North Dakota Agricultural Weather Network. Of the amounts provided, $500,000 is for the National Weather Research, and $1,000,000 is for the Hawaii Department of Transportation Research and Development,Transmitter in Steuben County, Indiana. $500,000 is for Melba, Mississippi transmitter; $100,000 is for Barrow, Alaska; $125,000 is for New Hampshire; $85,000 is for Steuben County, Kentucky; including Elizabethtown; $150,000 is for South Dakota; and $78,000 is for a transmitter in Steuben County, Indiana.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The conference agreement includes $125,235,000 for NOAA's satellite and data management programs. In addition, the conference agreement includes $580,977,000 under the NOAA PAC account for satellite systems acquisition and related activities.

Satellite Observing Systems.—The conferees have included $60,300,000 for this activity, an increase of $3,000,000 for the Global Disaster and Environmental Monitoring and Forecasting System for other services is consistent with current year levels. Funding for the wind demonstration project is to be provided in accordance with the direction in the Senate report.

Environmental Data Management.—The conference agreement includes $500,000 for the Cooperative Observers Network modernization. In addition, $6,000,000 is included for the Coastal Ocean Data Development Center and Spatial Data Research Center at Jackson State University. The conference agreement provides $15,700,000 to continue the multi-year program of climate data modernization and utilization, as referenced in the House report. The conference agreement includes $2,900,000 for the Regional Climate Centers.

PROGRAM SUPPORT

The conference agreement provides $62,805,000 for NOAA’s aquatic habitats research and monitoring funds, instead of $58,094,000 as provided in the House report, and $68,805,000, as provided in the Senate-reported amendment. Included in the amount are $31,965,000 for continuing NOAA services, including an increase to base of $800,000 for increased fuel costs. Included in the amount...
Systems Acquisition: 2001 funding provided for activities within following distribution reflects the fiscal year account, and assumes $7,504,000 in direct appropriations for the General Services Administration (GSA) to address the 39 percent increase in GSA rental. The Senate report. The Department of Commerce is directed to continue working with the NOAA occupancy.

**FACILITIES**

The conference agreement includes $11,225,000 for facilities maintenance, lease costs, and environmental compliance, instead of $11,015,000 as proposed in the House report, and $3,267,000 as recommended in the Senate report. The Department of Commerce is directed to continue working with the General Services Administration (GSA) to address the 39 percent increase in GSA rental charges for the Boulder facility, as referenced in the Senate report language.

**PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)**

The conference agreement includes a total of $682,899,000 in direct appropriations for the Procurement, Acquisition and Construction account, instead of $775,041,000 in deobligations from this account. The following distribution reflects the fiscal year 2001 funding provided for activities within this account:

<table>
<thead>
<tr>
<th>Account Name</th>
<th>Amount (in Thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Systems Acquisition</td>
<td>$19,823,000</td>
</tr>
<tr>
<td>ASOS</td>
<td>$3,855,000</td>
</tr>
<tr>
<td>NEKRA D</td>
<td>$8,280,000</td>
</tr>
<tr>
<td>Computer Facilities Upgrade</td>
<td>$15,085,000</td>
</tr>
<tr>
<td>Evansville Doppler</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Polar Science and Launching</td>
<td>$210,310,000</td>
</tr>
<tr>
<td>Geostationary Spacecraft and Launching</td>
<td>$290,024,000</td>
</tr>
<tr>
<td>Radiosonde Replacement</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>AWIPS</td>
<td>$16,300,000</td>
</tr>
<tr>
<td>National Data Archives</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>GFDL Supercomputer</td>
<td>$4,000,000</td>
</tr>
<tr>
<td><strong>Subtotal, Systems Acquisition</strong></td>
<td><strong>$580,977,000</strong></td>
</tr>
</tbody>
</table>

**CONSTRUCTION**

<table>
<thead>
<tr>
<th>Account Name</th>
<th>Amount (in Thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>WFO Construction</td>
<td>$9,526,000</td>
</tr>
<tr>
<td>NERRS Construction</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>N.Y. Corals and Garden</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Alaska Facilities</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>National Marine Life Center</td>
<td>$800,000</td>
</tr>
<tr>
<td>Coral Reefs Restoration Program</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Aquatic Resources</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Pribilof Cleanup</td>
<td>$6,000,000</td>
</tr>
<tr>
<td><strong>Subtotal, Construction</strong></td>
<td><strong>$81,326,000</strong></td>
</tr>
</tbody>
</table>

**Fleet Replacement**

- **Ferry Research Vessel Replacement**: $8,300,000
- **Adventurous Refurbishment**: $8,000,000
- **Fair Weather Refurbishment**: $6,800,000
- **Navy Surplus Research Vessel**: $5,000,000

**Subtotal, Fleet Replacement**: **$28,100,000**

**Systems Acquisition**

- Of the funding provided for Polar Spacecraft and Launching, $73,325,000 is for Polar Convergence. A total of $20,002,000 for the Geostationary Spacecraft and Launching line is provided as requested in the budget.

**COASTAL AND OCEAN ACTIVITIES**

In addition to the funds provided to the National Oceanic and Atmospheric Administration in the above table and narrative, the conference agreement includes an additional $420,000,000 for special purposes. Of this amount, $7,000,000 is for coastal impact assistance as authorized by section 313 of the Outer Continental Shelf Act for fiscal year 2001 only and does not alter the underlying authorizations. $2,500,000 is for ocean, coastal, and conservation programs, and $135,000,000 is for National Oceanic and Atmospheric Administration programs. The funds provided for marine and waterway conservation programs are in addition to amounts provided elsewhere in this bill.

Of the $135,000,000 provided for NOAA programs, NOAA is directed to develop and submit to the Committees on Appropriations an implementation plan for the additional funding initiatives by February 28, 2001.

**Great Lakes Coastal Restoration Grants**

The conference agreement includes a new appropriation of $30,000,000 to be awarded competitively to state and local governments to undertake coastal and water quality restoration projects in the Great Lakes region. Proposals funded under this program should be consistent with a Great Lakes State's approved coastal management program under section 306 of the Coastal Zone Management Act. Restoration projects eligible for funding would include contaminated site cleanup, stormwater controls, and other projects designed to protect and restore coastal resources. NOAA is directed to develop and submit to the Committees on Appropriations a plan for this initiative no later than January 15, 2001.
PACIFIC SALMON COASTAL RECOVERY

In fiscal year 2000, funding for the Southern Fund was provided under the NOAA, ORF account heading. The conference agreement includes funding for the Northern and Southern Transboundary Fund under this heading, in addition to funding provided within the Department of Commerce. The conference agreement includes the full amount requested for the funds and for a payment to the State of Washington.

In addition, the conference agreement includes $54,000,000 for salmon habitat restoration, stock enhancement, and research. Of this amount, $18,000,000 is provided to the State of Washington, $10,000,000 is provided to the State of Alaska, $9,000,000 is provided to the State of Oregon, and $9,000,000 is provided to the State of California. In addition, $6,000,000 is provided for coastal tribes, and $2,000,000 for river tribes. Of the funds made available to the State of Washington, $4,000,000 shall be allocated through the Salmon Bank, funding provided directly to the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington, Salmon Bank Fisheries Trust account, as provided in the Senate-reported amendment.

The monies shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean Water Act. Of the funding made available to the State of Alaska, $350,000 shall be used to continue the operation of the Crystal Lake hatchery in Petersburg, and $1,000,000 for the Metakatka hatchery. None of the $54,000,000 shall be used for the buy back of commercial fishing licenses or vessels.

The conference agreement includes language proposed in the House bill making funding under this heading subject to express language proposed in the House bill making funding under this heading subject to express language proposed in the House bill, regarding certifications of advanced education.

The conference agreement includes the following general provisions for the Department of Commerce:

Sec. 201.—The conference agreement includes section 201, identical in the House bill and the Senate-reported amendment, regarding certifications of advanced education.

Sec. 202.—The conference agreement includes section 202, identical in the House bill and the Senate-reported amendment, allowing funds to be used for hire of passenger motor vehicles.

Sec. 203.—The conference agreement includes section 203, identical in the House bill and the Senate-reported amendment, prohibiting reimbursement to the Air Force for hurricane reconnaissance planes.

Sec. 204.—The conference agreement includes section 204, identical in the House bill and the Senate-reported amendment, prohibiting funds from being used to reimburse the Unemployment Trust Fund for temporary census workers. The Senate-reported amendment included a provision prohibiting reimbursements in relation to the 1990 decennial census.

Sec. 205.—The conference agreement includes section 205, as proposed in the House bill, regarding transfer authority among Commerce Department Appropriation accounts. The Senate-reported amendment proposed to increase the percentage of funding available for transfer.

The conference agreement does not include section 206 of the House bill providing for the notification of the House and Senate Committees on Appropriations of a plan for transferring funds to appropriate successor organizations within 90 days of enactment of any legislation dismantling or reorganizing the Department of Commerce. The Senate bill did not contain a provision on this matter.

Sec. 206.—The conference agreement includes language identical in both the House bill and the Senate-reported amendment, requiring that any costs related to personnel actions incurred by a department or agency included in title II of the accompanying Act be absorbed within the total budgetary resources available to such department or agency, with a modification to include loan collateral and grants protection.

Sec. 207.—The conference agreement includes section 207, as proposed in both the House bill and the Senate-reported amendment, allowing the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Sec. 208.—The conference agreement includes section 208, as proposed in both the House bill and the Senate-reported amendment with minor technical changes, allowing the Department of Commerce Franchise Fund to retain a portion of its earnings from services provided.

Sec. 209.—The conference agreement includes section 209, modified from a provision in the Senate-reported amendment, to provide $34,000,000 within the National Institute of Standards and Technology, Construction of Research Facilities’ account, for four construction projects. Of this amount, $4,000,000 is appropriated to the Institute at Saint Anselm College, $4,000,000 is for a cooperative agreement with the Medical University of South Carolina, $3,000,000 is for the Thayer Marine Laboratory biocommodity and biomass research initiative, and $3,000,000 is appropriated to establish the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies. In addition, of the amounts provided within the NOAA PAC account, $5,000,000 is provided for a grant to Pride, Inc.

Sec. 210.—The conference agreement includes a new provision, numbered as section 210, which establishes the Dr. Nancy Foster Memorial Scholarship program for advanced degrees in marine studies, as part of the National Marine Sanctuary Program.

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes $37,591,000 for the salaries and expenses of the Supreme Court, as provided in the Senate-reported amendment, instead of $36,752,000 as provided in the House bill.

House report language with respect to law clerk selection is adopted by reference.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes $2,000,000 for the Supreme Court Port Commission Building and Grounds account, as provided in the House bill and the Senate-reported amendment. This is the amount the Architect of the Capitol currently estimates is required for fiscal year 2001.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement includes $13,079,725,000 for the salaries and expenses of the Federal Circuit as provided in the Senate-reported amendment, instead of $12,299,000 as provided in the House bill.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement includes $3,456,000,000 for the salaries and expenses of the Federal Judicial Service as provided in the Senate-reported amendment, instead of $3,174,000 as provided in the House bill.

House report language with respect to the Southwest Border is adopted by reference.

An April 2000 review of Federal judges sharing of courtrooms prepared by the Congressional Budget Office indicates that courtroom sharing by judges should not cause trial delays for a significant number of
trials, and that for the few that might be delayed the waiting time would be less than half a day. The CBO study also found that many courtrooms are in use for a small percentage of the available workdays. A study of the Judicial System's space and facilities program recently completed by Ernst and Young, however, suggested that requiring judges to share courtrooms is not practical. The Ernst and Young report stated that current court records do not adequately track courtroom usage, making it difficult to determine which courtrooms are not being used. This issue is of great importance because any reduction in the number of courtrooms and associated court space could significantly reduce rental payments, which continue to consume an inordinate amount of the J udiciary's available resources.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement provides $2,602,000,000 for Vaccine Injury Compensation Trust Fund for expenses associated with the National Childhood Vaccine Injury Act of 1986 as provided in the Senate-reported amendment, instead of $2,600,000,000 as provided in the House bill.

DEFENDER SERVICES

The conference agreement includes $345,000,000 for the Federal J udiciary's Defender Services account, instead of $420,338,000 as provided in the House bill, and $416,368,000 as provided in the Senate-reported amendment. The conference agreement directs that the funds made available be used for an increase to $75 an hour for in-court time and $55 an hour for out-of-court time for Criminal Justice Act panel attorneys.

Language relating to capital habeas corpus costs in the House report is adopted by reference.

FEES OF J UROS AND COMMISSIONERS

The conference agreement includes $59,567,000 for Fees of J urors and Commissioners, as proposed in the Senate-reported amendment, instead of $60,821,000 as provided in the House bill.

COURT SECURITY

The conference agreement includes $190,575,000 for the Federal J udiciary's Court Security account as provided in the Senate-reported amendment, instead of $196,265,000 as provided in the House bill. Of the amount provided, $10,000,000 for security system funding shall remain available until expended.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement includes $38,340,000 for the Administrative Office of the United States Courts as provided in the House bill, instead of $50,000,000 as provided in the Senate-reported amendment.

Language in the introductory section relating to the Federal J udiciary in the House report which refers to the Judicial Resources report is adopted by reference.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes $15,877,000 for fiscal year 2001 salaries and expenses of the Federal J udicial Center as provided in the House bill, instead of $19,215,000 as proposed in the Senate-reported amendment. The modified language authorizes judges and the United States to receive a salary adjustment only if under each provision of law amended by section 1003(b) of the Ethics Reform Act of 1999 (5 U.S.C. 3338 note), adjustments under 5 U.S.C. 3305 shall take effect in fiscal year 2003. If such adjustments are made, then the appropriation of such adjustments under this Title. The House bill did not include a similar provision on this matter.

The conference agreement does not include the Senate provision related to honoraria or outside earnings limits for Federal judges.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes a total of $3,168,725,000 for Diplomatic and Consular Programs, instead of $3,089,325,000 as included in the Senate-reported amendment.

The conference agreement includes $2,718,725,000 for State Department activities under this account, $40,000,000 related to the implementation of the U.S.-Japan Treaty, and an additional $410,000,000 to remain available until expended for worldwide security upgrades.

The conference agreement includes language in this account, and throughout this Title, that modifies citations of authorization legislation carried in previous years. These changes are intended to simplify and streamline bill language, and are not intended to modify the authorities for the use of funds under any account available until expended.

The conference agreement does not include language proposed in the Senate-reported amendment to modify the purposes for which funds are transferred from the "Emergencies in the Diplomatic and Consular Service" account may be used.

The conference agreement includes language, not included in the House bill or the Senate-reported amendment, transferring $1,400,000 to the Presidential Advisory Commission on Holocaust Assets in the United States.

The conference agreement includes language designating $346,644,000 for public diplomacy international information programs as proposed in the House bill. The Senate-reported amendment did not contain a similar provision. This amount represents the full requested funding level for these program activities.

The conference agreement includes language under this account allowing the Department to collect and use reimbursements for services provided to the press. This language was proposed in the Senate-reported amendment under "Representation Allowances". The House bill did not contain a provision on this matter.

The conference agreement does not include language proposed in the Senate-reported amendment to place limitations on certain details of State Department senior executive salaries.

The conference agreement includes language designating $1,500 as proposed in the Senate-reported amendment, as a payment to the City of Seattle.
The conference agreement includes a provision, not in the House bill or the Senate-reported amendment, to allow the Department to collect and deposit Machine Readable Visas Program fees for the fiscal years 2001 and 2002. The conference agreement does not include provisions to limit the use of the Fund for the fiscal years 2001 and to make excess collections available in the subsequent fiscal year, as carried in both the House bill and the Senate-reported amendment. The Senate-reported amendment included a limitation of $342,667,000. The conference agreement does not include a similar provision.

The conference agreement includes language requiring the Department to notify the Congress fifteen days in advance of any application for an Export License for the People's Republic of China, as proposed in the Senate-reported amendment. The conference agreement identifies the Department's Bureau of Export Administration with the utmost scrutiny.

The conference agreement includes language requiring the Department to collect and deposit Machine Readable Visas Program fees for the fiscal years 2001 and 2002. The conference agreement does not include provisions to limit the use of the Fund for the fiscal years 2001 and to make excess collections available in the subsequent fiscal year, as carried in both the House bill and the Senate-reported amendment. The Senate-reported amendment included a limitation of $342,667,000. The conference agreement does not include a similar provision.

The conference agreement includes language requiring the Department to notify the Congress fifteen days in advance of any application for an Export License for the People's Republic of China, as proposed in the Senate-reported amendment. The conference agreement identifies the Department's Bureau of Export Administration with the utmost scrutiny.
The conference agreement includes $28,400,000 for the Office of Inspector General as proposed in the House bill, instead of $29,395,000 as proposed in the Senate-reported amendment. The conference agreement includes, by reference, the guidance included in both the House and Senate reports.

**EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS**

The conference agreement includes $231,587,000 for Educational and Cultural Exchange Programs of the Department of State, instead of $233,771,000 as proposed in the House bill, and $6,773,000 as proposed in the Senate-reported amendment. The conference agreement makes the funds provided under this account available until expended as in previous years, and as proposed in the House bill.

The following chart displays the conference agreement on the distribution of funds by program or activity under this account:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Programs</td>
<td>114,000</td>
</tr>
<tr>
<td>Fulbright Program</td>
<td>2,000</td>
</tr>
<tr>
<td>Regional Scholars Program</td>
<td>1,500</td>
</tr>
<tr>
<td>Foreign Study Grants for U.S. Undergraduates</td>
<td>1,000</td>
</tr>
<tr>
<td>College and University Affiliations Program</td>
<td>3,200</td>
</tr>
<tr>
<td>Educational Advising and Study Services</td>
<td>2,600</td>
</tr>
<tr>
<td>English Language Programs</td>
<td>6,100</td>
</tr>
<tr>
<td>Hubert H. Humphrey Fellowship Program</td>
<td>500</td>
</tr>
<tr>
<td>Edmund S. Muskie Fellowship Program</td>
<td>500</td>
</tr>
<tr>
<td>American Overseas Research and Training</td>
<td>2,280</td>
</tr>
<tr>
<td>South Pacific Exchanges</td>
<td>500</td>
</tr>
<tr>
<td>Tibet Exchanges</td>
<td>500</td>
</tr>
<tr>
<td>East Timor Exchanges</td>
<td>500</td>
</tr>
<tr>
<td>Disability Exchange</td>
<td>500</td>
</tr>
<tr>
<td>Clearinghouse</td>
<td>500</td>
</tr>
<tr>
<td>Subtotal, Academic Programs</td>
<td>135,180</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional and Cultural Programs:</td>
<td></td>
</tr>
<tr>
<td>International Visitor Program</td>
<td>46,500</td>
</tr>
<tr>
<td>Citizen Exchange Program</td>
<td>15,000</td>
</tr>
<tr>
<td>Congress</td>
<td>2,857</td>
</tr>
<tr>
<td>Youth Exchange</td>
<td>2,200</td>
</tr>
<tr>
<td>Mike Mansfield Fellowship Program</td>
<td>1,000</td>
</tr>
<tr>
<td>Olympic and Paralympic Exchanges</td>
<td>1,000</td>
</tr>
<tr>
<td>Special Olympic Exchanges</td>
<td>500</td>
</tr>
<tr>
<td>Youth Science Leadership</td>
<td>500</td>
</tr>
</tbody>
</table>

**PROTECTION OF FOREIGN MISSIONS AND OFFICIALS**

The conference agreement includes $5,494,000 for Representation Allowances instead of $5,822,000 as proposed in the House bill, and $6,773,000 as proposed in the Senate-reported amendment. The conference agreement does not include language under this account allowing the Department to collect and use reimbursement from services provided to the press as proposed in the Senate-reported amendment. This language is instead included under the 'Diplomatic and Consular Programs' account.

**EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE**

The conference agreement includes $1,078,976,000 for this account, instead of $1,064,976,000 as proposed in the House bill and $782,004,000 as proposed in the Senate-reported amendment.

The conference agreement does not include language proposed in the Senate-reported amendment adding ‘Centers for Antiterrorism and Security Training’ to the allowable uses of funding under this account.

The conference agreement does not include a Senate provision stating that certain proceeds of sales shall be available only for a new embassy facility in the Republic of Korea. Proceeds realized from the sale of the diplomatic facility in Seoul known as ‘Compound II’ shall only be available for the site acquisition and preparation of the site for construction of diplomatic facilities, housing, or Marine security guard quarters in the Republic of Korea. These funds shall be available for obligation and expenditure until funds are expended and any excess funds are made available to the Department for any purpose under this account.

The conference agreement does not include a Senate provision stating that certain proceeds of sales shall be available only for a new embassy facility in the Republic of Korea. Proceeds realized from the sale of the diplomatic facility in Seoul known as ‘Compound II’ shall only be available for the site acquisition and preparation of the site for construction of diplomatic facilities, housing, or Marine security guard quarters in the Republic of Korea. Proceeds realized from the sale of the diplomatic facility in Seoul known as ‘Compound II’ shall only be available for the site acquisition and preparation of the site for construction of diplomatic facilities, housing, or Marine security guard quarters in the Republic of Korea. Proceeds realized from the sale of the diplomatic facility in Seoul known as ‘Compound II’ shall only be available for the site acquisition and preparation of the site for construction of diplomatic facilities, housing, or Marine security guard quarters in the Republic of Korea.

The conference agreement includes $662,000,000 for the costs of worldwide security upgrades, including $53,000,000 for capital security projects. The conference agreement includes, by reference, language in the House report regarding the submission of a spending plan within sixty days of the date of enactment of this Act. In proposing such a spending plan, the Department shall include an assessment of need, and such funding as is appropriate, for security upgrades related to existing housing, schools, and Marine quarters, as well as the acquisition of new security Marine quarters.

The conference agreement does not include new appropriations for non-security capital projects. The Department has indicated that $220,000,000 in unobligated and unexpended funds remains available for appropriation and proceeds to pay all anticipated site acquisition and related costs of the new Beijing chancery project in fiscal year 2001. The conference agreement includes, by reference, the direction in the Senate report regarding the Beijing chancery project. The ongoing costs of housing projects in Chengdu and Shenyang are included in amounts provided for facilities rehabilitation under this account.

The budget request included planned expenditures of $67,000,000 from proceeds of sale of surplus property for opportunity purchases and capital projects. The conference agreement anticipates that the amount of surplus property available for sale will be much greater, and directs the Department to submit a spending plan for these funds that includes: at least $19,000,000 for opportunity purchases to replace expired leases; at least $25,000,000 for capital security projects; and $20,000,000 for continuing costs of the Taiwan project. Any additional use of these funds is subject to reprogramming.

The conference agreement includes, by reference, language in the House report regarding worldwide security upgrades and ‘representation allowances’ in the Senate-reported amendment.
and a General Accounting Office review of a property issue in Paris. Within the amount provided under this account, the Department is expected to support the rehabilitation projects in Kosovo and in Istanbul described in the Senate report. The Department is directed to submit, and receive approval for, a financial plan for the funding for this account, subject to other appropriations and prior to the obligation or expenditure of funds for capital and rehabilitation projects. The overall spending plan shall include project-level detail, and shall be provided to the Appropriations Committees not later than 60 days after the date of enactment of this Act. Any deviation from the plan approved shall be treated as a reprogramming in the case of an addition greater than $500,000 or as a notification in the case of a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Notification requirements also extend to the rebaselining of a given project's cost estimate, schedule, or scope of work.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes $5,477,000 for emergencies in the Diplomatic and Consular Service account, as provided in the House bill, instead of $4,000,000, as provided in the Senate-reported amendment. The conference agreement includes, by reference, language in both the House and Senate reports. Funding for the relocation of the Institute is discussed under the ‘Embassy Security, Construction, and Maintenance’ account.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes $16,345,000 for payment to the American Institute in Taiwan account, as provided in both the House bill and the Senate-reported amendment. The conference agreement includes, by reference, language in both the House and Senate reports. Funding for the retirement and disability fund account, as provided in both the House bill and the Senate-reported amendment.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

The conference agreement includes $870,033,000 for Contributions to International Organizations to pay the costs as assessed by international organizations, instead of $880,505,000 as proposed in the House bill, and $743,944,000 as proposed in the Senate-reported amendment.

The conference agreement includes language requiring that $100,000,000 may be made available to the United Nations only pursuant to a certification that the U.N. has taken no action during calendar year 2000 prior to the enactment of this Act to cause the U.N. to exceed the adopted budget for the biennium 2000-2002. Similar language was included in the House bill. The Senate-reported amendment did not include a provision on this matter.

The conference agreement does not include an additional $61,800,000 for the United States share of the new North Atlantic Treaty Organization headquarters as proposed in the Senate-reported amendment. The House bill did not have a similar provision. Within the amount provided under this heading, $6,000,000 is included for the first incremental payment for the U.S. share of the new headquarters building, as requested.

The amount provided by the conference agreement is subject to the Department's ability to fully pay assessments to international organizations. The conference agreement anticipates that the Department has prepaid $32,600,000 for the fiscal year 1999 assessment for the United Nations regular budget, using excess fiscal year 2000 funds. In addition, the Department's recalculation of its fiscal year 2001 assessment has resulted in a lowering of the request by an additional $37,908,900, resulting primarily from exchange rate fluctuations. In recognition of the prepayment and the recalculation of the request, the conference agreement assumes an adjusted request level of $875,552,000. The conference agreement does not include requirements related to requests that programs that are terminating or have not yet begun.

Contribution for International Peacekeeping Activities

The conference agreement provides $846,000,000 for Contributions for International Peacekeeping Activities, instead of $892,100,000 as proposed in the Senate-reported amendment, and $782,100,000 as proposed in the House bill.

The conference agreement provides that, of the total funding provided under this heading, not less than $498,500,000 shall remain available until September 30, 2001. The conference agreement includes, by reference, language in the House report regarding the South Bay International Wastewater Treatment Plant.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes $22,960,000 for Salaries and Expenses of the International Boundary and Water Commission (IBWC) as proposed in the Senate-reported amendment, instead of $22,747,000 as proposed in the Senate bill. The conference agreement includes, by reference, language in the House report regarding the South Bay International Wastewater Treatment Plant.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes $131,224,000 for the Payment to the Foreign Service Retirement and Disability Fund account, as provided in both the House bill and the Senate-reported amendment.

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes $870,033,000 for Contributions to International Organizations to pay the costs as assessed by international organizations, instead of $880,505,000 as proposed in the House bill, and $743,944,000 as proposed in the Senate-reported amendment.

The conference agreement includes language requiring that $100,000,000 may be made available to the United Nations only pursuant to a certification that the U.N. has taken no action during calendar year 2000 prior to the enactment of this Act to cause the U.N. to exceed the adopted budget for the biennium 2000-2002. Similar language was included in the House bill. The Senate-reported amendment did not include a provision on this matter.

The conference agreement includes language requiring that $100,000,000 may be made available to the United Nations only pursuant to a certification that the U.N. has taken no action during calendar year 2000 prior to the enactment of this Act to cause the U.N. to exceed the adopted budget for the biennium 2000-2002. Similar language was included in the House bill. The Senate-reported amendment did not include a provision on this matter.

The conference agreement includes an additional $61,800,000 for the United States share of the new North Atlantic Treaty Organization headquarters as proposed in the Senate-reported amendment. The House bill did not have a similar provision. Within the amount provided under this heading, $6,000,000 is included for the first incremental payment for the U.S. share of the new headquarters building, as requested.

The amount provided by the conference agreement is subject to the Department's ability to fully pay assessments to international organizations. The conference agreement anticipates that the Department has prepaid $32,600,000 for the fiscal year 1999 assessment for the United Nations regular budget, using excess fiscal year 2000 funds. In addition, the Department's recalculation of its fiscal year 2001 assessment has resulted in a lowering of the request by an additional $37,908,900, resulting primarily from exchange rate fluctuations. In recognition of the prepayment and the recalculation of the request, the conference agreement assumes an adjusted request level of $875,552,000. The conference agreement does not include requirements related to requests that programs that are terminating or have not yet begun.

The conference agreement includes $846,000,000 for Contributions for International Peacekeeping Activities, instead of $892,100,000 as proposed in the Senate-reported amendment, and $782,100,000 as proposed in the House bill.

The conference agreement provides that, of the total funding provided under this heading, not less than $498,500,000 shall remain available until September 30, 2001. The Senate-reported amendment made all funding available until expended, and the House bill had no provision. The conferees expect that before any excess funding is carried over into fiscal year 2002 in this account, the Department shall transfer the maximum amount to the Contributions to International Organizations account to prepay the fiscal year 2002 assessment for the United Nations regular budget.

The conference agreement includes language requiring that a Department report to the Committees related to the costs of continuing UN activities in Angola and Haiti from the UN regular budget, requiring a report on peacekeeping assessment rate reform, and directing the Department to support the work of the UN Office of Internal Oversight Services. The conference agreement also includes, by reference, language in the Senate report regarding the investigation of charges against those responsible for planning and execution of the air war over Serbia and Kosovo. The establishment of several large and complex missions over the past year has hampered the Department's ability to fully plan and manage such activities. The Department is directed to allocate available funds in this account on a priority basis, and to take no action to extend or expand missions or create new missions for which funding is not available. The conference agreement includes a total of $302,000,000 for additional arrearage payments above the $263,000,000 included in the total resources available under this account no later than December 31, 2000, through the normal reprogramming process.

The conference agreement does not include funding for arrearage payments in this Act. The Senate-reported amendment provided $302,000,000 for additional arrearage payments above the $263,000,000 included in the total resources available under this account no later than December 31, 2000, through the normal reprogramming process.

The conference agreement includes $17,142,000 for Salaries and Expenses of the International Boundary and Water Commission (IBWC) as proposed in the Senate-reported amendment, instead of $19,470,000 as proposed in the House bill. The conference agreement includes, by reference, language in the House report regarding the South Bay International Wastewater Treatment Plant.

The conference agreement includes $22,960,000 for Salaries and Expenses of the International Boundary and Water Commission (IBWC) as proposed in the Senate-reported amendment, instead of $22,747,000 as proposed in the Senate bill. The conference agreement includes, by reference, language in the House report regarding the South Bay International Wastewater Treatment Plant.

The conference agreement includes $6,741,000 for Salaries and Expenses of the International Boundary Commission, United States and Canada, and the Border Environment Cooperation Commission. These payments are proposed in the Senate-reported amendment, instead of $5,710,000 as proposed in the House bill.

The conference agreement includes, by reference, language in the Senate report regarding the reallocation of funds subject to reprogramming. The conferees also expect the Committee and Senate Appropriations Subcommittees, not later than November 15, 2001, an end-of-year report on operations and maintenance spending. This report shall include actual obligations, and balances carried forward, by project.

The conference agreement includes $6,741,000 for Salaries and Expenses of the International Boundary Commission, United States and Canada, and the Border Environment Cooperation Commission. These payments are proposed in the Senate-reported amendment, instead of $5,710,000 as proposed in the House bill.

The conference agreement includes, by reference, language in the Senate report regarding the reallocation of funds subject to reprogramming. The conferees also expect the Committee and Senate Appropriations Subcommittees, not later than November 15, 2001, an end-of-year report on operations and maintenance spending. This report shall include actual obligations, and balances carried forward, by project.

The conference agreement includes $19,392,000 for the U.S. share of the expenses of the International Fisheries Commissions under the International Boundary and Water Commission. These payments are proposed in the Senate-reported amendment, instead of $15,485,000 as proposed in the House bill.
The conference agreement includes the funding distribution requested in the President's budget and adopts, by reference, language in the Senate report on treating Lake Champlain as a navigable waterway of the U.S., with priority to States providing matching funds.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes $9,250,000 for the Payment to the Asia Foundation Act of 1981 as provided in the House bill, and instead of no funding as provided in the Senate-reported amendment. The conferees support the work of the Asia Foundation in promoting democracy and the rule of law in the Asia-Pacific region. Since the establishment of multi-party democracy in 1990, Nepal continues to struggle with political instability, weak legal institutions and economic stagnation. Increased funding in this account is expected to allow the Foundation to expand law reform activities in Nepal.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

TRUST FUND

The conference agreement includes language as provided in both the House bill and the Senate-reported amendment allowing all interest and earnings accruing to the Trust Fund in fiscal year 2001 to be used for necessary expenses of the Eisenhower Exchange Fellowships.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes language as provided in both the House bill and the Senate-reported amendment allowing all interest and earnings accruing to the Scholarships Fund in fiscal year 2001 to be used for necessary expenses of the Israeli Arab Scholarship Program.

EAST-WEST CENTER

The conference agreement includes $13,500,000 for operations of the East-West Center as proposed in the Senate-reported amendment, instead of no funds as proposed in the House bill. The conference agreement does not include an additional earmark of $12,500,000 from the Department of State, Diplomatic and Consular Programs account, as proposed in the Senate-reported amendment.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes $30,999,000 for the National Endowment for Democracy as proposed in the Senate-reported amendment, instead of $30,000,000 as proposed in the House bill. The Endowment shall submit to the Committees, not later than January 1, 2001, a detailed program plan for NED activities in East Timor, Kosovo, Sierra Leone and the Democratic Republic of the Congo.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $386,971,000 for International Broadcasting Operations, instead of $419,777,000 as proposed in the House bill and $388,421,000 as proposed in the Senate-reported amendment. Rather than funding broadcasting to Cuba under this account, as proposed by the House, all funding for broadcasting to Cuba is included under a separate account, as proposed in the Senate-reported amendment, and as enacted in previous years.

The conference agreement includes language in the House report on digital development and conversion, security upgrades, relocation of the PBOA headquarters, and the submission of a spending plan through the reprogramming process. The conference agreement also includes, by reference, language in the Senate report on the notification of the Committees prior to the release of funds for security upgrades.

The BBG may propose through the reprogramming process to allocate funds under this account for rotatable antennas, or for other infrastructure improvements at the Greenville, NC, transmitting station, as discussed in the Senate report.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The conference agreement includes, by reference, language in the House report on the review of television-related programs, Radio Free Asia, additional consolidation and streamlining of State Broadcasting Operations, and reprogramming requirements. The conference agreement also includes, by reference, language in the Senate report on the VOA charter requirements, and on the initiation of RFE/RL broadcasting in Avar, Chechen and Circassian.

The Broadcasting Board of Governors (BBG) is expected to devote a proportionate and reasonable share of total VOA programming to the charter requirements of explaining America’s foreign policy and promoting American values, institutions, and thought. Should the BBG determine that organizational changes would facilitate the achievement of these goals, such proposed changes shall be submitted to the Committees through the regular reprogramming process.

The conference agreement provides inflations adjustments to base funding levels for all available funding under this account to the Committees within sixty days from the enactment of this Act.

BROADCASTING TO CUBA

The conference agreement includes $22,095,000, to remain available until expended, for Broadcasting to Cuba under a separate account as proposed in the Senate-reported amendment, instead of $22,806,000 within the total for International Broadcasting Operations as proposed in the House bill. The conference agreement does not include language proposed in the Senate-reported amendment, providing that funds may be used for aircraft to house television broadcasting equipment. The House bill did not contain a provision on the matter.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $20,358,000 for the Broadcasting Capital Improvements account as provided in the House bill, and $31,075,000 as proposed in the Senate-reported amendment. The conference agreement does not include language proposed in the Senate-reported amendment making a specific amount under this account available for the costs of overseas security upgrades.

The conference agreement includes, by reference, language in the House report on digital development and conversion, security upgrades, relocation of the PBOA headquarters, and the submission of a spending plan through the reprogramming process. The conference agreement also includes, by reference, language in the Senate report on the notification of the Committees prior to the release of funds for security upgrades.

The BBG may propose through the reprogramming process to allocate funds under this account for rotatable antennas, or for other infrastructure improvements at the Greenville, NC, transmitting station, as discussed in the Senate report.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

Section 401.—The conference agreement includes section 401, as proposed in the House bill, permitting use of funds for allowances, differentials, and transportation. The Senate-reported amendment included a similar provision with minor technical differences related to the citation of authorizing provisions.

Sec. 402.—The conference agreement includes section 402, as proposed in both the House bill and the Senate-reported amendment, dealing with transfer authority.

Sec. 403.—The conference agreement includes section 403, as proposed in both the House bill and the Senate-reported amendment, prohibiting the use of funds by the Department of State, Diplomatic and Consular Programs and the Broadcasting Board of Governors (BBG) to provide certain types of assistance to the Palestinian Broadcasting Corporation (PBC). The conference agreement directs the Department and the BBG to submit a report to the Committees, before December 15, 2000, detailing any programs or activities involving the PBC in fiscal year 2000, and any plans for such programs in fiscal year 2001.

Sec. 404.—The conference agreement includes section 404, as proposed as section 405 in the House bill, creating the position of Deputy Secretary of State for Management and Resources. The Senate-reported amendment did not include a provision on this matter. The conference agreement includes, by reference, the guidance on this matter provided in the House report under the “Diplomatic and Consular Programs” account.

Sec. 406.—The conference agreement includes section 406, not included in either the House bill or the Senate-reported amendment, waiving provisions of existing legislation that require authorizations to be in place for the State Department and the Broadcasting Board of Governors prior to the expenditure of any appropriated funds.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes $98,700,000 for the Maritime Security Program as proposed in both the House bill and the Senate-reported amendment.

OPERATIONS AND TRAINING

The conference agreement includes $86,910,000 for the Maritime Administration Operations and Training account instead of $84,799,000 as proposed in the House bill and $86,000,000 as proposed in the Senate-reported amendment. Within this amount, $47,236,000 shall be for the operation and maintenance of the U.S. Merchant Marine Academy, including $13,000,000 for construction for further deferred maintenance and renovation requirements as described in the House report. The conferences adopt, by reference, the Senate report on the notification of the Committees prior to the release of funds for security upgrades.

The conference agreement includes $72,000,000 for the State Maritime Academies. Within the amount for State Maritime Academies, $1,200,000 shall be for student incentive payments, the same amount as provided in fiscal year 2000.

The conference agreement also includes, by reference, language in the House report...
on submission of a report on maritime education and training.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The conference agreement provides $30,000,000 in subsidy appropriations for the Maritime Guaranteed Loan Program instead of $10,621,000 as proposed in the House bill and $20,221,000 as proposed in the Senate-reported amendment. The conference agreement includes a $3,987,000 administrative expense associated with the Maritime Guaranteed Loan Program instead of $3,795,000 as proposed in the House bill, and $4,179,000 as proposed in the Senate-reported amendment. The amount for administrative expenses may be transferred to and merged with amounts under the MARAD Operations and Training account.

MARAD has indicated to the Committees that it expects to carry over approximately $10,000,000 in this account which may be used as additional sub-subsidy budget authority in fiscal year 2001.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

The conference agreement includes provisions, as proposed in both the House bill and the Senate-reported amendment, involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD Construction Fund.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

The conference agreement provides $490,000 for the Commission for the Preservation of America's Heritage Abroad, as proposed in the Senate-reported amendment, instead of $390,000 as proposed in the House bill.

COMMISSION ON CIVIL RIGHTS

The conference agreement includes $8,900,000 for the salaries and expenses of the Commission on Civil Rights as proposed in the Senate-reported amendment, instead of $8,866,000 as proposed in the House bill. The conference agreement includes language allowing the Chairperson to be reimbursed for 125 billable days, as proposed in the House bill, and as carried in previous years. The Senate-reported amendment included language that would require all commissioners to not more than 75 billable days.

COMMISSION ON OCEAN POLICY

The conference agreement includes $1,000,000 for the Commission on Ocean Policy as proposed in the Senate-reported amendment, instead of no funding as proposed in the House bill.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The conference agreement includes $1,370,000 for the Commission on Security and Cooperation in Europe as proposed in the Senate-reported amendment, instead of $1,182,000 as proposed in the House bill.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The conference agreement includes $500,000 for the Congressional-Executive Commission on the People's Republic of China. Neither the House bill nor the Senate-reported amendment included funding for this new Commission.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The conference agreement includes $303,854,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC), instead of $207,909,000 as proposed in the House bill, and $237,188,000 as proposed in the Senate-reported amendment.

The conference agreement includes, by reference the Senate report language on class action limitations, a $3,987,000 for administrative expenses associated with the Equal Employment Opportunity Commission (EEOC). The amount for administrative expenses may be transferred to and merged with amounts under the EEOC Operations and Training account.

The conference agreement also includes an additional $3,987,000 for administrative expenses associated with the Maritime Guaranteed Loan Program instead of $3,795,000 as proposed in the House bill, and $4,179,000 as proposed in the Senate-reported amendment. The amount for administrative expenses may be transferred to and merged with amounts under the MARAD Operations and Training account.

MARAD has indicated to the Committees that it expects to carry over approximately $10,000,000 in this account which may be used as additional sub-subsidy budget authority in fiscal year 2001.

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes $330,000,000 for the payment to the Legal Services Corporation, instead of $300,000,000 as proposed in the Senate-reported amendment, and $275,000,000 as proposed in the House bill. The conference agreement provides $310,000,000 for grants to basic field programs and independent audits, $10,800,000 for management and administration, $100,000 for the Office of Inspector General, and $7,000,000 for client self-help and information technology. The conference agreement also includes $1,250,000 for legal assistance to victims under the Violence Against Women Act programs funded under Title I of this Act. In addition, according to LSC-released statistics, $791,000,000 is claimed to have been expended over $605,000,000 of funding during 1999.

Within the amounts provided for management and administration, the Corporation is expected to hire at least seven investigators for the Compliance and Enforcement Division to investigate fund grantees' compliance with the regulations grantees agreed to abide by when accepting Federal funding.

The conference agreement adopts by reference the House report language on class action limitations, identity theft and Internet fraud, and appropriations for both the Antitrust Division of the Department of Justice and the Federal Trade Commission, financed with the Hart-Scott-Rodino Act pre-merger filing fees. Section 630 of this Act modifies the Hart-Scott-Rodino Act to establish a three-tiered fee structure that will be derived from offsetting fee collections, as provided in both the House bill and the Senate-reported amendment, resulting in a net direct appropriation of $69,854,000, instead of $7,763,000 included in the House bill, and $3,042,000 included in the Senate-reported amendment. Receipts in excess of $200,146,000 shall remain available until expended but shall not be available for obligation until October 1, 2001.

The conference agreement directs the Commission to submit, no later than December 15, 2000, a financial plan proposing a distribution of all the funds in this account, subject to the reprogramming requirements under section 505 of this Act.

The conference agreement assumes that, of the final appropriation of $0. Any use of remaining unobligated fee collections from prior years are subject to the reprogramming requirements outlined in section 656 of this Act.

The conference agreement adopts by reference the Senate report language on slotting allowances, identity theft and Internet fraud.
action suits and the Senate report language on travel.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The conference agreement includes language appropriating $1,000,000 for salaries and expenses of the Marine Mammal Commission, as proposed in both the House bill and the Senate-reported amendment.

MARINE MAMMAL COMMISSION

The conference agreement includes $1,000,000 for the salaries and expenses of the Marine Mammal Commission, as proposed in both the House bill and the Senate-reported amendment.

SECURITIES AND EXCHANGE COMMISSION

The conference agreement includes $422,800,000 for the Securities and Exchange Commission (SEC), instead of $392,624,000 as proposed in the House bill and $489,652,000 as proposed in the Senate-reported amendment. The conference agreement includes $37,000,000 for programs related to the SEC, including $2,000,000 for BusinessLINC and the need to educate investors regarding Internet fraud cases, as de- scribed in the Senate report. The conference agreement does not include language appropriating separate amounts from fiscal years 1999 and 2001, as proposed in both the House bill and the Senate-reported amendment. The conference agreement appropriates $10,905,000 for the SEC, collected in the fiscal year 1999, and $127,800,000 from fees to be collected in fiscal year 2001.

The conference agreement provides for the Commission’s implementation of base and requested program increases for additional royalty, administrative and processing fees, and a special pay rate. Within the increased funding provided for increased fees, the Commission shall identify $2,000,000 for additional information systems support to help investigate and prosecute Internet fraud cases, as described in the Senate report. The conference agreement does not include language in Title VI of this Act, nor additional funding above the request under this heading, as proposed in the Senate-reported amendment, for the exemption of the SEC from Federal pay regulations.

Any offsetting fee collections in fiscal year 2001, in excess of $127,800,000, will remain available for the Securities and Exchange Commission in future years through the regular reprogramming process.

The conference agreement includes, by reference, language in the Senate report on the Office of Economic Analysis, the implementation of a fee collection system, recommendations for increased civil penalties, and the need to educate investors regarding Internet security fraud.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides an appropriation of $331,625,000 for the Small Business Administration (SBA) Salaries and Expenses account, instead of $304,094,000 as proposed in the Senate-reported amendment.

The conference agreement does not split funding for non-credit business assistance programs into a separate account, as proposed in the Senate-reported amendment. The conference agreement does not include language appropriating separate amounts from fiscal years 1999 and 2001, as proposed in the Senate-reported amendment. The conference agreement includes $37,000,000 for programs related to the New Markets Venture Capital Program, as reported in the Senate report. The conference agreement includes $2,000,000 for expenses of the HUBZone Program, which may under certain conditions be transferred to and merged with amounts available under Salaries and Expenses. The conference agreement includes $2,000,000 for expenses of the Disaster Loans Program account, which may under certain conditions be transferred to and merged with amounts available under Salaries and Expenses. The conference agreement includes $2,000,000 for the Disaster Loans Program account.

The conference agreement provides a total of $169,541,000 for SBA’s regular operating expenses under this account. This amount includes $2,000,000 for expenses of the HUBZone program, and $6,000,000 for systems modernization initiatives to improve the SBA’s management and oversight of its loan portfolio. This amount also includes $2,000,000 to assist the SBA in transforming its work processes and business systems in the way its programs are carried out. The SBA shall submit a plan, prior to the expenditure of resources provided for systems modernization and work processes, in accordance with section 605 of this Act.

The conference agreement includes the following amounts for non-credit programs:

Small Business Development Centers ........................................ $88,000,000
7(j) Technical Assistance ........................................................... 3,600,000
Microlender Technical Assistance .............................................. 20,000,000
SCORE ............................... 3,750,000
Business Information Centers ................................................. 5,000,000
Women’s Business Development Corporation ................................ 12,000,000
Survey of Women-Owned Businesses ........................................ 694,000
National Women’s Business Council ........................................... 750,000
One Stop Business Opportunities ............................................. 3,100,000
US Export Assistance Centers .................................................. 3,100,000
Advocacy and Compliance Services ........................................... 1,100,000
National Veterans Business Development Corp ......................... 4,000,000
SBA’s Rural Outreach Program .................................................. 5,000,000
ProNet ............................... 500,000
Drug-Free Workforce Grants ................................................... 3,500,000
PRIME ..................................... 15,000,000
New Markets Technical Assistance ........................................... 30,000,000
BusinessLoans Inc ................................................................. 7,000,000
Regulatory Boards .................................................................... 500,000
Total ........................................ 202,094,000

Small Business Development Centers (SBDCs).—Of the amounts provided for SBDCs, the conference agreement includes $2,000,000 to continue the SBDC Defense Transition program, and $1,000,000 to continue the Environmental Compliance Project, as directed in the House report. In addition, the conference agreement includes language, similar to that proposed in the Senate-reported amendment under “Non-Credit Business Assistance Programs” making funds for the SBDC program available for two years.

Small Business Development Corporation.—The conference agreement includes language, similar to that proposed in the Senate-reported amendment under “Non-Credit Business Assistance Programs” making funds for the SBDC program available for two years.

The Senate-reported amendment did not include a provision on this matter, but Senate report language designated $4,000,000 for the same purpose.

Microlender Technical Assistance.—The conference agreement includes $20,900,000 for the Microlender Technical Assistance. Should savings occur during fiscal year 2001 in this account, the SBA may propose to allocate an additional amount for the Microlender Technical Assistance program through the regular reprogramming process.

The office was unable to obligated approximately $3,300,000 allocated to this program in fiscal year 2000, which was transferred to the Business Loans Program account.

The conference agreement adopts language included in the House report directing the SBA to fully fund Local Development Centers, and to continue activities assisting small businesses to adapt to a paperless procurement environment.

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

The conference agreement adopts the approach in the House bill of not including funding under a separate heading for the non-credit business assistance programs of the SBA. Instead, funding for these programs is included under “Salaries and Expenses”, as in previous years. The Senate-reported amendment included $153,690,000 for such programs under this separate account.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $11,953,000 for the SBA Office of Inspector General, instead of $10,905,000 as proposed in the House bill and $11,400,000 as proposed in the Senate-reported amendment.

An additional $500,000 has been provided under the administrative expenses of the Disaster Loans Program account, which is made available to the Office of Inspector General for work associated with oversight of the Disaster Loans Program. The conference agreement does not include language direction provided in the Senate report.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes $294,410,000 under the SBA Business Loans Program Account, instead of $269,300,000 as proposed in the House bill, and $296,200,000 as proposed in the Senate-reported amendment.

The conference agreement includes language, as proposed in the Senate-reported amendment, and $45,000,000 of the amount included for guaranteed loans available for two fiscal years. The Senate-reported amendment did not contain a similar provision. Within the amount provided, $22,000,000 shall be available only for the New Markets Venture Capital Program, subject to the enactment of authorizing legislation in fiscal year 2001.

The conference agreement includes $2,250,000 for the costs of direct loans, instead of $2,500,000 as proposed in the Senate-reported amendment. The conference agreement includes $134,160,000 for the costs of guaranteed loans, including the following programs:

Microlender Direct Loans.—The conference agreement provides $414,900,000 in subsidy appropriations for the 7(a) general business guaranteed loan program, instead of $340,000,000 as proposed in the Senate-reported amendment. When combined with an estimated $124,000,000 in available carryover funding, these funds will fully fund the 7(a) guaranteed loan program and recover the costs of such loans.
subsidy rate of 1.24%. In addition, the conference agreement includes a provision, as proposed in both the House bill and the Senate-reported amendment, requiring the SBA to notify the President, instead of $25,300,000 as proposed in section 605 of this Act prior to providing a total program level greater than $10,000,000,000.

Small Business Investment Companies (SBIC).—The conference agreement provides $26,200,000 for the SBIC participating securities program as proposed in the Senate-reported amendment, instead of $15,000,000,000 as proposed in the House bill and the Senate-reported amendment, that prohibits uses of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect on July 11, 1995. Unless the President certifies that several conditions have been met regarding Vietnam’s cooperation with the United States on POW/MA issues.

The conference agreement includes section 616, as proposed in the Senate-reported amendment, that prohibits the use of funds to provide visas to alien involved in extrajudicial and political killings in Haiti. The provision also adds eight individuals to the list of victims, and extends the exemption for foreign trade zones. The Senate-reported amendment did not contain a provision on this matter.

The conference agreement includes section 618, as proposed in the House bill, which prohibits the use of funds provided under the National Oceanic and Atmospheric Administration for fleet modernization activities. The Senate-reported amendment did not contain a provision on this matter.

The conference agreement includes section 619, as proposed in the Senate-reported amendment, that prohibits the use of funds to provide visas to alien involved in extrajudicial and political killings in Haiti. The Senate-reported amendment did not contain a provision on this matter.

The conference agreement includes section 620, as proposed in the House bill, which prohibits the use of funds provided under the National Oceanic and Atmospheric Administration for fleet modernization activities. The Senate-reported amendment did not contain a provision on this matter.
prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require a result in destruction of certain information.

Sec. 619.—The conference agreement includes section 619, modified from language proposed in the Senate bill and section 619 in the Senate-reported amendment, which delays obligation of any receipts deposited or available in the Crime Victims Fund in excess of $337,500,000 until the following fiscal year. The conferees have taken this action to protect against wide fluctuations in receipts into the Fund, and to ensure a stable level of funding will remain available for these programs in future years.

Sec. 620.—The conference agreement includes section 620, proposed as section 619 in the House bill, which prohibits the use of Department of Justice funds for programs which discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs. The Senate-reported amendment did not contain a provision on this matter.

Sec. 621.—The conference agreement includes section 621, identical in both the House bill and the Senate-reported amendment, as proposed in the Senate bill, which prohibits the use of funds to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens.

Sec. 622.—The conference agreement includes section 622, proposed as section 621 in the House bill, which prohibits the use of Department of Justice funds to transport a maximum or high security prisoner to any facility outside the U.S. unless the facility is certified by the Bureau of Prisons as adequately secure to house such a prisoner. The Senate-reported amendment did not contain a similar provision.

Sec. 623.—The conference agreement includes section 623, modified from language proposed as section 622 in the House bill, regarding the Kyoto Protocol on Climate Change. The Senate-reported amendment did not include a provision on this matter. The conference agreement does not adopt the report language included in the House bill.

Sec. 624.—The conference agreement includes section 624, modified from language proposed as section 623 in the House bill, which prohibits the use of funds in the Department of Justice from being obligated to an entity that has not certified to the Department of Justice, to allow fishing vessels to use aircraft to assist in the fishing of Atlantic bluefin tuna.

TITLe VII—DEBT Reduction

DEPARTMENT OF TREASURY

BUREAU OF THE PUBLIC DEBT

Gifts to the United States for Reduction of the Public Debt

The conference agreement includes a new title depositing an additional amount in fiscal 2001, funded into the account established under 31 U.S.C. section 3113(d), to reduce the public debt.

TITLe IX—WILDLIFE, OCEAN AND COASTAL RECREATION

Secs. 901–902.—The conference agreement includes $50,000,000 for formula grants to the States for wildlife conservation and restoration programs. Funding is provided through the Fish and Wildlife Service in the Department of Interior. This amount is in addition to funds provided for new, competitively awarded and cost-shared wildlife programs in the FY 2001 Interior Appropriations Act. This action recognizes wildlife conservation as a critical component of a nationwide strategy and supports state efforts in wildlife conservation and restoration. The conference agreement includes authorization language for this program.

Funding has been provided for the development, revision, and implementation of wildlife conservation and restoration programs and plans to address the unmet needs for a diverse array of wildlife and associated habitats. Programs provided through this or other authorities may be used for planning and implementation of wildlife conservation programs and strategies, including wildlife conservation, wildlife and fisheries education, and wildlife-associated recreation projects, for new programs and projects as well as to enhance existing programs and projects.

Each state's apportionment is determined by formula which considers the total area of the state, 1/3 of the formula and the population (29 of the formula). No state will receive an amount that is less than one percent of the amount available or more than five percent for any fiscal year. Puerto Rico and the District of Columbia each receive a sum equal to not more than one-half of one percent and Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands each receive a sum equal to not more than one-fourth of one percent. The conference agreement requires States and other organizations to have a state plan to develop a wildlife conservation strategy and plan as a condition for receiving a federal grant under this program.

Sec. 903.—The conference agreement includes language authorizing a coastal impact assistance program for fiscal year 2001.

TITLe X

The conference agreement includes a new title X to authorize loan guarantees in order to facilitate access to broadcast signals in unserved and underserved areas, and for other purposes.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Conference Committee is $39,600,967, compared to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001.\[1\]

[1] In thousands of dollars]

The conference agreement includes a new title X to the Legal Immigration Family Equity Act.

CONFERENCE TOTAL—WITH COMPARISONS
First, for the health and perhaps for the survival of our system of government, we must rehabilitate the way we finance political campaigns. I recognize that this will be done through an effort at campaign finance reform. Money always will undoubtedly be the most seamy side of politics. However, right now we face a veritable political hell. The 1990s have been a turbulent and costly time in the history of our democracy. The 3-year term limit on committee chairs currently in effect in the House is an effort to break up the legislative power. This effort should not be abandoned.

Fourth, we must better address the fundamental problem of the difficulty of reforming public programs under current legislative procedures. It takes enormous efforts to pass legislation with a bicameral legislative branch, a single chamber, a congressional system. As global economies are becoming increasingly concentrated, fewer and fewer businesses dominate more and more sectors of the economy. This threatens our ability to maintain a free market system, the cornerstone of our economy. Antitrust laws and their enforcement are controversial. However, if we do not maintain a commitment to the principle of competition, the dynamics of a vibrant marketplace will be eroded.

All of us have heard promises of savings but also read about the loss of jobs and endless disappointments with mergers. Congress holds one of the keys to enforcement of the principles of competition. Antitrust, fair trade, the deregulated industries, the specter of runaway government programs. Antitrust laws and their enforcement are controversial. However, if we do not maintain a commitment to the principle of competition, the dynamics of a vibrant marketplace will be eroded.

First, for the health and perhaps for the survival of our system of government, we must rehabilitate the way we finance political campaigns. I recognize that this will be done through an effort at campaign finance reform. Money always will undoubtedly be the most seamy side of politics. However, right now we face a veritable political hell. The 1990s have been a turbulent and costly time in the history of our democracy. The 3-year term limit on committee chairs currently in effect in the House is an effort to break up the legislative power. This effort should not be abandoned.

Fourth, we must better address the fundamental problem of the difficulty of reforming public programs under current legislative procedures. It takes enormous efforts to pass legislation with a bicameral legislative branch, a single chamber, a congressional system. As global economies are becoming increasingly concentrated, fewer and fewer businesses dominate more and more sectors of the economy. This threatens our ability to maintain a free market system, the cornerstone of our economy. Antitrust laws and their enforcement are controversial. However, if we do not maintain a commitment to the principle of competition, the dynamics of a vibrant marketplace will be eroded.

All of us have heard promises of savings but also read about the loss of jobs and endless disappointments with mergers. Congress holds one of the keys to enforcement of the principles of competition. Antitrust, fair trade, the deregulated industries, the specter of runaway government programs. Antitrust laws and their enforcement are controversial. However, if we do not maintain a commitment to the principle of competition, the dynamics of a vibrant marketplace will be eroded. 

Finally and, finally, we need to constantly recommit ourselves to maintaining respect for one another. The bitter divides in Northern Ireland, in the Balkans, in the Middle East, in Africa, and in the Indian subcontinent are examples of how self-governing societies are consumed and can be destroyed by internal animosities. The 1990s have been a turbulent and all too often bitter time here in Congress. We cannot allow our all too genetic predisposition for pride, animosity, jealousy and bickering to destroy us and our institutions. We must allow the healing process to work. Respect and trust must be constantly nurtured. We must not be hobbled with this handicap. The process for consideration of reform legislation should be simplified or quasi-independent status like the Postal Service should be considered for more operations.
Mr. PORTER. Mr. Speaker, I urge that we in Congress never allow ourselves to forget that we have a stewardship responsibility for the survival of our political institutions.

Self-governance and personal freedom are principles that we as Americans often take for granted. Our 220-year-old system of broad-based self-governance and individual rights is the longest running democracy in the history of our civilization and perhaps the history of mankind.

It is fragile. It is dependent on the trust of our people and our institutions, and we as political leaders must renew the process. We must make it work. We have a stewardship obligation to our children, grandchildren and future generations to enrich and strengthen this grand experiment and pass it on strong and intact.

This will be our generation’s greatest success. We cannot afford to fail.

I appreciate the opportunity to serve with them. I am honored and humbled to have been elected by a free people. I wish success for the work of the 107th Congress. I hope and pray this body and our system of self-governance and our freedoms continue for countless generations to come.

Mr. PORTER. Mr. Speaker, I inquire of the Chair how much time remains on both sides.

The SPEAKER pro tempore (Mr. PEASE) announces that the gentleman from Illinois (Mr. PORTER) has 30 minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 21 minutes remaining.

Mr. OBEY. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I appreciate the consideration of my friend, the gentleman from Wisconsin (Mr. OBEY), and the consideration from the gentleman from Illinois (Mr. PORTER). Again, Mr. Speaker, I want to express my appreciation to the Members of the Committee on Appropriations who worked so hard given the unfortunate context which was created through no fault of theirs, and there is a great deal in this bill that I admire. Indeed it is to some extent a pleasant surprise in some respects. But there is one aspect which disappointments me greatly, and I feel the need to comment on it.

In 1996, again as part of an overall appropriations bill, this House passed an immigration bill which included one of the cruelest, most unfair provisions this Congress has legislated in my memory. It was one which retroactively subjected people who had committed minor crimes mandatorily to deportation. In the ensuing years, its implementation has ruined families; it has destroyed lives; it has inflicted on innocent children more pain than almost any other single act. I can think of in a concentrated way. People who were the age of 18 or 19 or 20 who committed a minor offense and who had turned their lives around and had become responsible members of their community, responsible parents, have found themselves ripped from the communities where they have been living, ripped from their families and sent back.

We worked, those of us on the Committee on the Judiciary, in a bipartisan way to try to deal with that.

The gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary; the gentleman from Florida (Chairman YOUNG) and others worked and put together a bipartisan bill to relieve some, albeit not all, of the damage that bill does to people and it went through this House unanimously. It went to the other body, and we had hoped, given the difficulty that sometimes occurs there of getting separate legislation passed, that it would be included in this final bill, just as the bill that was seeking to amend had been included in this final bill.

We had agreement from the White House. We had, as I said, Republican and Democratic support here. At the last minute, the negotiations to include that vital humanitarian measure, supported by many Members of both sides of the aisle, led by the objection of the senior Senator from Texas. I do not think we have seen more cruelty inflicted on well-intentioned and well-behaved people than by that act.

So while I congratulate the Committee on Appropriations for the work they have done on the appropriations, I do have to note that a stunning piece of cruelty is left uncorrected by this bill.

Mr. PORTER. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. GOODYLING), the chairman of the Committee on Education and the Workforce.

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

Mr. GOODYLING. Mr. Speaker, how sad I would have been if on my last day, after 26 years in this Congress, I would not have had an opportunity to vote on this legislation. I certainly want to thank the gentleman from Florida (Chairman YOUNG) and the gentleman from Illinois (Chairman PORTER) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for giving me that opportunity.

As I have said many times, priorities are very important when we talk about funding, and for many years I asked us to please think about children with special needs and I am happy to say that in the last 5 years, after the President signs this legislation, they will have increased spending 175 percent in the areas of IDEA. What that means to local school districts is the fact that they can do the modernization and the renovation they can reduce class size; they can do so many things, if they have that kind of money.

I want to thank them also for including funding increases for Even Start and including the Literacy That Involves Families Together Act in the conference report.

All of the reports that we have at this point show that teaching parents literacy and parents skills so they can be their child’s first and most important teacher has improved their opportunity greatly to succeed.

I am also happy to report that under this proposal, we have worked out an agreement on renovation. I still believe that renovation, building and so on, is the responsibility of the State and local government, except when they talk about mandates that have come from the Federal level. That is what we have done in this legislation, tried to deal with those particular mandates.

There is also $25 million for a charter school demonstration project. I hope the gentlewoman from New Mexico (Mrs. Wilson) is listening. That will be very important when we talk about effective ways of leveraging private capital for charter schools.

On class size reduction, we have worked out and added to what we were to do last year, and I believe that indicates that if we have 10 percent or more of unqualified teachers in the school district, they can use 100 percent of all this money in order to better prepare the existing teaching force they have. I have tried to point out so many times, it does not matter what the class size is if we cannot put a quality teacher in that classroom.

I am also happy to point out that the conference hopes to open the doors even more in post-secondary education for our Nation’s poor students with, again, the highest Pell grant award ever. I commend the Committee on Appropriations for maintaining our effort to increase this opportunity for people with low income.

Again, I want to merely thank the gentleman from Illinois (Chairman PORTER), who also is spending his last day here. I do not know if he got up at 3 o’clock this morning and started playing solitaire on the computer, as I did, because all of a sudden I realized at that hour, this was my last trip around that Baltimore beltway. I am very happy that that is true, and unhappy that I am leaving such a wonderful group of people, but it was my choice.

Again, I thank all Members for this piece of legislation. I think it is an outstanding accomplishment.

Mr. PORTER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. FOLEY).

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

Mr. Speaker, I rise today in strong support of this legislation, and I want to thank my colleagues for their hard work I have reached this agreement.

I want to talk today about the Medicare provisions of this package, the portion of the bill that will help many health care providers and beneficiaries
This Congress passed the Balanced Budget Act in 1997 to save Medicare from insolvency. Now it is time to add some funds and benefits to the program to ensure it keeps up with the needs of those we serve. This bill effectively does that.

We have updated hospital payments so our hospitals nationwide can continue to provide the quality care we expect from them. We have also added improved and expanded preventive benefits for beneficiaries, including screening for glaucoma.

I introduced with my colleague, the gentleman from Georgia (Mr. Lewis), medical nutrition therapy, and expanded coverage of pap smears and pelvic exams.

The bill also eliminates the time limit for immunosuppressant drugs co-sponsored by the gentlemewoman from Florida (Ms. Thurman) for Medicare beneficiaries who have had an organ transplant, and waives the 24-month waiting period for those who suffer from ALS. These are provisions that have had our strong support this year.

The American Community Renewal

Mr. COMBEST. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, one of the things that this bill does have in it that is from the authorizing side is the Commodity Futures Modernization Act of 2000. This is not some insignificant piece of legislation, this is something that has been worked on for the last 2 years, very difficult to get through a number of committees in both the House and Senate. I cannot ask at length on the bill. I will not. What I do want to say is this would not have happened had it not been for the leadership of our colleague, the gentleman from Illinois (Mr. Ewing), who will be leaving the Congress of his own choice at the end of this year. This is something that I think he will be able to take with him as one of the major accomplishments that he made.

I cannot thank him enough, number one, for his work and effort in seeing this come to fruition, as well as thanking him for his friendship.

Mr. PORTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Missouri (Mr. Talent), the chairman of the Committee on Small Business.

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

Mr. TALENT. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, the conference before us enact by reference H.R. 5667, the Small Business Reauthorization Act of 2000. The bill authorizes the SBA for 3 years, and continue and improve a number of important small business programs.

It contains the provisions of H.R. 2392, which reauthorizes and improves the Small Business Innovation and Research Program, or the SBIR program. I know many Members in the House will be pleased that we are getting that done on the last day.

The bill also contains provisions of a number of pieces of legislation which overwhelmingly passed this House and which reauthorize and improve the 7(a) program, the 504 program, and the SBIC program. We made a lot of progress in strengthening those programs in the 4 years of my chairmanship, and I believe strongly in all of them. I urge my colleagues to support them in the conference report.

Mr. Speaker, the bill also contains another piece which many peepers, including the President, have called the most significant anti-poverty legislation in the last 30 years, the American Community Renewal Act. Provisions in the bill will offer hope and opportunity to millions of Americans who are living in economically underserved and blighted communities in our Nation. It will provide them and their communities tools, proven tools that are working in neighborhoods around our country, that can fight the neglect, remove the scourge of drug abuse, and lift the pall of poverty that darkens the lives of so many of our fellow Americans.

The American Community Renewal Act will provide tax incentives to build businesses in these communities. In these communities, there will be a zero percent capital gains tax. It will require HUD to cooperate with neighborhoods, it will assist people in savings, allowing them to put up money from their earned income tax credit, with the government matching it.

It will give these communities things many of the rest of us take for granted: safe streets, a vital economy, and good schools, and things like hope and dignity.

Mr. Speaker, for several years my colleagues, the gentleman from Oklahoma (Mr. Watts), the gentleman from Illinois (Mr. Dickey) and others of this Congress, and the gentleman from Oklahoma (Mr. Watkins).

Finally, the bill updates payments to the Medicare+Choice program so beneficiaries can continue to have a low-cost alternative to traditional Medicare. Much has been said about the funding in this bill for the HMOs that provide this coverage, but this is something of utmost importance to my constituents and to many seniors across the country.

We have all heard about the planned withdrawals from the Medicare plus Choice program. This bill takes a first step towards bringing stability to this program and to the beneficiaries who depend on it.

I also want to thank our colleagues in the Committee on Commerce and those on the Committee on Ways and Means who have worked valiantly to get this bill produced. I think the seniors of our Nation will greatly benefit from this, and I again urge my colleagues to support us in this effort as we prepare to finish the 106th Congress on what I believe will be a very positive note, which is additional health care for our seniors. Hopefully, we can continue to work for health care for all Americans.

Mr. PORTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. Combest), chairman of the Committee on Agriculture.
I mentioned, 6 consecutive years of tax relief for the American people. Six consecutive years of tax relief, not tax increases; 6 years of a growing economy, a balanced budget, and a Federal budget surplus for the first time in a generation; 6 years of letting Americans keep just a little more of their money.

That is an amazing record of bipartisan accomplishment for which we can all be proud. Without question, I would like to have done more for the American taxpayers. However, I am pleased with the progress we have made. We have advanced the cause of tax relief for American families and small businesses in a bipartisan fashion, and I am hopeful that we can see more enacted into law next year.

While this tax relief package consists mostly of a community renewal bill that the gentleman from Illinois (Mr. PORTER), the chairman of the Committee on Small Business (Mr. TALENT), put together, it also contains a very important extension of Medicare drug coverage and long-term care insurance for the elderly.

Mr. PORTER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to mention an important piece of legislation that the Speaker of the House was responsible for bringing into this bill. The Community Renewal Tax Relief Act, I think, is going to make a great difference for communities like North Chicago in my district.

Mr. Speaker, people may think that my district is a wealthy district, and on average, it is; but we have very, very poor communities. North Chicago is a prime example. It has the lowest per capita sales tax revenue in the county. It is one of the poorest communities in Illinois.

It has an unemployment and poverty rate that is three times the national average. It has commercial and industrial property with a vacancy rate of over 50 percent. This is exactly the kind of community that will benefit from this legislation.

Mr. Speaker, a very, very important piece of legislation concerns which will affect all of the financial industries here, so that not only can we be competitive in our financial industry, but we can be profitable.

Mr. Speaker, I rise today in support of this conference report and also in support of H.R. 5660, which will be included in this package by reference.

This is a bill that culminates 4 years of work by the Committee on Commerce, the Committee on Agriculture, the Committee on Banking and Financial Services, and by our colleagues in the Senate. And it is, in fact, a legal modernization bill of enormous proportion that will make our financial industry in this country.

First and foremost, it is intended to keep America on the competitive edge with our trading partners in this world economy; and it also modernizes the tax code so that only can we be competitive in our financial industry, but we can be profitable.

I want to thank all that have taken part in it, the staff on the Committee on Agriculture, Senator Gramm in the other body. Everyone has worked tirelessly on this, and I appreciate their support. I ask my colleagues for their consideration on this bill.
The SPEAKER pro tempore (Mr. PEASE). Members are reminded that pursuant to clause 5 of rule XVII, the use of personal electronic equipment on the floor of the House is not allowed. Members will please disable their cellular phones.

Mr. PORTER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise in strong support of this legislation.

Mr. Speaker, I rise to thank our colleagues on the Committee on Appropriations, because we have a historic event that will take place when we pass this bill.

We have supported the law enforcement community in America. We have supported teachers in America; but in this bill, for the first time, the Congress will provide $10 million of appropriated monies for the 1.2 million men and women who serve every one of our districts as paid and volunteer firefighters.

The $80 million in grants will be matched by local funding, $10 million will go for burn research, and $30 million will go to rural fire departments and those communities across the country that are desperately in need of new equipment. This is historic. To help these volunteers to continue to protect their towns is one of the most important things that we can do as a body.

Mr. Speaker, I am so happy to stand here, to thank my colleagues. The gentleman from Florida (Mr. Young) made a commitment to us a long time ago. I want to thank him.

I want to thank the gentleman from Illinois (Mr. PORTER). I want to thank our distinguished staff director, Mr. Dyer, the gentleman from Maryland (Mr. HOYER) on the other side, all the Members who were involved in this because of the historic nature of this funding.

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

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

Mr. Speaker, I just want to commend the gentleman from Pennsylvania (Mr. WELDON) for his outstanding work on behalf of our fire paramedic volunteers, something that was long overdue and something that will help protect lives and property without our Nation.

Mr. PORTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. DICKEY).

Mr. DICKEY asked and was given permission to revise and extend his remarks.

Mr. DICKEY. Mr. Speaker, I am in support of this bill, with reservations.

Today, I will vote for the final appropriation bill of this 106th session of Congress, but with some sadness. The regret because in the Labor HHS and Education portion of these bills $4 million of projects in the 4th District have at the last minute been removed from the bill. These dollars had been placed in the bill because they benefited the 4th District as well as hospitals, agencies for the aging, volunteer fire departments, bridges, boys and girls clubs, and other well deserved projects. I did everything I could to stop this from happening, but matters after the election were out of my hands.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding this time to me.

Mr. Speaker, being cognizant of the approaching storm, let me very quickly thank the gentleman from Florida (Mr. Young) and the gentleman from Wisconsin (Mr. OBEY) for their leadership and the gentleman from Illinois (Mr. PORTER) for his leadership. I spent many hours in front of his committee, and I thank him.

There has been much talk about the whole idea of bipartisanship, maybe even the word “compromise,” but I believe that bipartisanship encourages one to put your feet in the shoes of the other fellow, put your feet in the shoes of central Americans or Haitians and Liberians who have worked so hard in this Nation, contributing taxpayers and homeowners who by this bill have been denied a simple access to legalization, individuals who came to this country, fleeing persecution seeking the freedom that we would offer; what a shame.

So we know what kind of bipartisanship we can expect in the next Congress. I would hope as well that we would have looked more favorably at those who might have committed offenses as juveniles not to be deported and separated from their families, but that means that you have to step in the other fellow’s shoes.

I do, however, want to note the good works that have been done for the hospitals and Medicaid payments and the $12 billion to help our hospitals, and I would hope that this bill will pass on that basis.

Mr. OBRY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I rise in strong support of this conference report and would simply like to reference two parts. Especially, I strongly support the fix that has been provided for the teaching disproportionate share in public hospitals, and I also want to reference the American Community Renewal Act and New Markets Initiative. I want to commend the gentleman from Missouri (Mr. TALENT), the chairman of the Committee on Small Business, for the hard work that he did on making sure that we get to this point with that legislation, he and the gentleman from Oklahoma (Mr. WATTS).

Mr. Speaker, I also want to thank the gentleman from Illinois (Speaker HASTERT) and President Clinton for making sure that this legislation became a part, and remained a part, of the package. It is a good bill. It is good legislation.

I commend the gentleman from Florida (Mr. Young), the gentleman from Wisconsin (Mr. OBEY), and all of those who fought it and the gentleman from Illinois (Mr. PORTER) and say thank you to a great Congress.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, first of all, Mr. Speaker, I want to take note of the fact that the gentleman in the chair, the gentleman from Indiana (Mr. PEASE), is also leaving this institution. He has not served with us very long, but he has served with us very well.

I was just remarking with one Member on the majority side of the aisle about the grace with which he handles his duties in the chair, which he does often. He handles the gavel lightly but firmly. I think everyone who has gotten to know him appreciates his character, his goodness, the quality of service to this institution.

Secondly, I want to add one word about one additional staffer: Scott Lilly has served as my right arm for many years. He is the staff director on this Committee and has provided this body.

Lastly, I simply want to say that there are a number of items in this bill that Members will not agree with. There are many items that I do not agree with. There are a number of authorizations that have been added that I think are ill advised. There are some changes in the appropriation items themselves to which I do not agree.

An example, in October, we had an agreement on snowmobiles; that has now been changed because the administration negotiated a new arrangement with the Senate leadership. I do not like it, but also at this late date there is not much that I can do about it. We certainly cannot hold up the entire bill because of that.

Mr. Speaker, I simply want to urge every Member to recognize that the education funding, the health funding and the worker protection funding in this bill makes this a worthy enterprise, and even though the process by which we arrived here was not what we would recommend to absolutely no one in the future, I think that the contents are something which we can go home
with justifiable pride, because they will, in fact, help meet the needs of a changing and growing Nation.

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

Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume, and I will be very brief. I realize Members have planes to catch.

But I want to take a moment to thank the gentleman from Florida (Mr. YOUNG), my chairman, who has worked tirelessly to bring this legislation to fruition. He is wonderful to work with, a man of good humor and goodwill, great patience, a true leader in the House of Representatives.

I want to thank the gentleman from Wisconsin (Mr. OBEY.) It has been one of my real pleasures to work with him. I have great respect for him. We have worked well together. It has been a tremendous pleasure to have been able to work with him all these years and to share in many respects, although we have certainly had our differences, many of the same agenda items.

Let me say that I have been pleased to have a staff that has been absolutely outstanding, the best on the Hill, led by Tony McCann, our clerk; and Francine Salvador; Carol Murphy; Susan Firith; Jeff Kenyon; and Tom Kelly, our detailers. They have done an absolutely outstanding job throughout this year and previous years in bringing this bill to fruition.

I want to thank my administrative assistant, Katherine Fisher. I want to thank our front office staff, led by Jim Dyer, including John Mikel and Chuck and Dale and Brian and Elizabeth and John. They all do a magnificent job for the people of this country and for this Congress.

I want to thank Scott Lilly, as the gentleman from Wisconsin (Mr. OBEY) has said, Cheryl Smith, Mark Mioduski, and Christina Hamilton. All of them do a tremendous job and work well with us to get the work of the Congress done.

Mr. Speaker, as Bill Natcher would have said, this is a good bill, and I commend it to all of the Members.

I have said my farewells to this body long ago, but let me just say in closing it has been a tremendous honor and privilege to serve with all of the Members of the House of Representatives. I have counted them up. I have served with 1,346 different Members over my 21 years.

I wish all the Members of this Congress a very Merry Christmas and a Happy New Year. I wish them a job worthwhile.

Mr. SALMON. Mr. Speaker, I rise to urge my colleagues to vote in favor of the Computer Crime Enforcement Act of 2000. The bill provides $25 million (from the office of the Attorney General) to local law enforcement officials to combat computer crime. Specifically, the grants will be used to: teach state and city law enforcement agents how to investigate hi-tech crimes; purchase the necessary equipment to assist in the investigation of computer crimes; and train prosecutors to conduct investigations and forensic analysis of evidence in prosecutions of computer crime.

As you know, the FBI, and other local, state and federal law enforcement agencies, work in concert to protect our country from computer crime. The FBI's expertise in fighting hi-tech criminals will help ensure that our citizens are protected.

Ms. PELOSI. Mr. Speaker, I rise in support of this omnibus measure, which includes funding for many programs of vital importance to the American people. The programs funded within the Labor-HHS-Education Appropriations bill are so important because they affect families, workers, and businesses in every town and in every community. I commend Chairman PORTER and Ranking Member OBEY for negotiating a strong bill that reflects our national values. In particular, I would like to thank Chairman PORTER for his many years of dedicated service on our subcommittee and in Congress. His knowledge, dedication, and ability to reach across party lines will be sorely missed.
reduction in the number of the new HIV infections worldwide. Finally, we have succeeded in securing a substantial increase of $100 million for the Minority HIV/AIDS Initiative. The impact of HIV/AIDS on communities of color has steadily increased in recent years, and now the majority of people living with AIDS are people of color. This initiative will provide $350 million to enhance existing systems of HIV/AIDS care in minority communities.

For the third year in a row, we have provided dramatic increases in biomedical research at the National Institutes of Health. In addition to progress in the search for better treatments and, eventually, a vaccine for AIDS, these investments are yielding phenomenal progress in our understanding of the human body and how we are affected by our environment. One of the great achievements in the history of science, the mapping of the human genome, was completed by NIH researchers earlier this year. The potential impact on human health cannot be over-exaggerated. This map will soon enable scientists to identify genetic causes and develop precise medicines for Alzheimer's disease, heart disease, and many other health conditions that adversely affect millions of Americans each year.

We have also dramatically strengthened our commitment to understanding and preventing illnesses that result from environmental pollutants. The Center for Disease Control and Prevention will receive nearly $47 million to assist human exposures to toxic substances, screen newborns for treatable conditions linked to such exposures, and respond to emerging environmental health threats as they develop.

Access to quality health care for the uninsured has been improved in a number of important ways. Funding for the National Breast and Cervical Cancer Early Detection Program at the CDC has been increased by $18 million to $174 million. This program provides lifesaving screening to uninsured and underinsured women, and prevents thousands of cases of cancer each year. Currently, these programs reach only 12–15 percent of the women eligible for breast and cervical cancer screening. Increases will allow more at-risk women to be reached, but clearly we must further expand this program in fiscal year 2002. An increase of $150 million was also included for the nation’s community health centers. The number of uninsured individuals in need of health care continues to increase and community health centers provide high quality primary and preventive care that would otherwise be obtained through costly emergency room visits, or not at all. An additional $125 million has been included for the Community Access Program, which provides funds that community health centers across the country use to streamline administrative procedures and expand crucial primary care services.

This omnibus measure also includes important provisions that correct changes to reimbursement rates in the Balanced Budget Act of 1997 which drastically reduced payments for Medicare and other federally funded health care programs. These refinements will help hospitals, nursing homes, and academic health centers continue to provide the high quality care that beneficiaries deserve. Although funding for the Substandard Block Grant increased by $65 million above last year’s level, it is disappointing that the leadership did not support a larger increase. An estimated 3.6 million Americans do not receive the substance abuse treatment they need. Earlier this year, to address the treatment gap, I offered a $1.3 billion amendment to increase treatment and prevention, the most effective than court control, 11 times more effective than interdiction, and 7 times more effective than law enforcement. It is unfortunate that on party lines, the Republicans nonetheless voted in Committee to oppose increased treatment and prevention funds, and voted in the Rules Committee to prevent my amendment from being offered on the House floor. I urge the 107th Congress to address this treatment and increase funding.

This bill takes important steps to address America’s troubling child care crisis by significantly increasing funding for child care programs. The bill substantially increases the Community Child Care Block Grant by 70 percent or $817 million above last year and increases Head Start $933 million or 18 percent. Funding for After School Centers will nearly double, increasing $295 million, and the Child Care and Development Block Grant program will increase 400 percent from $5 million to $25 million. This small, but important program supports and enhances campus based child care opportunities for low-income parents. We must grow this program and work to ensure our young people have access to child care on campus so they are able to pursue their educational goals. While I commend these significant and much needed increases, we must recognize the gravity of America’s child care problems.

To address the nation’s shortage of child care facilities, I pushed to create a new $2.5 million demonstration program that will provide technical assistance to child care providers to improve the quality and supply of child care facilities in low-income communities. America’s child care facilities are in dire need and many low-income communities face a severe shortage of quality child care space and equipment. This crisis is expected to worsen as increasing numbers of welfare recipients enter the workforce, and it threatens the ability of parents to find and maintain stable employment. This demonstration will provide grant funds to nonprofit intermediaries to deliver technical assistance to home and center-based child care providers to strengthen the physical infrastructure of child care facilities and enhance business management and financial skills to ensure the long-term viability of their centers. This federal investment would leverage funds from the private sector, stimulate valuable public/private partnerships, and provide small, seed-money investments to leverage existing community resources. While this demonstration starts small, I assure you it will succeed and expect that we will increase this funding in subsequent years.

I commend the bill for its large funding increase for education and know that local school districts will put their Class Size Reduction and new School Renovation Program funds to excellent use. There is no more important priority than educating our children and passing on our knowledge and values to the next generation. These funds will help local schools recruit, hire, and retain more quality teachers and enhance the school learning environment for both teachers and students. Teacher quality improvement funds also ensure that new teachers, as well as seasoned veterans, may practice their profession. The bill substantially increases for Title I grants, Special Education, and student financial assistance increase access at all educational levels for students with low-incomes, learning disabilities, or social disadvantages. Together, this bill ensures that policymakers can teach, students can learn, and parents can participate in the learning process.

I am pleased that this agreement deletes a GOP rider to stop the Department of Labor from moving forward with and enforcing its recently published final Ergonomics Standard. This Standard is vitally important to protect America’s working men and women and will annually prevent 460,000 workplace injuries. The final standard requires employers to identify and fix workplace hazards that cause ergonomic injuries and follows the existing business practices of companies such as the Ford Motor Company and Xerox. It provides Work Restriction Protection to workers suffering on the job injuries and enables them to maintain their earnings and full benefits for a limited period while it is unsafe to return to work. This standard also creates a National Responsible Parties claim, and it is significant that Congress will now permit the Labor Department to enforce ergonomics protections. This success demonstrates the value we place on safeguarding America’s workers. It is my hope that Congress will not revisit this issue in our next session, and that the Labor Department will fully enforce the important workplace protections.

Programs dedicated to the education, health, and working conditions of America’s families are among our most important responsibilities in the Congress. This bill responds to these responsibilities, and I urge my colleagues to support it.

Mr. EWING. Mr. Speaker, today, I am introducing the Commodity Futures Modernization Act of 2000 which provides us with an historic opportunity to modernize the U.S. futures and over-the-counter market. The time is now to ensure that the United States continues to be the world’s financial leader. We have two of the three largest futures exchanges in the world, however, our antiquated laws and regulations prevent them from being as efficient and effective as possible to compete in global markets. The legal uncertainty surrounding the U.S. over-the-counter markets must be removed to prevent domestic business from migrating overseas and causing our share of the $30 trillion markets to shrink.

The Commodity Futures Modernization Act of 2000 contains the major provisions of the House passed H.R. 4541. These provisions are in titles I and II of the legislation and provide regulatory relief for the domestic futures exchanges. It is my hope that Congress will not revisit this issue in our next session, and that the Labor Department will fully enforce the important workplace protections. The bill provides innovation and competition by giving exchanges, banks, brokerage firms and others involved in derivatives markets the flexibility to decide how best to structure their businesses with legal certainty and a regulatory framework that encourages deci-
the legislation makes those exclusions available to transactions in financial interests or securities that do not occur on trading facilities or occur on excluded electronic trading facilities, no matter who operates those facilities.

By breaking down the Shad-Johnson barrier, we can remedy in the next Congress. Title III, Legal Certainty for Swap Agreements, provides guidelines for the SEC’s role in regulating swaps. Title IV, Legal Certainty for Bank Products Act of 2000, excludes identified banking products from the Commodity Exchange Act. It provides guidelines to determine the proper regulator for hybrid products. If the regulators do not agree on who should regulate a product, the council decides.

Senators LUGAR and Senator GRAMM have worked tirelessly in the Senate, with the House, and with the Administration to make this bill possible. Secretary Summers in coordination with Chairman Rainer and Chairman Levitt and countless numbers of their staff put in many hours working through this language to reach agreement. Finally, I would like to thank Chairman COMBEST, Chairman LEACH, Chairman BLEILY and all the Ranking Members who have worked so hard on this legislation, particularly to pass the H.R. 4541 version of this bill through the House, and to produce the final package we have presented today. Everyone involved and their staff should be commended for their extraordinary efforts.

It is my hope that this legislation will enable America to continue being the world leader in financial markets for decades to come. Mr. TOWNS. Mr. Speaker, while this legislation contains many positive restorations in terms of Medicare beneficiaries and providers, I deeply regret that we did not permit the states to offer health coverage for lawful immigrant pregnant women and children through Medicaid and the State Child Health Insurance Program (SCHIP).

Because of our inaction, many hard working, lawfully present immigrants will remain ineligible for basic health care. We had an opportunity to restore the human rights to lawfully present children and pregnant women; yet, we failed to take this first step to make health care available to a group of taxpayers that more than afford these access to health services. It is a shortfall that I hope we can remedy in the next Congress. Ms. DeGETTE. Mr. Speaker, this Congress is considering legislation which would authorize the construction of a dam and reservoir that will not only no other affordable access to clean water. It is a shortfall that I hope we can remedy in the next Congress.

That said, what we really are addressing is justice. The Ute Tribes once held the majority of the Western Slope of Colorado, but that land was slowly and systematically taken from them by the United States Government. For over one hundred and thirty years, the Ute Tribes have been denied their rights as stewards of the land. Some object to the ALP project in any form because of its environmental impacts or cost to the taxpayer. I understand and share those concerns. However, it is time to right the past wrongs that the federal government inflicted upon the Ute people. It is unjust to delay this settlement any longer, for doing so would continue a cycle of broken promises to the Ute Tribes that is far too familiar.

The Utes have been extraordinarily patient. Thirty-two years of debate and delay have brought us numerous versions of this project—ALP, ALP-Lite, ALP Ultra-lite—it has become difficult to keep track. The project has been evaluated by both federal and state agencies, and subject to multiple lawsuits and negotiation sessions. All of which have brought us here today to vote on this proposal, which is vastly different from the original Animas La-Plata project put forth in 1968. It is narrower, tailored and significantly downsized. In fact, if federal funding is called Animas La-Plata anymore because the La-Plata River has been taken out of the equation. Yet, this project still satisfies the senior water rights of the Southern Ute and Ute Mountain Ute Tribes and finally fulfills our promise to them.

I also am pleased that this bill instructs the Department of the Interior to complete a thorough environmental analysis of the current proposal. Previous versions of ALP were approved at a time when it was difficult to assess the impact on endangered species. The resulting discussions and additional research contributed to the redesign project proposed today. Since the final proposal of ALP is vastly different from previous designs, it is critical that the environmental impacts of this new version continue to be carefully evaluated in order to ensure adequate protection of the environment.

I support the Animas La Plata project as outlined in this legislation as the most viable alternative by which to satisfy the Ute Tribes’ water rights that were established under their 1868 treaty with the United States, and subsequently upheld by the Supreme Court decision in Winters v. United States (1908). Colorado’s Ute Tribes have waited long enough for the fulfillment of that treaty. I urge passage of this bill so that the tribes may regain some of what we have taken from them.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of the Omnibus package before us. Let me highlight a few matters:

Commerce-Justice-State

Provides $1 billion for the COPPS program, which is $437 million above the Y 2000 level. This total includes $535 million for core COPPS program, $100 million for community prosecutors, and $140 million for a new COPPS technology initiative.

State and local law enforcement assistance program—Provides $2.8 million for state and local law enforcement block grants, $687 million for state prison grants, $228 million for violence against women grants, $250 million for juvenile crime block grants, and $56 million for Byrne grants.

Drug Enforcement Administration—Provides $1.4 billion for the DEA, which is $82 million more than last year.

Trade and Development programs—Provides a total of $5.2 for the Commerce Department and related agencies.

State Department—Provides a total of 6.6 billion for State Department programs, which is $725 million more than in the 106th Congress. This bill includes $3.2 billion for diplomatic and consular programs and some $871 million for international peacekeeping operations.

Mr. Speaker, I would like to take opportunity to express my appreciation to the Clinton Administration, House and Senate Leadership for working to finally complete the business of the 106th Congress. This bill before the House will provide appropriations for several separate appropriations bills, which have been combined to speed their adoption into law.

In my testimony to the Appropriations Subcommittee on Labor/HHS, I urged the committee to increase the funding for children’s mental health services, which they have done through the appropriation of a Mental Health Block Grant program in the amount of $240 million, $83 million more than last year’s funding.

As for my request for additional funding for HIV/AIDS this appropriation measure will place an additional $97 million over the amount initially requested by the Administration bring their appropriation to $767 million for Fiscal year 2001. It is my hope that this additional funding will go those who are in greatest need minority HIV/AIDS programs. Minority AIDS
programs have been woefully under funded over the last few Congresses, despite the fact that minorities are the fastest growing population infected with AIDS/HIV.

I thank the Clinton Administration for taking the bold step of formally recognizing that the spread of the world’s worst international crisis, through his declaration of HIV/AIDS to be a National Security threat. I am pleased to see that funding for the Ryan White AIDS program has been increased by 13% to $2.5 billion for the next fiscal year. Further, the National Institutes of Medicine has been increased to $2.4 billion, which is 14% over last year’s appropriations. 13.7 million children suffer from mental health problems. The National Mental Health Association reports that most people who commit suicide have a mental or emotional disorder. The most common is depression and although one in five children and adolescents has a diagnosable mental, emotional, or behavioral problem that can lead to school failure, substance abuse, violence or suicide, 75 to 80 percent of these children do not receive any services. Problems such as attention, learning disabilities in the early grades, create small, successful, safer schools, renovate over 3,500 schools, and increase the number of children who have access to Head Start by an additional 600,000.

This bill also incorporates the Fiscal Year 2001 appropriations for the Department of Labor at $564 million or 64 percent over last year’s funding. I am very pleased to see that the funding for the Health and Human Services Department is at $48.8 billion, which is $6.6 billion over last year’s appropriations.

After the years of cuts to this vital program today we are finally recognizing that the health safety and welfare of America’s disadvantaged should be addressed with adequate resources by the agency charged with providing care to them.

Many Houstonians’ lives were saved by the additional funding from LIHEAP and this appropriations will provide $1.4 billion for the coming year. I thank my colleagues and urge them to support this appropriation measure.

Mr. BENTSEN. Mr. Speaker, I rise today in strong support of the omnibus appropriations legislation that includes funding for the Departments of Labor, Health and Human Services (HHS), Treasury, and Independent Agencies appropriations bill as well as $35 billion for the Medicare and Medicaid programs. This comprehensive legislation is critically important and I will ensure that all Federal agencies receive sufficient federal funds for Fiscal Year 2001. I am also pleased that legislation includes tax provisions as well as provisions to modernize the Commodity Futures Trade Commission, and reauthorize the Small Business Administration.

I am especially pleased that this legislation included provisions to lend technical support to the health of children. I sponsored H.R. 1298 which would allow schools, homeless shelters, and housing programs agencies to presumptively enroll those children who are eligible for either Medicaid or the State Children’s Health Insurance Program (SCHIP). It is estimated that up to 800,000 of the 1.4 million uninsured children in Texas are eligible for, but not enrolled, in the Medicaid program. This provision will speed up the application process and ensure that these children are enrolled in Medicaid to get the services that they need. I believe that this provision is the right thing for these children and will actually save taxpayer funds by ensuring that these children get the preventive care they need. It is cheaper to provide health care in the community than to pay for their care in emergency rooms. I also pleased that these provisions ensure that states will not be penalized if they expand their presumptive eligibility program. Under current law, states are required to deduct any costs related to the presumptive program from their SCHIP allotment. These provisions would correct this inequity by permitting states to simply expand this program without a penalty.

A second priority item in this omnibus appropriations bill is the $20.3 billion NIH budget included in this bill. As a Co-Chair for the Congressional Caucus, I am especially pleased that the NIH budget is increased by 13% to $2.5 billion for the next fiscal year. Maximizing the NIH budget is one of my highest priorities. This $20.3 billion is 14 percent higher than last year’s budget and is our third installment in doubling the NIH’s budget over five years. This additional funding will help to ensure that all of the peer-reviewed, meritorious grants will be funded to help find a cure for such diseases as AIDS, cancer, Alzheimer’s, and diabetes.

Another important provision would provide $325 million for pediatric graduate medical education for hospitals that are the independent children’s hospitals such as Texas Children’s Hospital in my district for next year. This provision is similar to legislation I have cosponsored to provide guaranteed Federal funding to train pediatrics. Under current law, independent children’s hospitals are not eligible for much graduate medical education funding. This provision would correct this inequity.

This bill also provides $18.4 billion over ten years in Medicare reimbursements for Medicare managed care plans. Just this week, I had the opportunity to attend a Town Hall in Houston to inform seniors of their health care options in the wake of the massive Medicare HMO withdrawal from Texas on January 1, 2001. This critical funding will establish two minimum floor payments of $475 per person for rural areas and $525 for urban areas to help ensure that Medicare beneficiaries will continue to have health care options. It also provides a ten-year risk adjuster for Medicare managed care plans to ensure higher payments. With higher reimbursements, more managed care plans will remain part of the Medicare program.

I am also pleased that this bill includes provisions to improve and strengthen the Medicare and Medicaid programs. The Medicare provisions will save hospitals $10.7 billion over ten years. The first provisions will increase Medicare reimbursements for Indirect Medical Education (IME) payments to teaching hospitals such as those at the Texas Medical Center which I represent. This provision will restore $600 million for teaching hospitals by providing an average payment increase of 5.5% for Fiscal Year 2001, 6.375% IME payment for Fiscal Year 2002 and 5.5% IME payment for Fiscal Year 2003. This bill also includes provisions to add $10 million to the Medicare disproportionate share hospitals (DSH) program for those hospitals which serve a disproportionate share of the uninsured and underserved communities. This bill will also provide a full annual inflation update for hospitals prospective payment system (PPS) rates in Fiscal Years 2002 and Fiscal Year 2003, the update will be Market Basket Index minus .55 percent. These two provisions will save hospitals $9.5 billion over ten years and are similar to legislation which I have cosponsored to protect our nation’s hospitals.

This legislation also includes Medicare provisions to save hospitals $7.2 billion over ten years. The first provision will increase Medicare DSH payments, similar to legislation which I have cosponsored. These provisions will also give the state of Texas two extra years to spend their $446 million SCHIP allotment for Fiscal Year 1998 and 1999. Since Texas has only recently begun to enroll children in their SCHIP program, the state of Texas did not spend all of their FY 1998 and FY 1999 allotments in a timely manner. These provisions will also allow Texas to enroll all of the children who will benefit from this health insurance program.

I am also pleased that this bill includes a provision similar to legislation which I have cosponsored to help patients with Amyotrophic Lateral Sclerosis (ALS) disease. This provision requires the Institute of Medicine to conduct a study on the 24-month waiver in the Medicare disability program. Since many ALS patients do not live for more than 24 months, the current system prevents many of these patients from obtaining this critical benefit. With more information, it is my hope that we will have the research available to convince our colleagues that this waiver should be granted.

I am also pleased that this bill includes several benefits for beneficiaries. I am especially pleased that this bill eliminates the time limits for immunosuppressive drugs. For Medicare patients who have had transplants, these life-saving drugs are critically important. Under current law, we provide limited coverage for these immunosuppressive drugs. Yet many of these immunosuppressive drugs for the rest of their lives to ensure that their transplanted organs are not rejected. This bill also would modernize the mammography benefits for Medicare beneficiaries by ensuring access to cutting-edge digital mammograms. This bill provides higher reimbursements for these digital mammograms and ensures that Medicare reimbursements will be based upon the physician fee schedule rather the current fixed rate system. It also provides coverage for colon cancer screening for all Medicare beneficiaries and only high-risk individuals. With proper screenings, these preventive benefits can save lives and reduce health care costs. I also support provisions that will provide coverage for medical nutritional therapy for beneficiaries with diabetes. For many diabetics, maintaining their diet is part of their treatment and nutritional therapy has been shown to reduce complications from this disease. This provision is based upon legislation which I have cosponsored and will help many diabetics to get proper nutritional training.

I also want to highlight several local projects included in this bill. I am especially pleased that this conference report includes $850,000 for the Center for Excellence in Minority Medicine.
Mr. Speaker, the CFTC’s role in preventing and detecting fraudulent activity will continue under its new system of regulation. The legislation before us deliberately retains the authority of the Commission to punish those who commit fraud in violation of section 4b of the Commodity Exchange Act. While section 4b makes it a crime for a futures commission merchant or other fiduciary to defraud a customer in connection with a futures trade, it also is intended to make criminal the type of fraud that may occur when a bucket shop or boiler room scheme and no agent–principal relationship is present.

Mr. Speaker, again I want to clarify that with this bill, section 4b is retained in its entirety. It will continue to be a crime for anyone to commit fraud in connection with a futures contract—whether or not an agency relationship is established. Section 4b provides the Commission with broad authority to police fraudulent conduct within its jurisdiction, whether occurring in boiler rooms and bucket shops, or in the e-commerce markets that will develop under this Act.

Mr. Speaker, again I support the inclusion of CEA reform in this bill, and I congratulate Chairman Ewing for his achievement.

Mr. Udall of Colorado. Mr. Speaker, while I have some reservations about this conference report, I will vote for it.

One of my concerns relates to the way this bill has been brought to the floor of the House.

We all expect that this will be the last real appropriations bill—as opposed to a continuing resolution—of the year, and that when it is enacted funding will be available to keep all federal agencies running.

This is the good news about the parliamnetary situation in which we find ourselves.

The bad news is that we have not doneyes or no, up or down, on an omnibus bill that few if any of us have had much time to review and that includes many substantive provisions that have little or nothing to do with appropriations and that may well be contrary to good public policy in several areas, including protection of the environment.

This is not the way the Congress should do business.

It is not the fault of the House—we completed action on all the appropriations bills in a relatively timely way. But regardless of how we got here, this is not where we should be.

From my perspective, there is also both good news and bad news about the bill’s specific provisions.

The good news is that the bill includes many provisions that will greatly benefit the nation as a whole and Colorado in particular.

The bad news is that it includes some things that should not be included and omits some things that should be part of the conference report.

Let me first mention some of the good news about the conference report.

EDUCATION

While not all I would have liked, the conference report will allow for $6.5 billion increase in education spending, with increased funding for Special Education Grants, the TRIO Program for minority and disadvantaged students and Head Start. The bill allows for an increase in Pell Grants, bringing the maximum award to $3,750. The conference report also provides $1.2 billion for school modernization.

I think we should be doing more in several areas, including assisting school districts to re-pair schools and build new ones, but overall this is part of the good news.

HEALTH CARE PROVISIONS

The conference report will increase the National Institutes of Health budget $2.5 billion. It also restores funding to health care service provisions in managed care plans that provide health care services to hospital beneficiaries that have been hard hit by the Balanced Budget Act of 1997.

This is also good news, although more remains to be done.

In 1997 Congress passed and the President signed into law the Balanced Budget Act, which made cuts in Medicare and Medicaid in order to balance the budget and secure the solvency of these two critical health care programs. However, these cuts have left America’s hospitals in a state of crisis. Cuts in funding for disproportionate share hospitals (DSH), coupled with the skyrocketing costs for prescription drugs, have left some of the Nation’s premier hospitals operating in the red and at the brink of bankruptcy.

In late January 2000, the Congressional Budget Office (CBO) released its revised baselines for fiscal year 2001 spending programs and projections for fiscal year 2001 through 2005. Budget cuts that Federal health program spending will be cut by more than $226 billion—approximately $123 billion more than Congress or the Administration ever intended. In addition, the BBA 97 backloaded the cuts in Medicaid, so the real hemorrhaging hospitals will experience will be in 2001 and 2002.

During 1999 total Medicare spending fell by almost one percent—the first absolute spending reduction in Medicare history. And the Medicare Hospital Insurance Trust Fund (which provides payments for hospital and nursing home services) fell by 4.4 percent. Simultaneously, our Nation’s uninsured rate continues to climb, to the tune of 100,000 people every month. Cutting DSH payments while the uninsured rate increases does not make sense. At a time of budget surpluses, Congress should provide relief to our Nation’s safety net hospitals that provide critical health care access to the uninsured, and I’m pleased we’ve addressed this in the bill.

Thus, the bill provides for cost containment for Medicare managed care organizations. Since the inception of the Medicare HMO Program three years ago, managed care companies have discontinued participation in the program, leaving many seniors scrambling to find another managed care plan or enrolling in traditional Medicare. Many HMOs argue that the reimbursement rates are not adequate enough for them to continue to provide coverage to Medicare beneficiaries. In fact, in the last two years in my district, the number of Medicare HMOs have dropped from two to one. Many seniors rely on managed care plans for affordable and quality health care.

While I believe the funding in this bill for Medicare HMOs is only a band-aid solution to a growing problem, I think it’s an acceptable move at this point. But I think we need to think seriously about how we will continue to provide quality health care coverage for our current and future retirees.

NOAA FUNDING

Another part of the good news is that the conference report is a definite improvement over the House bill in terms of the funding it provides for the National Oceanic and Atmospheric Administration (NOAA).

December 15, 2000 CONGRESSIONAL RECORD—HOUSE H12491
NOAA operates six of its twelve environmental research laboratories in Colorado, and Boulder has the largest concentration of NOAA research staff in the nation—300—as well as the largest concentration of university staff funded by NOAA research. We in Colorado are proud to be the home of so many top-quality scientists engaged in unraveling the secrets of the Earth.

Earlier this year, the work of NOAA’s scientists and researchers was threatened by much reduced FY 2001 funding levels in the House. Particularly devastating would have been any cuts to NOAA’s Office of Oceanic and Atmospheric Research. So, it is definitely good news that in the course of the conference process, funding was increased—almost to the higher Senate-passed levels. Although we can and should do better next year, I am glad that conferences were able to realize the value of NOAA’s programs.

NIST FUNDING

It is also good news that the conference report includes increased the funding levels for the National Institute of Standards and Technology (NIST). The earlier House-passed bill not only would have cut NIST’s science programs, but also would have provided inadequate funding for critically needed repairs and maintenance for NIST’s laboratories in my hometown of Boulder, Colorado.

About 530 scientists, engineers, technicians, and visiting researchers are based at NIST-Boulder, where they conduct research in a wide range of chemical, physical, materials, and information sciences and engineering. But NIST’s deteriorating labs—most of them 45 years old—mean that scientists can’t do their work. So I am pleased that maintenance funds for NIST-Boulder have been increased in the final bill. I am hopeful that this is only the beginning of what must be a long-term commitment to maintenance and construction funding for NIST-Boulder. I will continue to fight to ensure NIST’s needs are addressed.

SBIR REAUTHORIZATION

I am also pleased that the conferences saw fit to include the reauthorization of the Small Business Innovation Research (SBIR) Program in this omnibus legislation. This has been a long time in coming—the Senate and the House have spent most of the 106th Congress finetuning the SBIR reauthorization language. But we finally have a reauthorization bill that all parties can support and that will extend this important program through 2008.

I come from an area of the country that is home to many innovative small businesses at the cutting edge of many fields. 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.

This SBIR Program has filled a real need for these companies over the years, giving them easier access to capital and functioning as a seal of approval. It is an important source of funding for the ideas that will lead to our future prosperity, and I welcome the inclusion of its reauthorization in this omnibus bill.

BROOMFIELD INTERCHANGE

I also want to express my appreciation to the Appropriations Committee for allocating $1 million to the City of Broomfield, Colorado to complete an environmental impact study on the U.S. 36—Wadsworth Blvd. Interchange. This will be an important step towards relieving traffic gridlock along this seriously overcrowded route that serves an area where growth and development have been occurring at a fast pace, and in particular a complex intersection therein. Within business park, the Jefferson County Airport, the Flatirons Crossing Mall, and the city—soon to be the county—of Broomfield. I greatly appreciated being able to work with the committee and with Broomfield to help provide this federal assistance and help to unblock this transportation bottleneck.

NAVAJO CODE TALKERS

I am also very pleased that the conference report includes legislative language similar to H.R. 4527, authorizing the President to present a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation. Last year, a high school history teacher in my district, Jim Hamilton of Centaurus High School in Lafayette, Colorado awarded a group of students to Washington. Through meeting with Mr. Hamilton and his students, I learned that for several years he has been teaching his classes at Centaurus High School the history of the Navajo Code Talkers service in World War II. Like many other Westerners, I am very familiar with the inspiring story of these Navajo Code Talkers, whose unique and highly successful communications operation greatly assisted in saving countless lives and in hastening the end of World War II in the Pacific. So, I am happy to have played a role in drawing our colleagues attention to the appropriateness of their receiving this long overdue honor.

Now I have to mention some of the bad news about theconference report. Part of the bad news is that there are areas where the amounts included are short of what is needed.

RECA SHORTFALLS

One important example of a shortcoming is the funding for reauthorization of the Radiation Exposure Compensation Act (RECA). RECA provides for payments to individuals who contracted certain cancers and other serious diseases as a result of their exposure to radiation released during above-ground nuclear weapons tests or their exposure to radiation during employment in underground uranium mines. Some of my constituents are covered by RECA, as are many other Coloradans as well as residents of New Mexico and other states. On July 10th of this year, RECA was amended to cover more people and additional compensable diseases, to lower radiation exposure thresholds, to modify the medical documentation requirements, and to remove certain disease restrictions. These are improvements I supported.

Unfortunately, Congress did not appropriate sufficient money to pay all the awards that have been made under RECA. As a result, the Justice Department has had to send successful claimants letters—IOUs, in effect—indicating that they will receive further appropriations. And while this conference report does provide some $1 million for RECA payments, that still is far from adequate. In fact, the Justice Department tells me that an additional $70 million to $80 million would be required just to pay what the government already owes RECA claimants.

We need to do better. We need to provide all the needed funds—but that is not all. We should act so that RECA payments will no longer be subject to appropriations, but instead will be paid automatically in the way that we now have provided for payments under the new compensation program for certain nuclear-weapons workers made sick by exposure to radiation, berilyum, and other hazards.

ANIMAS-LA PLATA PROJECT

The conference report includes legislation to authorize a revised version of the Animas-La Plata project, in southwestern Colorado. In our state, few things have been so controversial for so long. The original authorization for an Animas-La Plata Project dates back more than thirty years, but for many years it seemed that nothing would ever come of that authorization.

The idea was given new life in 1988 by enactment of the Colorado Ute Indian Water Rights Settlement Act. By that Act, Congress ratified an agreement under which the two Ute tribes agreed that water from the project would resolve their water-rights claims and they and the other parties could dispense with litigation. However, since then more than a dozen more years have gone by without a resolution—and unless the current law is changed the tribes will have to decide either to go back into court or to continue to wait.

So, I fully understand why the tribes and many others said it is time to resolve this matter. But I am the first to note the time that has already elapsed without achieving a final resolution of these tribal claims and I am very uncomfortable with the prospect of reopening litigation that could be very long and costly for all concerned.

In addition, the project that would be authorized by the conference report is not the same as the original proposal and its revised form it has the support of the Clinton Administration.

Still while I think notable progress has been made, it is clearer that there is not—and may never be—complete consensus on either the environmental or fiscal questions that over the years have been part of the debate about this contentious matter.

Personally, I have serious concerns about the very idea of constructing a large water storage project as a way to resolve the kinds of water-rights claims that are involved here. That is over the past century we have learned—or should have learned—that water projects like the one proposed here represent an old approach that is not very well-tuned to today’s realities. They are costly, environmentally disruptive, and inefficient for many reasons, including the amount of water they simply lose through evaporation.

In fact, it is because we have learned about these shortcomings that across the country we are seeing a greater emphasis on removing dams than on building new ones.

In addition, as I said earlier I find it very unsatisfactory that the House must today vote on this strictly on a take-it-or-leave-it basis, with no opportunity to consider amendments or even a separate up-or-down vote on this or any other part of the overall conference report.
It would have been much better if the House had had a chance to consider this matter sepa-
ately under an open rule, to permit full de-
bate on the legislation and consideration of
amendments.

We could have done that if the similar bill reported by the Resources Committee had
ever been brought to the floor.

When the Resources Committee debated that bill, I voted "present" even though, as I
said, I found—and still find—it very hard to
support even the scaled-down water project
now being proposed.

My vote in the committee was based on
three things:
First, while before I had—and still have—
serious doubts about this project, I was per-
suaded that the time has come for the Con-
gress to resolve this matter.

Second, I recognized the West-wide signifi-
cance of this project and believed the Con-
gress in its entirety—and not just one Com-
mittee—should have an opportunity to debate
and vote on this matter.

And there was a third reason—perhaps the
most important one. It has to do with the in-
volvement of the Ute tribes.

If it were up to me alone, the Resources
Committee would have considered a different
bill and neither the bill the committee ap-
proved nor the Animas-La Plata provisions of
this could be before us now.

As I told the Resources Committee, I am
hard pressed to see how the project that
would be authorized by this bill can ade-
quately provide the tribes with "wet" water,
barring some future distribution system that
will provide for irrigation and environ-
mental consequences—consequences that it may not be possible to fully and ade-
quately mitigate.

But it was my view—it is still my view—that
I must take very seriously the fact that the
tribes have asked for this project. I thought
then—and I still think—it would not be right for
me to substitute my judgment for theirs when
it comes to the option they prefer. Whatever I
may think about the merits of the project, I feel
that I must respect their decision about what
is best for them and their future.

So, I did not oppose the action of the Re-
sources Committee in ordering the bill re-
ported to the House. I expected that the re-
ported bill would by now have been brought
up for debate. But, for whatever reasons, that
did not happen.

The Senate did give separate consideration
to a similar measure, which it passed in Oc-
tober. Prior to passage, the Senate revised the
bill, and I think the result was to improve it—
particularly by making it even less likely that
the bill could be construed as somehow waiving requirements of applicable
environmental laws or as limiting any judicial
review in connection with this project.

Had that Senate bill been considered sepa-
rately here in the House, it would have been
possible to amend it further to make this abso-
lutely clear—something that I think would have
been desirable even though perhaps not abso-
lutely necessary.

But, on balance, I support resolving this
contentious matter in a way that is finally ac-
tceptable to the Tribes rather than allowing this
issue to continue to languish. While I would have
preferred that this Animas-La Plata legisla-
tion not be included in this conference re-
port, I think it is sufficiently acceptable—par-
ticularly considering the desirable provisions of
the conference report I have already men-
tioned—that I will support the conference re-
port even though it is included.

Mr. JACKSON of Illinois. Mr. Speaker, al-
though I have very serious concerns, I rise
today in support of this conference report. It is
not a perfect product, but I believe it is a com-
promise we can all live with. By passing this
conference report, Congress demonstrates its
commitment to the employment, education and
health needs of all Americans. So much is at stake. I urge you to support it.

I want to especially thank Chairman PORTER,
Ranking Member OSEY, my other colleagues
on the Labor-HHS-Education Appropriations
Subcommittee and the subcommittee staff for
their tireless work to get us here today. I want
to especially thank the Chairman and the
Ranking Member for working with me to ad-
dress the needs of my constituents and all
Americans.

For some in America, the economy is boom-
ing and unemployment is at its lowest rate in 30 years. But

In the congressional districts on the north
side of the Chicago metro area, there are
more jobs than people. In my district, the
south side of Chicago and south suburbs,
how are more people than jobs. And what
about health care? While the economy was
booming, the number of Americans uninsured
or under-insured has increased by several mil-
ion. We should not, and cannot settle for this!
This conference report provides the oppor-
tunity for us to leverage our resources and the
benefits of this booming economy, to ensure that
no American is left behind.

There may be some members of this House
who disagree with the programs that Labor-H
provides, but it is in our national interest to
help those who have skills training, to move into an economy that is becoming
less industrial and more service oriented. It is
in our national interest to provide educational
opportunities so every American has a strong
foundation that will serve them as they pursue
their dreams. But education in the head and
money in the bank mean nothing if there is no
health in the body. So it is most definitely in
our national interest to ensure that every
American has the health care they need by
increasing investment in research, prevention
and treatment.

However, as I stated when I began, despite
some of the positive aspects of this bill, there
are four areas which I find problematic:

(1) The FY 2002 advance for LIHEAP was
eliminated. Advance appropriations for
LIHEAP are vitally necessary so states like Ili-
nois can properly plan before the summer and
winter for any severe weather that puts some
of our most vulnerable citizens at risk. No one
ever wants to be put in the position of decid-
ing between food for their children and heat
for their homes.

(2) The FY 2002 advance for the Child Care
and Development Block Grant was eliminated.
This is a missed opportunity to show "family
values," especially to parents who are making
the transitions in work.

(3) The immigration amnesty provisions in
the Commerce-Justice-State portion of the
conference report are inadequate. In whole,
the Latino Immigration and Fairness Act sim-
ply tries to bring fairness and justice to our na-
ton's immigration laws by keeping families to-
gether, especially the families of Central
American and Carribbean refugees who fled
civil unrest in their homelands.

(4) Although I support the New Markets ini-
tiative attached to this omnibus conference re-
port, I object to the charitable choice language
because it allows for federally funded employ-
ment discrimination. Despite the fact that char-
itable choice provisions were included in legis-
lation signed in October, I still believe civil
rights and constitutional problems exist, and
we should not overlook them.

Even with these objections, I can think of
108.9 billion reasons to support this con-
ference report.

The budget authority for the Labor-HHS-
Education bill is $108.910 billion. Education
funding is $42.1 billion, a $5.6 billion or 18
percent increase over FY2000. Funding to
train America's workforce is $11.9 billion, a
$664 million of 6 percent increase over FY2000.
Funding for the Department of Health and
Human Services is $48.8 billion, a $6.6
billion or 16 percent increase over 2000. Spe-
cifically, this omnibus conference report con-
tains:
$2.9 billion to expand Youth Job Training
Programs, $175 million or 7 percent over last
year—which will train 812,000 disadvantaged
youth, an increase of 78,000 over last year.
$2.6 billion for Adult Job Training Programs,
$63 million or 2 percent over last year—which
will train 1.6 million adults who need skills
training—223,000 more than were trained last
year.
$40.5 billion for NIH, a $2.5 billion or 14
percent increase over last year to expand the
federal investment in biomedical research.
$1.8 billion for Ryan White AIDS Programs,
a $213 million or 13 percent increase; and
$767 million for CDC AIDS prevention, an
increase of $147 million or 24 percent.
$350 million for the Minority HIV/AIDS Initia-
tive, an increase of $99.1 million.
$1.7 billion for Community Health Centers,
an increase of $150 million or 15 percent; plus
an additional $125 million for the Community
Access Program.
$185 million for Historically Black Colleges
and Universities, an increase of $37 million
over FY 2000.
$465 million for Historically Black Graduate
Institutions, an increase of $14 million over FY
2000.

Again, I want to reiterate my support for this
conference report.

I want to thank Chairman PORTER and
Ranking Member OSEY and their staffs for
working with me. Mr. Chairman, I am dis-
appointed to see you retiring from Congress,
but I want to congratulate you on the work you
have done as a legislator, on your distin-
guished career and your dedication to public
service. I wish you and your family well in your
future endeavors.

Ms. JACKSON-LEE of Texas. Mr. Speaker,
I rise in support of this conference report that
incorporates the four outstanding FY 2001 ap-
propriations bills—Labor-HHS-Education, 
Commerce-Justice-State, Legislative Branch,
and Treasury-Postal Service—as well as $550
million in across-the-board cuts from all non-
defense discretionary accounts except Labor-
Health and $45 million or 24 percent.

In addition, this conference report incor-
porates: (1) various immigration provisions; (2)
the Medicare, Medicaid, and SCHIP Benefits
Improvement and Protection Act; (3) the New
Markets Initiative; and (4) the Commodity Fu-
tures Modernization Act.

The version of the FY 2001 Treasury-Postal
Service/Legislative Branch Appropriations con-
ference agreement included in this legislative
This page has been reformatted by CT能找到的相关证据的段落。
Following are highlights of the final conference report on Commerce-Justice-State Appropriations (the funding levels in the conference report are identical to those in the conference report adopted by the House back on October 30). 

**COMMERCER-STATE APPROPRIATIONS**

Following are highlights of the final conference report on Commerce-Justice-State Appropriations (the funding levels in the conference report are identical to those in the conference report adopted by the House back on October 30).

- **COPS**—Provides $1 billion for the COPS program, which is $437 million above the FY 2000 level. This total includes $535 million for the core COPS program, $100 million for community prosecutors, and $140 million for a new COPS FY 2001 initiative.

- **State and Local Law Enforcement Assistance Programs**—Provides $2.8 billion for state and local law enforcement assistance programs, slightly more than the FY 2000 level—including $523 million for local law enforcement block grants, $687 million for state prison grants, $288 million for violence against women grants, $250 million for juvenile crime block grants, and $569 million for Byrne grants.

- **INS**—Provides $4.8 billion for the Immigration and Naturalization Service (INS), which is $548 million above the FY 2000 level.

- **Drug Enforcement Administration**—Provides $1.4 billion for the Drug Enforcement Administration, which is $82 million above the FY 2000 level.

- **Commerce Department**—Provides a total of $5.2 billion for the Commerce Department and related agencies. This includes $3.1 billion for programs of the National Oceanic & Atmospheric Administration; $1 billion for the Patent and Trademark Office; $563 million for the National Institute of Standards and Technology; $146 million for the Advanced Technology Program; $440 million for the Economic Development Administration; and $337 million for the International Trade Administration.

- **State Department**—Provides a total of $6.6 billion for State Department programs, which is $729 million above the FY 2000 level. This includes $3.2 billion for diplomatic and consular programs; $771 million for security, construction and maintenance; $871 million for membership in international organizations; and $846 million for international peacekeeping.

**IMMIGRATION PROVISIONS**

Democrats advocated the inclusion in this final appropriations conference report of immigration provisions found in the Latino and Immigrant Fairness Act (LIFA) that would have provided fair treatment for individuals fleeing political violence and instability in their home countries, relief for individuals who have been left in legal limbo by the Immigration and Naturalization Service’s misinterpretation of immigration law, and relief for individuals who are eligible for permanent residency. Instead, the Republicans have included a package of immigration provisions that provide limited relief and fail to address due process concerns, fairness for Central Americans, Haitians and Liberians who have fled persecution.

The legislative package contains community renewal and New Markets tax provisions, similar to those passed by the House twice earlier this year. These provisions expand the community renewal efforts undertaken in the Empowerment Zone legislation first enacted in 1993 and expanded in 1997. The provisions include those that:

- **MEDICARE, MEDICAID AND SCHIP BENEFITS**

  **IMPROVEMENT AND PROTECTION ACT**

The final package includes the Medicare, Medicaid and SCHIP Improvement and Protection Act—a revised version of provisions that were included in the tax cut bill passed by the House on October 26. This legislation invests about $35 billion over five years to restore Medicare and Medicaid health care provider payments, add preventive benefits and reduce beneficiary cost sharing under Medicare; and improve health insurance options for low-income children, families and seniors. The total of $35 billion includes restored Medicare and Medicaid health care provider payments of approximately $12 billion for managed care plans, $2 billion for nursing homes, $2 billion for home health agencies, and $3 billion for other providers. The total also includes approximately $5 billion for Medicare and Medicaid beneficiary improvements. The Clinton Administration and Congressional Democrats are particularly pleased that over the last few weeks they have been successful in adding to the bill passed in October important payment relief, rural and teaching hospitals, hospices, and home health agencies. They are also pleased about being successful in adding a number of other provisions including: (1) extending for a year provisions allowing welfare families who leave the rolls for jobs to retain Medicaid coverage temporarily; (2) allowing states the option of enrolling eligible uninsured children in Medicaid and the State Children’s Health Insurance Program (SCHIP) through schools, child support enforcement agencies, and other sites; (3) suspending the normal 24-month waiting period for Medicaid for individuals disabled by Lou Gehrig’s disease; and (4) simplifying enrollment of low-income Medicaid beneficiaries for Medicaid assistance with premiums and cost-sharing.
Create nine additional empowerment zones and forty "renewal communities" which are eligible for a number of tax incentives for investment and job creation; 

Provide the President’s "New Markets" tax credit; 

Increase the per-capita annual volume cap on the low-income housing tax credit and the per-capita state volume cap on tax-exempt private activity bonds and extends the tax benefits for existing zones through 2009; and 

Extend the Brownfields tax incentive.

In addition, the bill extends the availability of Medical Savings Accounts (MSAs) for two years through 2002, corrects the effect of an error in the Consumer Price Index on a number of Federal benefit programs and indexing of tax brackets and exemptions, and provides an extension and enhancement of the charitable deduction for corporate contributions of computers and other high-tech equipment to schools and public libraries. The tax provisions needed to implement the newly authorized single-stock futures contracts in the Commodity Futures Modernization Act of 2000 (also incorporated in this conference report) are contained in the bill. There are also numerous technical corrections and administrative provisions.

**Commodity Futures Modernization Act of 2000**

Finally, the legislative package includes the language of the Commodity Futures Modernization Act of 2000, legislation that makes major changes in the regulatory structure of the commodity futures and financial derivatives markets. The bill is similar to H.R. 4541 that was passed by the House on October 19, but it is based on negotiations between Senate Banking Committee Chairman Gramm, House Republicans and the Treasury, SEC and CFTC. It reauthorizes the funding for the Commodity Futures Trading Commission, incorporates many of the recommendations of the President’s Working Group on Financial Markets regarding the regulation of financial derivatives, lifts the ban on trading of single-stock and narrowly-based index futures, and updates the regulatory structure for financial and commodity futures and options markets. The tax provisions needed to implement creation of single-stock futures are contained in the Community Renewal and New Markets tax bill that is also included in the conference report.

This version of the bill is acceptable to the Treasury Department, Securities and Exchange Commission and the Commodity Futures Trading Commission. Basic investor protections in current law and regulations are preserved. However, some consumer advocates have expressed concern that the deregulation of derivatives in the bill would weaken investor protections against fraud and manipulation and could lead to future instability of the financial markets.

Mr. DAVIS of Florida. Mr. Speaker, as we all know, we are approaching an education crisis in our country. Over the next decade, school districts throughout the country will need to hire over 2 million new teachers. Four months after the school year started, my school district, Hillsborough County, Florida, still needs to hire over 150 new teachers.

Over the next decade, our school district will need more than 2.6 million qualified teachers. This need and address this critical shortage of teachers that our school districts are facing, talented Americans of all ages should be recruited to become successful, qualified teachers. That's why I, along with Representative TIM ROEMER, introduced the Transition to Teaching Act.

I am pleased to stand here today in support of the provisions in this Omnibus Appropriations Bill, which will provide $1.4 billion to the next fiscal year to help us recruit quality teachers through the Transition to Teaching program. This money will allow us to begin to develop this program to train mid-career professionals who want to become teachers.

Our bill is designed to help people get the training they need to become teachers. The funding in this bill will help us move people from the boardroom to the classroom, from the firehouse to the schoolhouse or from the police station on Main Street to the classroom on Main Street.

Under this program, we will encourage professional associations, business and trade groups, unions and other organizations to follow the military's example and encourage their retiring employees to become teachers.

Under the bill before us tonight, these groups, along with institutions of higher learning, would be awarded grants to design a program, modeled after Troops to Teachers, to train these targeted individuals to teach our children. The institutions of higher learning would tailor the program to meet the particular needs of the professional groups that are leaving their previous career to become teachers.

In addition, to help the individuals with the educational cost of becoming a qualified teacher, the bill provides a stipend of up to $5,000 per participant. In exchange for the stipend, the individuals must agree to teach in a high-need school district for at least three years.

In closing, I would like to thank Mr. OBRY, the Ranking Democrat on the Appropriations Committee, Chairman YouNis, and Chairman PORTER for their help in funding this important program.

The time is now for us to do more to encourage additional talented people to consider the call of the classroom. I encourage my colleagues to support the bill before us.

Mr. Speaker, I rise today in support of this omnibus bill. I am pleased that after months of hard work, we are prepared to pass a Balanced Budget Act (BBA) package that will bring long awaited relief to our nation's hospitals.

It has long been apparent that the savings that have resulted from the 1997 BBA package have far exceeded expectations. These savings have been realized at the expense of the health care industry, particularly hospitals. I have seen the effects of these cuts first hand in the hospitals of western Illinois, where hospitals are in danger of closing their doors to the health care industry, particularly hospitals.

Mr. Speaker, I rise today in support of this omnibus bill. I am pleased that after months of hard work, we are prepared to pass a Balanced Budget Act (BBA) package that will bring long awaited relief to our nation's hospitals.

I am pleased to stand here today in support of the provisions in this Omnibus Appropriations Bill, which will provide $1.4 billion to the next fiscal year to help us recruit quality teachers through the Transition to Teaching program. This money will allow us to begin to develop this program to train mid-career professionals who want to become teachers.

Mr. Speaker, I rise today in support of this omnibus bill. I am pleased that after months of hard work, we are prepared to pass a Balanced Budget Act (BBA) package that will bring long awaited relief to our nation's hospitals.

I am pleased to stand here today in support of the provisions in this Omnibus Appropriations Bill, which will provide $1.4 billion to the next fiscal year to help us recruit quality teachers through the Transition to Teaching program. This money will allow us to begin to develop this program to train mid-career professionals who want to become teachers.

Mr. Speaker, I rise today in support of this omnibus bill. I am pleased that after months of hard work, we are prepared to pass a Balanced Budget Act (BBA) package that will bring long awaited relief to our nation's hospitals.

I am pleased to stand here today in support of the provisions in this Omnibus Appropriations Bill, which will provide $1.4 billion to the next fiscal year to help us recruit quality teachers through the Transition to Teaching program. This money will allow us to begin to develop this program to train mid-career professionals who want to become teachers. 

While this bill makes great strides in restoring the cuts made by the 1997 BBA bill, we still have work to do. This year, I have heard from hundreds of Medicare patients and their health care providers who have suffered from severe lung and heart disorders and are unable to get the treatment that they need to restructure their health benefits that do not cover cardiac and pulmonary rehabilitation.

Evidence is ample that cardiac and pulmonary rehabilitation services result in increased longevity and quality of life. But even more telling are the stories that I have heard from Medicare and public patients, who are discarding their wheelchairs and canes to resume the lives they enjoyed before being afflicted with their conditions. It is for those patients that have not been able to benefit from these services that I will continue my work in the 107th Congress to bring this sensible coverage to the Medicare program.

On the whole, this bill will bring meaningful relief to our nation's health care institutions and move us closer to a day when every American will have access to affordable, quality health care. 

Mr. KLEczKA. Mr. Speaker, the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (H.R. 5561), which passed as part of the final Omnibus Appropriations package, contains important provisions, (Title III, Section 301) needed by institutions that provide blood and blood products to the nation's hospitals.

The legislation directs the Health Care Financing Agency (HCFA) to consider the prices of blood and blood products purchased by hospitals in the next rebasing and revision of the hospital market basket to determine if prices are adequately reflected. In addition, the bill requires that Medicare Payment Advisory Commission (MedPAC) to analyze the increased hospital costs attributable to new blood technologies and to recommend necessary changes to provide fair reimbursement.

These provisions are greatly needed because two recent technologies have been introduced to increase the safety of our nation's blood supply, Nucleic Acid Testing and Leukoreduction. Nucleic Acid Testing allows hospitals to determine how much of the increased costs attributable to new blood technologies and to recommend necessary changes to provide fair reimbursement.

The time is now for us to do more to encourage additional talented people to consider the call of the classroom. I encourage my colleagues to support the bill before us.

Mr. Speaker, I rise today in support of this omnibus bill. I am pleased that after months of hard work, we are prepared to pass a Balanced Budget Act (BBA) package that will bring long awaited relief to our nation's hospitals.

I have seen the effects of these cuts first hand in the hospitals of western Illinois, where hospitals are in danger of closing their doors to the health care industry, particularly hospitals.

The bill requires that Medicare Payment Advisory Commission (MedPAC) to analyze the increased hospital costs attributable to new blood technologies and to recommend necessary changes to provide fair reimbursement.

These provisions are greatly needed because two recent technologies have been introduced to increase the safety of our nation's blood supply, Nucleic Acid Testing and Leukoreduction. Nucleic Acid Testing allows hospitals to determine how much of the increased costs attributable to new blood technologies and to recommend necessary changes to provide fair reimbursement.

The time is now for us to do more to encourage additional talented people to consider the call of the classroom. I encourage my colleagues to support the bill before us.

Mr. Speaker, I rise today in support of this omnibus bill. I am pleased that after months of hard work, we are prepared to pass a Balanced Budget Act (BBA) package that will bring long awaited relief to our nation's hospitals.

I have seen the effects of these cuts first hand in the hospitals of western Illinois, where hospitals are in danger of closing their doors to the health care industry, particularly hospitals.

The bill requires that Medicare Payment Advisory Commission (MedPAC) to analyze the increased hospital costs attributable to new blood technologies and to recommend necessary changes to provide fair reimbursement.

These provisions are greatly needed because two recent technologies have been introduced to increase the safety of our nation's blood supply, Nucleic Acid Testing and Leukoreduction. Nucleic Acid Testing allows hospitals to determine how much of the increased costs attributable to new blood technologies and to recommend necessary changes to provide fair reimbursement.

The time is now for us to do more to encourage additional talented people to consider the call of the classroom. I encourage my colleagues to support the bill before us.
All Americans deserve the peace of mind of safe blood and blood products, and I am pleased these provisions were included in the final Medicare relief package.

Mr. GREEN of Texas. Mr. Speaker, I rise today to voice my opinions on the Labor-HHS-Education Appropriations Omnibus package.

Now that we have reached an agreement on this bill, I suggest that we take a look at what has changed from the bill that was practically a “done deal” in October to the piece of legislation that is before us.

While the overall funding for education has risen approximately $6.5 to $6.6 billion over FY 2000, which would be the largest increase in education funding ever, funding was cut by over $1.3 billion from the figures agreed to in the October version of the budget.

The whole Labor-HHS bill was cut approximately $2.5 billion from that agreement, so over half of the cuts to this bill come from education funding. Here is a sampling of the final funding levels for education programs in this bill: $1.2 billion for the School Renovation Initiative; funding for Head Start is $56.2 billion, an increase of $5 million over FY 2000; $851 billion for 21st Century Community Learning Centers, an increase of $372 million; $1.62 billion for the Class Size Reduction and Teacher Assistance program; $8.8 billion for Pell Grants, which would set the maximum award at $3,750, an increase of $450 from FY 2000; and $295 million for GEAR UP, an increase of $100 million over FY 2000.

While I applaud the increases in education funding that this bill represents, I am saddened that we have chosen to cut education funding, and I am especially saddened that we have reached an agreement in October. By leaving this important bill until the final days of the 106th Congress, we have subjected these programs to more scrutiny than other appropriations, and have chosen to cut the hopes and dreams of future generations.

Ms. JACKSON-LEE of Texas. I rise mainly to state that I have some concerns about what is not in the Immigration proposal that we will vote to add in this final appropriations bill.

The proposed “V” nonimmigrant visitor’s visa would allow the spouses and children of lawful permanent residents to live and work in the United States while they are waiting for a visa that would enable them to become permanent residents. This would make a compassionate change in the law that would unite lawfully married couples that have been separated by the long waiting lines for immigrant visas.

I am disappointed though that the visa would only be available to spouses and children who have waited three years or longer for an immigrant visa. The United States government does not benefit from keeping these families apart, and agreement was reached in October. By leaving this important bill until the final days of the 106th Congress, we have subjected these programs to more scrutiny than other appropriations, and have chosen to cut the hopes and dreams of future generations.

Mr. Speaker, while I plan to vote in favor of this bill, I do so with a heavy heart. I only hope that this Congress is not remembered as the Grinch that stole the Christmas gift of education that our children have been waiting for all year.

Ms. JACKSON-LEE of Texas. I rise mainly to state that I have some concerns about what is not in the Immigration proposal that we will vote to add in this final appropriations bill.

The proposed “V” nonimmigrant visitor’s visa would allow the spouses and children of lawful permanent residents to live and work in the United States while they are waiting for a visa that would enable them to become permanent residents. This would make a compassionate change in the law that would unite lawfully married couples that have been separated by the long waiting lines for immigrant visas.

I am disappointed though that the visa would only be available to spouses and children who have waited three years or longer for an immigrant visa. The United States government does not benefit from keeping these families apart, and agreement was reached in October. By leaving this important bill until the final days of the 106th Congress, we have subjected these programs to more scrutiny than other appropriations, and have chosen to cut the hopes and dreams of future generations.

Mr. Speaker, while I plan to vote in favor of this bill, I do so with a heavy heart. I only hope that this Congress is not remembered as the Grinch that stole the Christmas gift of education that our children have been waiting for all year.

Ms. JACKSON-LEE of Texas. I rise mainly to state that I have some concerns about what is not in the Immigration proposal that we will vote to add in this final appropriations bill.

The proposed “V” nonimmigrant visitor’s visa would allow the spouses and children of lawful permanent residents to live and work in the United States while they are waiting for a visa that would enable them to become permanent residents. This would make a compassionate change in the law that would unite lawfully married couples that have been separated by the long waiting lines for immigrant visas.

I am disappointed though that the visa would only be available to spouses and children who have waited three years or longer for an immigrant visa. The United States government does not benefit from keeping these families apart, and agreement was reached in October. By leaving this important bill until the final days of the 106th Congress, we have subjected these programs to more scrutiny than other appropriations, and have chosen to cut the hopes and dreams of future generations.
Mr. DINGELL. Mr. Speaker, I support H.R. 5660, the Commodity Futures Modernization Act, despite the curious process that produced this final version of the bill. The critical investor protection and market integrity provisions approved overwhelmingly by the House in October remain intact, making it possible for the overwhelming majority of my colleagues to support this important legislation.

The fundamental purposes of this bill are to modernize the regulation of our futures markets, to provide legal certainty for the over-the-counter derivatives market, and to authorize the trading of security futures products, consistent with maintaining the innovation, efficiency, transparency, honesty, and integrity of these vital markets.

Title I on commodity futures modernization places greater responsibility on contract markets and execution facilities to regulate themselves and their members. However, the CFTC is charged with supervising the exercise of this self-regulatory power in order to assure that it is used effectively to fulfill the responsibilities assigned to these organizations and that it is not used in a manner inimical to the public interest. The Congress intends that the CFTC use its oversight and enforcement powers to correct self-regulatory lapses where they occur. Although self-regulation has not always performed up to expectations, on the whole it is the belief of the Congress that self-regulation should be preserved and strengthened under strong CFTC oversight.

Title II creates a coordinated regulatory structure for SEC and CFTC regulation of securities-based swaps, to the same extent as it 17(a) of the Securities Act, applicable to securities-based swaps. This permits the SEC to use its tested methods to enhance the protection in these markets and to respond and adapt to developments in the future. The bill also explicitly makes judicial precedent relating to Section 10(b), as well as Section 17(a) of the Securities Act, applicable to securities-based swaps, to the same extent as it applies to securities. Thus, for example, cases establishing theories of liability and private rights of action will apply directly to securities-based swaps.

Title II on securities-based swaps also requires CFTC and SEC prudential regulation of these products. We intend a high degree of cooperation and coordination between the SEC and CFTC. With respect to volatility, this bill provides that single stock futures are subject to the same rules that apply to other securities-based swaps, and to guard against excessive speculation and leverage, the bill requires that margin treatment of stock futures must be consistent with the margin treatment for comparable exchange-traded options.

Finally, I received a letter dated December 14, 2000, from the Chairman of the New York Mercantile Exchange stating that: "The New York Mercantile Exchange has serious concerns regarding provisions . . . that would

Congressional Record — House
have the effect of removing energy trades conducted on electronic trading systems from nearly all public scrutiny and accountability." On December 12, 2000, a coalition that includes the Consumer Federation of America, the Derivatives Study Center, and the Economic Policy Institute wrote to Members of the Senate Majority. On December 15, 2000, the Commodity Futures Modernization Act was signed into law.

The derivatives industry continues to grow and evolve. While there is concern about the lack of oversight of this rapidly expanding industry, there are also opportunities for innovation and improved efficiency. It is important for policymakers to keep a watchful eye on this developing field to ensure that it continues to benefit the economy as a whole.

Mr. Speaker, I rise today in support of H.R. 5451, the 2001 Appropriations Act for the Department of Labor, Health and Human Services, Education, and Related Agencies. This Member strongly supports the funding level for the Medicare, Medicaid, and State Children's Health Insurance Program (SCHIP) givebacks, the increase in spending for education, and the tax assistance for affordable housing.

First, under the Balanced Budget Act of 1997, cuts were made that put a great deal of stress on many Medicare and Medicaid providers, particularly in rural areas. In a predominately rural state, such as Nebraska, a growing elderly population greatly relies upon the services Medicare and Medicaid reimburse. Hospitals and other health service providers throughout my district have been in constant communication with my office describing the financial stress that they have been put under as a result of these cuts. This Member strongly supports the “givebacks” provided in the bill that will not only shore up the financial stability of our health service providers but also extend the benefits that Medicare can be able to provide our senior population as a result of its enactment.

Second, this Member supports the $44.5 billion that the bill provides for education spending. This is a $6.5 billion increase over last year’s education funding level and is $2 billion more than the President’s request. Specifically, the bill includes the $1.34 billion increase in special education grants, the $994 million allocated for Impact Aid, and the increase in the funding level for Pell grants.

There is no doubt that this Member is watching a battle precedent by beginning grant programs for school modernization. Obviously, this money can be well used by a number of school districts; however, funding public school buildings and renovation is a responsibility of states and local school districts and not the Federal Government. Once we start funding school renovation, this effort could possibly lead to the construction of new schools with no end expected. The Federal Government would thus provide a reward for those states who have not kept up with their responsibilities for their school buildings; sometimes because they lack the will to raise the revenue locally. The school districts in my state and many others have generally met their responsibilities and should not be expected to have resources from their Federal income taxes subsidize states and school districts that are not meeting their responsibilities.

Mr. Speaker, the funding of public elementary and secondary schools, under the U.S. Constitution, is primarily the responsibilities of the states. We should not start this Federal grant program.

Lastly, this Member supports the essential tax assistance for affordable housing in this legislation. In particular, the measure increases the highly successful Federal Low Income Housing Tax Credit from $1.25 per capita to $1.75 per capita in 2002. This tax credit provides an essential incentive to developers to construct affordable housing. In addition, this legislation increases the Private Activity Bond Cap from the current $50 per capita to $75 per capita and it increases the small state bond cap limit from $150 million to $225 million. In Nebraska, this provides tax exempt financing for, among other things, single and multifamily housing.

Mr. Speaker, for these reasons and others, this Member encourages his colleagues to support this legislation. It provides a necessary increase in the essential services upon which so many Nebraskans and others throughout the country rely.

Mr. LEACH. Mr. Speaker, last year, after nearly two decades of work, the U.S. Congress passed the Commodity Modernization Act (CEA) that governs the trading of futures and options.

While this legislation represents a great leap forward there remain issues that will require the further scrutiny and due diligence of this body and it will be necessary to closely monitor the application of this bill, with a mindful eye on further innovation, to ensure that the markets remain competitive, not only in the historic economic expansion of the last decade as derivatives-related products have grown.

Nonetheless, the Banking Committee in July adopted on a bipartisan manner a number of clarifying amendments, and this fall the House approved H.R. 5451, with only a small number of dissenting votes. After continued negotiation, involving the other body and the Administration, further modifications have been made to the legislation to provide an even greater level of assurance that over-the-counter derivatives will continue to be a vital part of America’s financial innovation and continued success.

The legislation will ensure that most over-the-counter derivatives offered by banks and other financially sophisticated parties are legal and enforceable. It provides that these contracts will be allowed to be negotiated via new sophisticated parties are legal and enforceable. It provides that these contracts will be allowed to be negotiated via new markets or clearinghouses if they meet certain requirements and obtain the role of the Federal financial regulators, it will allow these new contracts to be offered, sold and cleared without having to jump through new, unwarranted bureaucratic processes.

However, this legislation represents a great leap forward there remain issues that will require the further scrutiny and due diligence of this body and it will be necessary to closely monitor the application of this bill, with a mindful eye on further innovation, to ensure that the markets remain competitive, not only in the historic economic expansion of the last decade as derivatives-related products have grown.

Mr. Speaker, I like to make clear my respect for the work of the Agriculture Committee, led by Chairmen COMBEST and EWING, which produced a bill that reflected a credible way of dealing with the concerns that had developed during much of the last decade as derivatives-related products have grown.

Additionally, Title III of the act contains several provisions which require further clarification. Title II of the legislation empowers the Securitization and Exchange Commission (SEQ) to regulate certain securities-based futures contracts. It is important to note that excluded from the definition of “security future,” contained in section 201 of the legislation, and thus from the jurisdiction of the SEC, are contracts provided from the Commodity Futures Modernization Act under section 2(c), (d), (f) and (g) of that Act, and those products excluded under Title IV of the Commodity Futures Modernization Act of 2000.

These exclusions are intended to clarify that over-the-counter derivatives transactions among eligible contract participants related to the prices of securities are outside the jurisdiction of the SEC, and the SEC is not use the new authority granted the agency by this act to attempt to regulate over-the-counter derivatives in these contracts. The jurisdiction granted the SEC by this Act, like that granted to the Commodity Futures Trading Commission (CFTC) under the Commodity Exchange Act, is limited to transactions conducted on organized exchanges otherwise regulated by the respective agency. Over-the-counter derivatives transactions offered by banks and other highly sophisticated end users remain outside the jurisdiction of the SEC.

Additionally, Title III of the act contains further limitations on the authority of the SEC with respect to the jurisdiction of that agency extending beyond the derivatives. As Title III makes clear, “security based swap agreements” are not securities, and the SEC is prohibited from regulating them as such.
In general, it should be clear that nothing in this legislation is intended to permit the SEC to regulate equity securities derivative transactions entered into by banks. The exclusions from the definition of “security future,” as well as Title III, are designed to ensure that the regulatory reach of the SEC is limited to entities that have the ability to require registration. Banks have been engaging in equity-related derivatives for well over a decade, under the supervision of the appropriate banking regulators. Nothing in this legislation is intended to alter that regulatory structure, nor to place new regulatory burdens on banks.

A separate matter which requires attention is the treatment to be afforded “principal-to-principal” transactions. Section 101 of the legislation contains a definition of “organized exchange” which incorporates this “principal-to-principal” concept. Under this legislation, whether an entity is an organized exchange or not has ramifications as to whether the entity might be regulated by the CFTC and, in some cases, the SEC. Additionally, sections 103, 106, 202, and 402 of the legislation utilize this “principal-to-principal” concept in providing exemptions and exclusions from the jurisdiction of the CFTC and/or SEC.

A “principal-to-principal” transaction includes any transaction whereby a party to the transaction books the transaction for the party’s own account. It includes “riskless principal” transactions, whereby one party enters into a transaction and there is no offsetting transaction so that the risk or payments under the transaction compensate each other. In the fact that the party has entered into offsetting transactions in no way alters the “principal-to-principal” nature of the transaction, and any party that has entered into a “riskless principal” transaction may be assured that its contracts remain legally enforceable and excluded or exempted from the jurisdiction of the CFTC and/or SEC, as applicable.

A final matter which deserves attention is the definition of “trading facility” contained in section 103 of the legislation. Whether an entity is a “trading facility” has ramifications as to whether or not the entity might be regulated by the CFTC and/or the SEC. It should be made clear that the definition of “trading facility” is not to be construed so broadly as to include existing and developing electronic systems which permit parties to negotiate and enter into over-the-counter derivatives transactions.

For instance, Derivatives Net Inc., which maintains the “Blackbird” electronic trading system, operates a facility whereby parties may negotiate and conduct over-the-counter derivatives transactions. The swap agreements entered into by participants entered into on this system are themselves excluded from the jurisdiction of the CFTC, and will remain excluded from the jurisdiction of the SEC under the powers granted the agency under this bill. Neither, in the definition of “trading facility,” nor anything else in this legislation, is intended to provide authority to either the CFTC or the SEC to exercise jurisdiction over entities such as Blackbird.

Mr. Speaker, I congratulate all who worked from so many different perspectives to develop this landmark legislation and urge its passage.

Mr. CONYERS. Mr. Speaker, I rise in opposition to this piece of legislation because, among other things, it fails to correct some of the most basic inequities in our immigration code. For months, we have worked to obtain passage of the Latino and Immigrant Fairness Act. Unfortunately, the Republican Leadership has refused us the opportunity to present a group of anti-immigrant members within their caucus.

The result of the Presidential election has hardened this groups’ determination to keep immigrants, particularly people of color, out of this country. If this is the spirit of compas- sionately towards the Latino and Immigrant Fairness Act, we have to look forward to under a Republican Administration, then I am not at all impressed.

First, we sought to establish legal parity among Central American, Liberian and Caribbean refugees—so that all refugees that fled political turmoil in the 1980s and early 1990s are treated the same. In 1997, the Republic- ans gave the “right” type of immi-grants—Cubans and Nicaraguans—immigra- tion relief, leaving behind immigrants from other countries who did not have the same po- litical influence. The Republicans have completely refused to even meet in good faith to discuss the issue.

Second, we sought to update what’s known as the “registry” date, so that all immigrants who have lived in this country since 1986 are eligible to seek permanent residency. This provision would have helped people who were eligible under the Reagan era legalization program but were improperly denied permanent residency by the INS in the late 1980s. It also would have rein- forced our long held belief that long time immi-grants should be given the opportu-nity to solidify their families and economic stability by becoming permanent residents.

The Republicans begrudgingly have agreed to help only a small class of people who have lived in the United States since 1982 and are covered by a class action suit.

Third, we sought to restore section 245(i) of the Immigration Act. This would let all immi-grants who have a legal right to seek perma- nent resident status to stay in this country with their families while they await a decision. Be- cause Congress failed to extend section 245(i) in 1997, families who have a right to be to- gether here in the United States are being torn apart for up to 10 years.

Instead of restoring section 245(i), the Republi-cans have merely agreed to re-authorize section 245(i) for four months from the date this bill is enacted.

Fourth, we sought inclusion of H.R. 5062, legislation which had bipartisan support and passed the House under suspension of the rules. The bill was a modest step towards ad-dressing the tremendous overcrowding, disrepair, and high safety and health violations of the overly harsh 1996 law, and in particular, eliminating the retroactivity of the 1996 law’s deportation legislation.

After reaching an agreement on these provi-sions, the Republicans caved to anti-immigrant members of the House, and refused to in- clude any part of H.R. 5062 in this legislation.

Finally, and most offensive to me, there ap- peared to be bipartisan agreement to include certain technical fixes to the 1997 Nicaraguan Adjustment and Central American Refugee Relief Act and the 1998 Haitian Refugee Immigration Fairness Act. These provisions would not have been allowed into the country a single person that Congress intended to cover in the original bills.

The Republicans have agreed to provide re-lief to affected Central Americans but have re-fused similar assistance to Haitian refugees. There is no principled, intellectual or rational reason for not assisting Haitians and other persons of color who were originally covered by the 1988 legislation.

One of the greatest measures of our Na- tion’s strength is the diversity of our people. If we look above us we see inscribed our na- tional motto—e pluribus unum—“Out of many, one.” It reminds us that we are a nation of im-migrants. Because this bill fails to uphold the principles that are most dear to us as a Na- tion, I must oppose this legislation and will continue to seek a fairer and more decent piece of legislation—it is long overdue.

Mr. CLAY. Mr. Speaker, I rise in support of this historic $6.5 billion increase in education spending and several important initiatives included in this conference report. While I am disappointed that the Republican leadership insisted on reducing the amount of education funds in an earlier bipartisan deal reached in late October, this conference report still provides significant increases for programs that serve some of our most vulnerable popu-lations.

I want to start by highlighting the inclusion of the $1.2 billion school modernization initiative. Modeled after the proposal announced by President Clinton in his last State of the Union address and a bill I introduced earlier this year, this initiative will provide much needed assistance to renovate and repair our crumbling and overcrowded public schools. This proposal will provide $900 million for school renovation and $300 million for technology and special education costs. I have long known that the Federal Government has a very important role to play in that our children do not learn in crumbling and over-crowded schools with health and safety viola-tions. The enactment and funding of this pro-posal shows that Congress as a whole finally recognizes the importance of a Federal role in this area.

The need for this program is well docu-mented. From GAO’s 1995 report which found $112 billion in school construction needs to a recent analysis by the National Education As-sociation, which found over $300 billion in ren-ovation needs, our schools in which our children, are suffering in outdated buildings which are in a state of horrible disrepair.

I also want to express by support for contin-ued funding of the Clinton/Clay Class Size Re-duction Program. This initiative, first enacted in the 1999 Omnibus Appropriation package, has helped communities hire close to 38,000 teachers to reduce class size in the early grades. This year’s increase of $323 million over last year will approximately 8,000 additional qualified teachers—re-ducing class size for thousands of young chil-dren. Nothing in our educational system can serve some of our most vulnerable popu-lations.

The Appropriations Conference Report also provides much needed increases for other vital education programs. The cornerstone of our Federal education effort, Title I, will receive a $661 million increase over last year. After-school programs, through the 21st Cen-tury Community Learning Centers Program, will receive a $393 million boost over last year. Also, the Eisenhower Professional De-velopment Program and other teacher quality
Mr. Speaker, I applaud the inclusion of this initiative in H.R. 5662 which extends the existing brownfields cleanup tax incentive through January 1, 2004, and removes the targeting requirement. My colleagues and I have worked hard to ensure that the current law tax provision be extended and made eligible for brownfield cleanups in all communities across the nation. I am pleased that we have accomplished this in this bill and I urge my colleagues to support this legislation.

Many brownfield properties are located in prime business locations near critical infrastructure, including transportation, and close to a productive workforce. These sites need to be put into productive use, contributing to the economy and producing good paying jobs where they are needed most. The first step towards doing this is to remediate these sites environmentally. This U.S. Conference of Mayors estimates that there are over 400,000 sites across this country. We clearly should not limit the treatment of Section 198 to merely targeted areas. Development of these sites will help restore many blighted areas, create jobs where unemployment is high and ease pressure to develop beyond the fringes of communities. Small, urban centered businesses often benefit most directly by this redevelopment. Currently, many of these brownfield sites do not meet the existing targeting requirements and are not cleaned up because they cannot take advantage of Section 198 brownfields expensing provision. U.S. EPA estimates that the existing provision will ultimately clean-up only 14,000 brownfields nationwide, but GAO estimates that more than 420,000 brownfields exist. Clearly, the current provision needs to reach further into our communities. I am pleased that H.R. 5662 will solve this problem.

By expanding the existing provision, more disadvantaged communities in urban, suburban and rural areas can take advantage of the expensing provision and revitalize their brownfields. This will offer important economic and environmental improvements for these communities. The U.S. Conference of Mayors recently completed a survey of 187 large and small cities throughout the Nation, including Chicago, Houston, New York and Miami. According to the responses to this survey, the 187 cities estimated that if their 21,000 existing brownfield sites were redeveloped, this would bring additional tax revenues of up to $2.4 billion annually and could create up to 550,000 jobs. In Chicago alone, developing 2,000 brownfield sites would mean $78 million in additional tax revenue to the city and 34,000 new jobs.

Mr. Speaker, I applaud the inclusion of this provision in H.R. 5662 which will extend the existing brownfields expensing provision through January 1, 2004, and remove the targeting requirement. This provision is pro-environmental and pro-community legislation and I urge my colleagues to support this legislation. Mr. BARCIA. Mr. Speaker, I am extremely pleased that the Wet Weather Water Quality Act of 2000, has been included in this measure. I would like to thank Chairman SHUSTER, Ranking Member OBERSTAR and my Subcommittee Chairman Mr. BOEHNER, and Ranking Mr. BORSICK for their support and dedication in moving this important legislation forward. H.R. 828 enjoys strong, national bipartisan support, with almost 70 cosponsors.

As the primary sponsor of H.R. 828, I am pleased to have played a role in halting and reversing the Federal Government’s decades-long disinvestment in municipal water quality infrastructure needs nationwide. While the funding this important legislation calls for will be helpful, it is only a start given the immense yardstick that confronts us and our communities as we witness today in passing H.R. 828 as part of the last Act of the 106th Congress.

In addition to authorizing infrastructure funding for CSO and Sanitary Sewer Overflow control programs nationwide, H.R. 828 will also codify EPA’s 1994 National Combined Sewer Overflow Policy. This is a step that has been proposed by both sides of the aisle since 1995. I am pleased that it will become a reality today. The National CSO Policy provides a proven roadmap for America’s communities with combined sewers to follow as they strive to implement CSO controls. It offers important flexibility for CSO communities to develop individually tailored control programs. In addition to the reasonable amount of time to implement CSO controls that is implicit in the Act, it will also require EPA to complete an important yardstick for federal CSO controls. This will be achieved by CSO control programs.

This important Act marks the first time that the Clean Water Act will speak to the issue of CSO control—a major environmental problem and challenge in my district, the Great State of Michigan, and in 34 states nationwide. In taking this bold step, Congress has set out nation on a course to finally resolve sewer overflow problems which have persisted in our nation for more than 100 years. Mr. BONIOR. Mr. Speaker, today’s education funding bill will repair crumbling schools, hire 8,000 new teachers, open 3,100 new after school centers, and help send 100,000 more low-income students to college. For students in Macomb and St. Clair Counties, we are providing $850,000 for our school districts to develop after-school programs. The network of “Kids Klubs,” as they are known, in our community provides a safe-haven for our children and a win-win for our families. For schools which need repair, this bill provides $1.2 billion to renovate 1,200 schools nationwide. We also continue our commitment to reducing class size in the early grades and making schools safer by providing $1.6 billion to hire new teachers. Further, our bill will increase federal funding for financial aid by 15%—including raising the maximum Pell Grant award to $3,750.

The enactment of this historic bill, renews our commitment to our students, teachers and families—the pillars of our community, and the pillars of our future.

Mr. MOAKLEY. Mr. Speaker, at long last, the end is in sight. Today’s Omnibus Appropriations bill contains all the major unfinished business of the Congress. It contains the Labor-Health and Human Services Appropriations bill the Commerce-Justice-State Appropriations changes the Legislative Branch Appropriations bill. The Treasury-Postal Appropriations bill, the reform of the Commodity Exchange, and a balanced budget amendment fix for Medicare, the new market initiative and a whole lot else.

In fact the bill is right here next to me on the desk. I hear the three people who carried it up here are in traction. But, despite its size all in all, I am pleased with the bill and I congratulate my colleagues for their hard work. However, Mr. Speaker, I want to point out one major problem in this bill the Low Income Home Energy Assistance Program, or LIHEAP.

Although the bill includes $1.4 billion for LIHEAP funding in this fiscal year, it falls short of the advanced appropriations for next fiscal year.

Mr. Speaker, hundreds of thousands of Massachusetts residents, not to mention millions of other Americans, rely on LIHEAP to help heat their homes during the freezing winter months. If the advanced funding is cut, states will be unable to get their programs in place before the cold hits and millions of Americans could be faced with the horrible choice between heating their homes and putting food on the table.

Mr. Speaker, no one should have to make that choice and if we wait too long to pass this funding, they might have to. I certainly hope appropriations will include full funding for LIHEAP during next year’s appropriations debate. Americans everywhere are facing record high fuel prices and they are looking to Congress to do the right thing.

Mr. LARGENT. Mr. Speaker, I want to offer my strong support for those provisions of H.R. 4577 that send much needed relief to the Medicare program. By passing this legislation, Congress will improve health care for millions of Americans by strengthening Medicare, Medicaid, and the Children’s Health Insurance Program (SCHIP).

Over three years ago, Congress made important changes to the Medicare and Medicaid programs when the Balanced Budget Act of 1997 was passed and signed into law. At the time, the Medicare program was facing bankruptcy and changes were needed to keep this vital program for our Nation’s seniors.

As those changes were implemented, many hospitals, home health facilities, and outpatient health service professionals expressed concerns to me about low reimbursements from HCFA for their services.

In response to those concerns, Congress passed legislation last fall, the Balanced Budget Refinement Act (BBRA), to fix some of the unintended consequences of the BBA by returning some $16 billion to hospitals and other providers.

Throughout this year, I have received considerable feedback from hospitals, home health care companies, and nursing home providers concerned that BBRA did not go far enough in adjusting current reimbursement
rates. I have been closely watching these developments and have urged my fellow members of Congress to support this important legislation.

In particular, I am pleased with several of the legislation’s important provisions, including those addressing the Medicare+Choice program. The Medicare+Choice program was created as part of the 1997 Balanced Budget Act to increase health care options for Medicare beneficiaries by allowing them to enroll in private plans, such as HMOs or PPOs. While the majority of beneficiaries remain in the traditional Medicare, enrollments in Medicare+Choice managed care plans has grown in recent years. Many seniors enrolled in Medicare+Choice have come to enjoy greater benefits than traditional Medicare such as prescription drug coverage, eyeglasses, and dental care.

Unfortunately, the Medicare+Choice program has been grossly mismanaged and underfunded by the Health Care Financing Administration (HCFA). In the last year alone, 41 plans terminated service to Medicare beneficiaries. In 30 states, forcing 327,000 seniors to choose a new plan or to move back into traditional Medicare.

Fortunately, the legislation before us today will send billions of dollars to the Medicare+Choice program. Much of this new funding will accelerate our efforts to raise the reimbursement rate to 95% and to provide Oklahoma’s rural areas and areas with large uninsured populations.

I also support increasing drug coverage for patients with life threatening diseases. Congress worked hard last year to ensure that we committed funds in the Balanced Budget Reconciliation Act to extend coverage of immunosuppressive drugs for Medicare patients beyond the previous 36 month time limit. We all know how important these drugs are to patients with organ transplants. I do not believe it is a wise policy to cut them off from the coverage. I’m delighted that this legislation removes the time limitation on immunosuppressive drug coverage.

Furthermore, many of Oklahoma’s seniors lack adequate access to first rate medical facilities because they live in areas that are medically underserved. Innovative health delivery and education programs using telemedicine can go a long way to addressing these unmet needs. I am pleased that we are able to incorporate provisions in this legislation that allow for Medicare reimbursement of telehealth services in certain settings. I believe these provision will have a positive impact on the delivery of health care to Oklahoma seniors.

The American people can be proud of the hard work that has gone into the product we have today. I would like to express my appreciation to the Clinton Administration, House and Senate Leadership for working to finally complete the business of the 106th Congress. This bill before the House will provide appropriations for several separate approaches, which have been combined to speed their adoption into law.

In my testimony to the Appropriations Subcommittee on Labor/HHS, I urged the committee to increase the funding for children’s mental health services, which they have done through the appropriation of a Mental Health Block Grant program in the amount of $420 million, $63 million more than last year’s funding.

As for my request for additional funding for HIV/AIDS this appropriation measure will place $767 million into the program initially requested by the Administration bringing their appropriation to $767 million for Fiscal Year 2001. It is my hope that this additional funding will go to those who are in greatest need minority HIV/AIDS programs. Minority AIDS programs have been under funded over the last few Congresses, despite the fact that minorities are the fastest growing population infected with AIDS/HIV.

I thank the Clinton Administration for taking the bold step of formally recognizing that the spread of HIV/AIDS in the United States is an international crisis, through his declaration of HIV/AIDS to be a National Security threat.

I am pleased to see that funding for the Ryan White AIDS program has been increased by 13 percent to $2.5 billion for the next fiscal year. Further, funding for the National Institutes of Medicine has been increased to $2.4 billion, which is 14 percent over last year’s appropriations.

Over 13 million children suffer form mental health problems. The National Mental Health Association reports that 18% of American youth commit suicide in their own separate actions. By providing the full health care they need. I’ve gone on home health care visits where citizens simply can’t understand the cutbacks that make it harder for them to stay in their homes. I’ve explained Medicare+Choice programs to Oklahoma’s rural areas and areas with large uninsured populations.

I have access to the full health care they need. Moreover, it’s a step toward creating the partnerships we need with our hospitals, home health care personnel and other medical care providers to help our citizens receive quality health care and have a better quality of life.

I am very pleased to see that the funding for the Health and Human Services Department is at $48.8 billion, which is $6.6 billion over...
year's appropriations. After the years of cuts to this vital program today we are finally recognizing that the health safety and welfare of America's disadvantaged should be addressed with adequate resources by the agency charged with providing care to them.

Many Houstonians' lives were saved by the additional funding from LIHEAP and this appropriation will provide $1.4 billion for the coming year.

recognizing that the health safety and welfare of to this vital program today we are finally rec-

So the conference report was agreed to.

The result of the vote was announced by the table.

The Clerk read the resolution, as follows:

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Seventh Congress be printed as a House document, and that the House be printed as a House document, and that a resolution (H. Res. 678) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 678

Mr. MCCOLLUM. Mr. Speaker, I offer a resolution (H. Res. 678) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 678

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Seventh Congress be printed as a House document, and that this thousand additional copies shall be printed and bound for the use of the House of Representatives.
December 15, 2000

CONGRESSIONAL RECORD — HOUSE

H12503

Representatives, of which nine hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H. J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H. Con. Res. 446. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Sixth Congress.

APPOINTMENT OF COMMITTEE OF TWO MEMBERS TO INFORM THE PRESIDENT THAT THE TWO HOUSES HAVE COMPLETED THEIR BUSINESS

Mr. McCOLLUM. Mr. Speaker, I call up a privileged resolution (H. Res. 679) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 679

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF THE COMMITTEE TO INFORM THE PRESIDENT THAT THE TWO HOUSES HAVE COMPLETED THEIR BUSINESS OF THE SESSION AND ARE READY TO ADJOURN

The SPEAKER pro tempore. Pursuant to House Resolution 679, the Chair appoints the following Members of the House to the Committee to notify the President:

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the second session of the 106th Congress, the Speaker, the majority leader and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

AUTHORIZING SPEAKER, MAJOR-ITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS AUTHORIZED BY LAW OR HOUSE NOT WITHSTANDING SINE DIE ADJOURNMENT

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the second session of the 106th Congress, the Speaker, the majority leader and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

AUTHORIZING CHAIRMAN AND RANKING MINORITY MEMBER OF EACH STANDING COMMITTEE AND SUBCOMMITTEE TO EXTEND REMARKS IN RECORD

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that the chairman and ranking minority member of each standing committee and each subcommittee be permitted to extend their remarks in the RECORD, up to and including the RECORD's last publication, and to include a summary of the work of that committee or subcommittee.

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

There was no objection.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND AND REVISE REMARKS IN CONGRESSIONAL RECORD UNTIL LAST EDITION IS PUBLISHED

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that Members may have until publication of the last edition of the CONGRESSIONAL RECORD authorized for the second session by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the second session sine die.

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

There was no objection.

EXPRESSING COMMITMENT OF MEMBERS OF HOUSE TO FOSTERING PRODUCTIVE AND LEGAL PARTNERSHIP WITH 43RD PRESIDENT

Mr. HORN. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be permitted to extend its remarks regarding the resolution (H. Res. 677) expressing the commitment of the Members of the House of Representatives to fostering a productive and collegial partnership with the 43rd President, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Ms. DUNN. Mr. Speaker, reserving the right to object, nearly 2 years ago I pledged to dedicate my energies toward electing George W. Bush as the 43rd President of the United States.

It is a commitment that many of us in this body make. Whether we are Democrats or Republicans, we are drawn to a candidate with whom we share values, somebody we can trust to carry the burdens of a large and diverse Nation.

It is not a commitment we make lightly.

Being a Member of Congress is an all-consuming lifestyle and often we find it difficult to even find time for families and friends.

Yet we sacrifice because the cause compels us to do so.

My colleague and good friend, the gentleman from Washington State (Mr. Dicks) made a similar sacrifice for Vice President Al Gore.

We saw firsthand the energy and dedication that a campaign can instill in the American people.

People from every walk of life and every background came together to raise the large enthusiastic crowds that brought spirit and life to a movement.

We all experienced the ebb and flow of a long campaign and felt the exhilaration of its highs and the disappointments of its lows. We felt it deeply because it was inseparable from our own spirit and because our investment was in human capital, time away from family and time away from friends.

But the campaign ended. And when the campaign ends, governing begins.

This treasured body is the soul of governance. Our Founding Fathers intended for the House of Representatives to reflect the will of the people.

I believe the will of the people is progress.

The American people showed extraordinary patience and faith in its governing institutions during this long and uncertain Presidential election.

Let us reward them with progress.

Today we pledge to form a productive and collegial relationship with President-elect Bush.

Just two nights ago, both President-elect Bush and Vice President Gore urged us to put the campaign behind us and begin to develop the relationships that will lead to this progress the American people deserve.

I am grateful for their words, and I am encouraged by my colleagues' commitment to fostering this relationship.

My challenge, as the Speaker of the United States, is to assume that all of our differences can be easily bridged, yet there is a remarkable agreement on the important issues that we must address.
Mr. Speaker, campaigns end and governing begins.

I wish all of my colleagues best wishes in this holiday season.

When we return in the new year, let us begin the work of addressing the needs of this great Nation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. Res. 677

Whereas the Presidential election in 2000 was the closest in the Nation's history;

Whereas both Governor George W. Bush and Vice President Albert Gore campaigned admiringly for the Presidency;

Whereas the closeness of the election led to a long and trying process to determine the winner;

Whereas both Governor George W. Bush and Vice President Albert Gore have called for national unity;

Whereas, during this time of uncertainty, the American people have showed extraordinary patience and confidence in the Nation's system of government;

Whereas it is incumbent upon the Members of the House of Representatives, as elected officials, to demonstrate that the faith of the American people have showed extraordinary patience and confidence in the Nation's system of government;

Whereas it is incumbent upon the Members of the House of Representatives, as elected officials, to demonstrate that the faith of the American people have showed extraordinary patience and confidence in the Nation's system of government;

Whereas both Governor George W. Bush and Vice President Albert Gore have called for national unity;

Whereas, during this time of uncertainty, the American people have showed extraordinary patience and confidence in the Nation's system of government;

The appointment is approved.

There was no objection.

INTERNATIONAL MALARIA CONTROL ACT OF 2000

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the bills, H.R. 420 and H.R. 4694 be re-referred to the Committee on the Budget and that the bill, H.R. 167 be re-referred to the Committee on the Budget, and in addition the Committee on Ways and Means.

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

There was no objection.

APPOINTMENT OF HONORABLE FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH THE REMAINDER OF THE SECOND SESSION OF THE 106TH CONGRESS

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


I hereby appoint the Honorable Frank R. Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the second session of the One Hundred Sixth Congress.

[45x764]Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.
designed to prevent, treat, control, and eliminate malaria in countries with a high percentage of malaria cases.

(2) CONSIDERATION OF INTERACTION AMONG EPIDEMICS.ÐIn this paragraph, the authorization of appropriations in, and the results of, clinical trials for such relating to the development of vaccines and shall include the dissemination of information in such countries.

(3) INFORMATION REQUIREMENT.ÐActivities referred to in paragraph (1) shall include the dissemination of information relating to the development of vaccines and therapeutic agents for the prevention of malaria (including information relating to participation, and the results of, clinical trials for such vaccines and therapeutic agents conducted by United States Government agencies) to appropriate officials in such countries.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) In general.ÐThe amounts appropriated to be appropriated to carry out subsection (a) $50,000,000 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.

TITLE III—UNITED STATES-CANADA ALASKA RAIL COMMISSION

SEC. 201. SHORT TITLE.

This title may be cited as the “United States-Macau Policy Act of 2000.”

SEC. 202. FINDINGS AND DECLARATIONS; SENSE OF CONGRESS.

(a) FINDINGS AND DECLARATIONS.—Congress makes the following findings and declarations:

(1) The continued economic prosperity of Macau furthers United States interests in the People’s Republic of China and Asia.

(2) Support for democracy is a fundamental principle of United States foreign policy, and as such, that principle naturally applies to United States policy toward Macau.

(3) The leaders of the people of Macau are of great importance to the United States and are directly relevant to United States interests in Macau.

(4) A fully successful transition in the exercise of sovereignty over Macau must continue to safeguard human rights in and of themselves.

(5) Human rights also serve as a basis for Macau’s continued economic prosperity, and Congress takes note of Macau’s adherence to the International Covenant on Civil and Political Rights and the International Convention on Economic, Social, and Cultural Rights.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should play an active role in maintaining Macau’s confidence and prosperity, Macau’s unique cultural heritage, and the mutually beneficial ties between the people of the United States and the people of Macau;

(2) through its policies, the United States should contribute to Macau’s ability to maintain a harmonious society in matters of national security, defense and foreign affairs as promised by the People’s Republic of China and the Republic of Portugal in the Joint Declaration, particularly with respect to Macau’s support of and cooperation in the Common Commercial Law, law enforcement, finance, monetary policy, aviation, shipping, communications, tourism, cultural affairs, sports, and participation in international organizations, consistent with the national security and other interests of the United States; and

(3) the United States should actively seek to establish and expand direct bilateral ties and agreements with Macau in economic, trade, financial, monetary, mutual legal assistance, law enforcement, transportation, and other appropriate areas.

SEC. 203. CONTINUED APPLICATION OF UNITED STATES LAW.

(a) CONTINUING APPLICATION.—

(1) IN GENERAL.—Notwithstanding any change in the exercise of sovereignty over Macau, and subject to subsections (b) and (c), the laws of the United States shall continue to apply with respect to Macau in the same manner as the laws of the United States were applied with respect to Macau on December 20, 1999, unless otherwise expressly provided by law or by Executive order issued pursuant to paragraph (2).

(b) EXCEPTION.—Whenever the President determines that Macau is not sufficiently autonomous to justify treatment under a particular law of the United States, or any provision thereof, different from that accorded the People’s Republic of China, and in any such laws, regulations, and practices be applied less restrictively to Macau than to exports to the People’s Republic of China.

(c) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as prohibiting the provision of export control assistance to Macau.

(d) INTERNATIONAL RELATIONS.—

(1) IN GENERAL.—The export control laws, regulations, and practices of the United States shall apply to Macau in the same manner and to the same extent that such laws, regulations, and practices apply to the People’s Republic of China, and in any such laws, regulations, and practices be applied less restrictively to Macau than to exports to the People’s Republic of China.

(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as prohibiting the provision of export control assistance to Macau.

(3) IN GENERAL.—With respect to Macau, the laws of the United States were applied with respect to Macau on December 20, 1999, unless otherwise expressly provided by law or by Executive order issued pursuant to paragraph (2).

(4) EXCEPTION.—Whenever the President determines that Macau is not sufficiently autonomous to justify treatment under a particular law of the United States, or any provision thereof, different from that accorded the People’s Republic of China, and in any such laws, regulations, and practices be applied less restrictively to Macau than to exports to the People’s Republic of China.

SEC. 204. REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and not later than March 31 of each of the years 2001, 2002, and 2003, the Secretary of State shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on Macau of interest to the United States. The report shall describe—

(1) significant developments in United States relations with Macau, including any determination made under this section, and significant developments related to the change in the exercise of sovereignty over Macau affecting United States interests in Macau or United States relations with Macau and the People’s Republic of China;

(2) the development of democratic institutions in Macau;

(3) the development of democratic institutions in Macau;

(4) the nature and extent of Macau’s participation in multilateral forums.

(b) SEPARATE PART OF COUNTRY REPORTS.—Whenever a report is transmitted to Congress on a country-by-country basis, there shall be included in such report, where applicable, a separate report on Macau.

SEC. 205. DEFINITIONS.

In this title:


(2) MACAU.—The term “Macau” means the territory that prior to December 20, 1999, was the Portuguese territory of Macau and after December 20, 1999, became the Macau Special Administrative Region of the People’s Republic of China.

TITLE III—UNITED STATES-CANADA ALASKA RAIL COMMISSION

SEC. 301. SHORT TITLE.

This title may be cited as the “Rails to Resources Act of 2000.”

SEC. 302. FINDINGS.

Congress finds that—

(1) rail transportation is an essential component of the North American intermodal transportation system;

(2) the development of economically strong and socially stable communities in the western United States and Canada was encouraged significantly by provisions allowing the development of integrated transcontinental, interstate and interprovincial rail systems in the states, territories and provinces of the two countries;

(3) United States and Canadian federal support for the completion of new elements of the transcontinental, interstate and interprovincial rail systems was halted before rail connections were established to the State of Alaska and the Yukon Territory;

(4) rail transportation in otherwise isolated areas facilitates controlled access and may reduce overall impact to environmentally sensitive areas; and

(5) the extension of the continental rail system through northern British Columbia and the Yukon Territory to the current terminus of the Alaska Railroad would significantly benefit the United States and Canadian industries by facilitating the comfortable movement of passengers over long distances while minimizing effects on the surrounding areas; and

(6) ongoing research and development efforts in the rail industry continue to increase the efficiency of rail transportation, ensure safety, and decrease the impact of rail service on the environment.

SEC. 303. AGREEMENT FOR A UNITED STATES-CANADA BILATERAL COMMISSION.

The President is authorized and urged to enter into an agreement with the Government of Canada to establish an independent joint commission to study the feasibility and advisability of linking the rail system in Alaska to the nearest appropriate point on the North American continental rail system.

SEC. 304. COMPOSITION OF COMMISSION.

(a) MEMBERSHIP.—The Agreement should provide for the Commission to be composed of 24 members, of which 12 members are appointed by the President and 12 members are appointed by the Government of Canada.

(b) GENERAL QUALIFICATIONS.—The Agreement should provide for the membership of the Commission, to the maximum extent practicable, to be representative of—

(1) the interests of the local communities (including the governments of the communities), aboriginal peoples, and businesses that would be affected by the connection of the rail system in Alaska to the North American continental rail system; and
(b) A broad range of expertise in areas of knowledge that are relevant to the significant issues to be considered by the Commission, including economics, engineering, management of resources, fisheries, and biological management, environmental sciences, and transportation.

(2) UNITED STATES MEMBERSHIP.—If the United States and Canada enter into an agreement providing for the establishment of the Commission, the President shall appoint the United States members of the Commission as follows:

(A) CHAIRMAN.—Each member of the Commission appointed by the President shall be an officer or employee of the United States.

(B) M I EETINGS.—The Agreement should provide for the Commission to meet at least biannually to review progress and to provide guidance to staff and others, and to hold, in locations within the Pacific region, a public meeting as the Commission deems necessary to the conduct of its business.

(2) TRAVEL EXPENSES.—The Agreement should authorize and encourage the Commission to procure by contract, to the maximum extent practicable, the services (including any temporary and intermittent services) that the Commission determines necessary for carrying out the duties of the Commission. In the case of any contract for services of an individual, funds made available for the Commission by the United States may not be used to pay for the services of the individual at a rate that exceeds the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) TERMINATION.—The Commission should be terminated 90 days after the date on which the Commission submits its report under section 306.

(c) DELEGATION.—The Agreement should provide for the following:

(1) ESTABLISHMENT.—The establishment of an interest-bearing account to be known as the "Pacific Resources Fund.

(2) CONTRIBUTIONS.—The contribution by the United States and the Government of Canada to the Fund of amounts that are sufficient for the Commission to carry out its duties.

(3) AVAILABILITY.—The availability of funds in the Fund to pay the costs of Commission activities.

(4) D ISSOLUTION.—Dissolution of the Fund upon the termination of the Commission and distribution of the amounts remaining in the Fund between the United States and the Government of Canada.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to any fund established for use by the Commission as described in subsection (a)(1) $6,000,000, to remain available until expended.

(c) DEFINITIONS.—In this title:

(1) AGREEMENT.—The term "Agreement" means an agreement described in section 303.

(2) COMMISSION.—The term "Commission" means a commission established pursuant to any Agreement.

TITLE IV—PACIFIC CHARTER COMMISSION

OF COMMISSION.

(1) AGREEMENT.—The Agreement should provide for the Commission to study and assess, on the basis of all available information, the feasibility and advisability of linking the rail system in Alaska to the North American continental rail system through the continuance of the rail system in Alaska from its northernmost terminus to a connection with the continental rail system in Canada.

(b) STAFF.—The Agreement should provide for the study and assessment to include the consideration of the following issues:

(A) Railroad engineering.

(B) Land ownership.

(C) Proximity to mineral, timber, tourist, and other resources.

(D) Market outlook.

(E) Environmental considerations.

(F) Social effects, including changes in the use and value of land.

(G) Potential financing mechanisms.

(c) ROUTE.—The Agreement should provide for the Commission, upon finding that it is feasible and advisable to link the rail system in Alaska as described in paragraph (1), to determine one or more recommended routes for the rail segment that establishes the linkage, taking into consideration such factors as access to potential freight markets, environmental matters, existing corridors that are already used for ground transportation, the route surveyed by the Army Corps of Engineers during World War II and such other factors as the Commission determines relevant.

(d) COMBINED CORRIDOR EVALUATION.—The Agreement should also provide for the Commission to consider whether it would be feasible and advisable to combine the power transmission infrastructure and petroleum pipeline systems of other utilities into one corridor with a rail extension of the rail system of Alaska.

(e) REPORT.—The Agreement should require the Commission to report annually to the Congress and the Secretary of Transportation and to the Minister of Transport of the Government of Canada, not later than 3 years after the Commission commences its operation, a report on the results of the study, including the Commission's findings regarding the feasibility and advisability of linking the rail system in Alaska as described in subsection (a)(1) and the Commission's recommendations regarding the preferred route and any alternative routes for the rail segment establishing the linkage.

(f) PROCUREMENT OF SERVICES.—The Agreement should provide for the Commission to begin to function on the date on which all members are appointed to the Commission as provided for in the Agreement.

(g) TERMINATION.—The Commission should be terminated 90 days after the date on which the Commission submits its report under section 306.

(h) FUNDING.—The Agreement should provide for the following:

(1) ESTABLISHMENT.—The establishment of an interest-bearing account to be known as the "Pacific Resources Fund.

(2) CONTRIBUTIONS.—The contribution by the United States and the Government of Canada to the Fund of amounts that are sufficient for the Commission to carry out its duties.

(3) AVAILABILITY.—The availability of amounts in the Fund to pay the costs of Commission activities.

(4) D ISSOLUTION.—Dissolution of the Fund upon the termination of the Commission and distribution of the amounts remaining in the Fund between the United States and the Government of Canada.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to any fund established for use by the Commission as described in subsection (a)(1) $6,000,000, to remain available until expended.

(c) DEFINITIONS.—In this title:

(1) AGREEMENT.—The term "Agreement" means an agreement described in section 303.

(2) COMMISSION.—The term "Commission" means a commission established pursuant to any Agreement.

TITLE IV—PACIFIC CHARTER COMMISSION

OF COMMISSION.

(1) AGREEMENT.—The Agreement should provide for the Commission to study and assess, on the basis of all available information, the feasibility and advisability of linking the rail system in Alaska to the North American continental rail system through the continuance of the rail system in Alaska from its northernmost terminus to a connection with the continental rail system in Canada.

(b) STAFF.—The Agreement should provide for the study and assessment to include the consideration of the following issues:

(A) Railroad engineering.

(B) Land ownership.

(C) Proximity to mineral, timber, tourist, and other resources.

(D) Market outlook.

(E) Environmental considerations.

(F) Social effects, including changes in the use and value of land.

(G) Potential financing mechanisms.

(c) ROUTE.—The Agreement should provide for the Commission, upon finding that it is feasible and advisable to link the rail system in Alaska as described in paragraph (1), to determine one or more recommended routes for the rail segment that establishes the linkage, taking into consideration such factors as access to potential freight markets, environmental matters, existing corridors that are already used for ground transportation, the route surveyed by the Army Corps of Engineers during World War II and such other factors as the Commission determines relevant.

(d) COMBINED CORRIDOR EVALUATION.—The Agreement should also provide for the Commission to consider whether it would be feasible and advisable to combine the power transmission infrastructure and petroleum pipeline systems of other utilities into one corridor with a rail extension of the rail system of Alaska.

(e) REPORT.—The Agreement should require the Commission to report annually to the Congress and the Secretary of Transportation and to the Minister of Transport of the Government of Canada, not later than 3 years after the Commission commences its operation, a report on the results of the study, including the Commission's findings regarding the feasibility and advisability of linking the rail system in Alaska as described in subsection (a)(1) and the Commission's recommendations regarding the preferred route and any alternative routes for the rail segment establishing the linkage.

(f) PROCUREMENT OF SERVICES.—The Agreement should provide for the Commission to begin to function on the date on which all members are appointed to the Commission as provided for in the Agreement.

(g) TERMINATION.—The Commission should be terminated 90 days after the date on which the Commission submits its report under section 306.

(h) FUNDING.—The Agreement should provide for the following:

(1) ESTABLISHMENT.—The establishment of an interest-bearing account to be known as the "Pacific Resources Fund.

(2) CONTRIBUTIONS.—The contribution by the United States and the Government of Canada to the Fund of amounts that are sufficient for the Commission to carry out its duties.

(3) AVAILABILITY.—The availability of amounts in the Fund to pay the costs of Commission activities.

(4) D ISSOLUTION.—Dissolution of the Fund upon the termination of the Commission and distribution of the amounts remaining in the Fund between the United States and the Government of Canada.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to any fund established for use by the Commission as described in subsection (a)(1) $6,000,000, to remain available until expended.

(c) DEFINITIONS.—In this title:

(1) AGREEMENT.—The term "Agreement" means an agreement described in section 303.

(2) COMMISSION.—The term "Commission" means a commission established pursuant to any Agreement.
should 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.

(2) IN GENERAL.—No member of the Commission shall serve without pay.

(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 determination by the Commission that the Commission shall be required for any affirmative determination by the Commission under section 404.

SEC. 302. 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 title.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may request information from any Federal department or agency such information as the Commission considers necessary to carry out this title.

(c) STAFF OF FEDERAL AGENCIES.—The Commission may request information from the agencies.

(d) CONTACTS WITH OTHER ENTITIES.—In performing the functions described in subsections (a) through (c), the Commission should, 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) USE OF INCOME.—Not later than 180 days after the establishment of the Commission, or not later than the end of the

(f) AGENCY OF THE UNITED STATES.—The Commission shall prepare and submit to the President and Congress a report that contains the findings of the Commission, in the case of the initial report, during the period since the date of establishment of the Commission, and in the case of each subsequent report, during the preceding 12-month period. Each such report shall contain—

(1) recommendations for legislative, executive, or other action from the evaluation of policies described in subsection (c);

(2) a description of programs, projects, and activities of the Commission for the prior year or, in the case of the initial report, since the date of establishment of the Commission; and

(3) a complete accounting of the expenditures made by the Commission during the prior year or, in the case of the initial report, since the date of establishment of the Commission.

SEC. 405. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—If established pursuant to section 404, the Commission shall be composed of seven 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 of persons;

(2) are not owners of the beneficial interest in, or the beneficial interest from, sales of, or other property received as gifts, bequests, or devises to be deposited in the Treasury and shall be available for disbursement upon order of the Commission; and

(3) 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) in consultation with the Speaker and Minority Leader of the House of Representatives, the Chairman and ranking member of the Committee on Foreign Relations of the Senate, and the Chairman and ranking member of the Committee on International Relations of the House of Representatives;

(B) on the recommendation of the President, to a port on the East Coast of the United States to be determined by the Secretary.

(2) the Association has named the United States Navy as an additional insured party to the United States, or a location to be determined by the Secretary of the Navy, to a port on the East Coast of the United States to be determined by the Secretary.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the chairman of the Commission, the head of any Federal agency may appoint and fix the pay of such additional personnel, not to exceed 10 individuals, as it considers appropriate.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Chairman, the head of any Federal agency may appoint and fix the pay of such additional personnel, not to exceed 10 individuals, as it considers appropriate.

(e) STAFF OF FEDERAL AGENCIES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

SEC. 406. POWERS OF COMMISSION.

(a) HEARINGS AND INVESTIGATIONS.—The Commission shall have such powers as the Commission shall serve without pay.

(b) STAFF AND SUPPORT SERVICES OF COMMISSION.—The Commission shall, to the extent permitted by law, make recommendations to the Congress for the appointment of a full-time staff of personnel and shall provide such services as the Commission considers necessary to carry out its duties.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the chairman of the Commission, a Federal agency may make available to the Commission such services as the Commission considers advisable to carry out its duties.

(d) MAIL.—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. 407. STAFF AND SUPPORT SERVICES OF COMMISSION.

(a) EXECUTIVE DIRECTOR.—The Commission shall have an executive director appointed by the Commission who shall serve the Commission under such terms and conditions as the Commission determines to be appropriate.

(b) EXPERTS AND CONSULTANTS.—The Commission may, subject to section 408, contract with or appoint experts and consultants to advise and assist in carrying out the provisions of this title.

(c) STAFF AND SUPPORT SERVICES.—The Commission may make such arrangements, or direct support of indigenous governments, agencies, or organizations in areas outside the United States, as the Commission considers appropriate to protect the interests of the United States.

SEC. 503. SENSE OF CONGRESS ON THE AMERICAN UNIVERSITY IN BULGARIA.

(a) FINDINGS.—Congress finds that the American University in Bulgaria—

(1) is a fine educational institution that has received generous and well-deserved financial assistance from the United States Government; and

(2) has a successful track record and is educating a generation of leaders who will shape the future of their own societies.

(b) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the provision of the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the Secretary of the Navy to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(c) LIMITATIONS.—The services authorized by subsection (b) may not be provided except as services unless the Secretary determines that the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the provision of the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the provision of the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the provision of the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the provision of the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the provision of the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.
to providing educational opportunities that is based upon merit rather than solely on the ability of students to bear the entire cost of their education; and

(6) is cost-effective institution of higher learning and offers a high-quality education.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should assist the African and other governments in the Caribbean region to become a self-sustaining institution of higher education in the Balkan region of Europe.

TITLE VI—PAUL D. COVERDELL WORLD WISE SCHOOLS ACT OF 2000

SEC. 601. SHORT TITLE

This title may be cited as the “Paul D. Coverdell World Wise Schools Act of 2000”.

SEC. 602. FINDINGS

Congress makes the following findings:

(1) Paul D. Coverdell was elected to the Georgia State Senate in 1970 and later became Majority Leader of the Georgia State Senate, a post he held for 15 years.

(2) As the 12th Director of the Peace Corps from 1989 to 1991, Paul Coverdell’s dedication to the ideals of peace and understanding helped to shape today’s Peace Corps.

(3) Paul D. Coverdell believed that Peace Corps volunteers could not only make a difference in the countries where they served but that their experience could be felt at home.

(4) In 1989, Paul D. Coverdell founded the Peace Corps World Wise Schools Program to help fulfill the Third Goal of the Peace Corps, “to prevent the spread of malaria and eradicate this disease that kills over one million people annually.

(5) The World Wise Schools Program is an innovative education program that seeks to engage students in an inquiry about the world, themselves, and others in order to broaden perspectives; promote cultural awareness; appreciate global connections; and encourage service.

(6) The world is increasingly interdependent and ever changing, the World Wise Schools Program pays tribute to Paul D. Coverdell’s foresight and leadership. In the words of one World Wise School teacher, “It’s a teacher’s job to touch the future of a child; it’s the Peace Corps’ job to touch the future of the world. What more perfect partnership.”

(7) Paul D. Coverdell served in the United States Senate from the State of Georgia from 1993 until his sudden death on July 18, 2000.

(8) Paul D. Coverdell was beloved by his colleagues for his civility, bipartisan efforts, and his dedication to public service.

SEC. 603. DESIGNATION OF PAUL D. COVERDELL WORLD WISE SCHOOLS PROGRAM

(a) IN GENERAL.—Effective on the date of enactment of this Act, the program under section 18 of the Peace Corps Act (22 U.S.C. 2517) referred to before such date as the “World Wise Schools Program” is redesignated as the “Paul D. Coverdell World Wise Schools Program”.

(b) REFERENCES.—Any reference before the date of enactment of this Act in any law, regulation, order, document, record, or other paper of the United States to the Peace Corps World Wise Schools Program shall, on and after such date, refer to the Paul D. Coverdell World Wise Schools Program.

Mr. GILMAN (during the reading). I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the Senate concurrent resolution (S. Con. Res. 138) expressing the sense of Congress that a day of peace and sharing should be established at the beginning of each year, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

EXPRESSING SENSE OF CONGRESS

That it is the sense of Congress that a day of peace and sharing should be established at the beginning of each year, and ask for its immediate consideration in the House.

Whereas the people of the United States seek to establish better relations with one another and with the people of all countries; and

Whereas celebration by the breaking of bread together traditionally has been the means by which individuals, societies, and nations join together in peace: Now, therefore,

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) each year should begin with a day of peace and sharing during which—

(A) people around the world should gather with family, friends, neighbors, their faith community, or people of another culture to pledge nonviolence in the new year and to share in a celebratory new year meal; and

(B) Americans who are able should match or multiply the cost of their new year meal with a timely gift to the hungry at home or abroad in a tangible demonstration of a desire for increased friendship and sharing among people around the world; and

(2) the President should issue a proclamation each year calling on the people of the United States and interested organizations to observe such a day with appropriate programs and activities.

Mr. GILMAN. Mr. Speaker, I have been delighted to meet over the past several weeks with proponents of this resolution and the movement they represent. Their energy and dedication to the cause of peace is commendable.

The idea of an annual meal with someone of another culture is patently a good one. It should lead, of course, to more such meals
over the course of a year as people throughout the world get to know fellow-humans of other backgrounds.

I hope that Members of our House and of the public will carefully consider the sense of the House and the Senate as expressed in this resolution and if they feel it is appropriate that they then act.

The SPEAKER pro tempore. The question is on the Senate concurrent resolution.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS REGARDING APPROPRIATE ACTIONS OF UNITED STATES GOVERNMENT TO FACILITATE SETTLEMENT OF CLAIMS OF FORMER MEMBERS OF ARMED FORCES AGAINST JAPANESE COMPANIES

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the Senate concurrent resolution (S. Con. Res. 158) expressing the sense of Congress regarding appropriate actions of the United States Government to facilitate the settlement of claims of former members of the Armed Forces against Japanese companies that profited from the slave labor of Japenese during World War II, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate concurrent resolution as follows:

EXPRESSING SENSE OF CONGRESS REGARDING APPROPRIATE ACTIONS OF UNITED STATES GOVERNMENT TO FACILITATE SETTLEMENT OF CLAIMS OF FORMER MEMBERS OF ARMED FORCES AGAINST JAPANESE COMPANIES

Whereas from December 1941 to April 1942, members of the United States Armed Forces fought valiantly against overwhelming Japanese military forces on the Bataan peninsula of the Island of Luzon in the Philippines, thereby preventing Japan from accomplishing strategic objectives necessary for achieving early military victory in the Pacific during World War II;

Whereas after receiving orders to surrender on April 9, 1942, many of those valiant combatants and prisoners of war by Japanese forces were forced to march 85 miles from the Bataan peninsula to a prison-camp at Camp O'Donnell;

Whereas, of the members of the United States Armed Forces captured by Imperial Japanese forces during the entirety of World War II, a total of 36,260 of them survived their capture and transit to Japanese prison-of-war camps to be interned in those camps, and 37.3 percent of those prisoners of war died during their imprisonment in those camps;

Whereas that march resulted in more than 10,000 deaths by reason of starvation, disease, and executions;

Whereas many of those prisoners of war were transported to Japan where they were forced to perform slave labor for the benefit of private Japanese companies under barbaric conditions that included torture and inhumane treatment as to such basic human needs as shelter, feeding, sanitation, and health care;

Whereas the private Japanese companies unprofitably profited from the uncompensated labor cruelly exacted from the American personnel in violation of basic human rights;

Whereas these Americans do not make any claims against the Japanese Government or the people of Japan, but, rather, seek some measure of justice from the Japanese companies that profited from their slave labor;

Whereas they have asserted claims for compensation against the private Japanese companies in various courts in the United States;

Whereas the United States Government has, to date, opposed the efforts of these Americans to receive redress for the slave labor and inhumane treatment, and has not made any efforts to facilitate discussions among the parties;

Whereas in contrast to the claims of the Americans who were prisoners of war in Japan, the Department of State has facilitated a settlement of the claims made against private German businesses by individuals who were forced into slave labor by the Government of the Third Reich of Germany for the benefit of German businesses during World War II: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that it is in the interest of justice and fairness that the United States, through the Secretary of State or other appropriate officials, put forth its best efforts to facilitate discussions designed to resolve all issues between former members of the Armed Forces of the United States who were prisoners of war and companies who profited from their slave labor for the benefit of Japanese companies during World War II and the private Japanese companies who profited from their slave labor;

Mr. GILMAN. Mr. Speaker, this resolution sets out the sense of Congress that the United States Government should support ex-Prisoners of War held by Japan who were slave laborers in their effort to obtain an apology and just compensation for the period they suffered in Japan.

They suffered months of forced labor, beatings, and starvation; many of their fellow-prisoners, of course, did not survive.

As a veteran of the Japanese theater in World War II, I, together with my contemporaries look at our comrades who were held as slave laborers and readily say “there but for the grace of God go I”.

But everyone who values freedom should put themselves in the shoes of those valiant survivors. I am gratified that my friend, the gentleman from California (Mr. HUNTER), has led this fight. What would we ask for in their position?

We are not legislating a solution. We are mounting a prosecution. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

The SPEAKER pro tempore. There was no objection.

Mr. SCOTT. Mr. Speaker, reserving my time, I yield to the gentleman from Florida (Mr. MCCOLLUM) for an explanation of the bill.
Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman very much for yielding.

Mr. Speaker, I am offering a bill tonight, H.R. 2816, the Computer Crime Enforcement Act of 2000, which was introduced by the gentleman from Arizona (Mr. SALMON).

The bill would authorize $25 million in grants to be awarded by the Department of Justice to local law enforcement agencies in order to assist them in combating computer crime. Crime committed by computers is one of the most rapidly growing areas. With ever-innovating computers come new innovations and crimes committed by those computers.

Of course, to fight this crime, law enforcement agencies must have equipment that is equal to that used by criminals and the training to effectively use that equipment. Much of the investigation of this type of crime has been done at the Federal level, but there is simply not sufficient resources for the Federal Government to do all the work.

State and local law enforcement agencies stand ready to investigate these crimes but often the financial resources are lacking to do so. This bill will help address the problem.

According to a recent report released by the FBI and the Computer Security Institute, 32 percent of companies surveyed required assistance from law enforcement agencies in computer crimes, up 17 percent from the prior year. And according to a recent report by the San Francisco Computer Security Institute, nearly a third of U.S. companies, financial institutions and Government agencies and universities say their computer systems were penetrated by outsiders last year.

A recent poll conducted by the Information Technology Association of America found that 61 percent of consumers questioned are less likely to shop over the Internet as a result of a rise in cyber crimes.

Mr. Speaker, we simply cannot allow this type of crime to hinder a robust expansion in this new area of commerce. The bill before us will help put more law enforcement agencies on the trail of these criminals. It will make our business in other commercial activities more secure. And so, I strongly urge support of the bill.

As introduced, it authorizes award of grants from fiscal year 2002 to 2003. Because we are now well into the 2000 fiscal year, the amendment that I offer will start the 4-year authorization in fiscal year 2001.

I want to thank the gentleman from Arizona (Mr. SALMON) for his leadership in introducing this bill. I urge my colleagues to support it.

Mr. SCOTT. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2816

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 "Computer Crime Enforcement Act".

SEC. 2. STATE GRANT PROGRAM FOR TRAINING AND PROSECUTION OF COMPUTER CRIMES.

(a) IN GENERAL.—Subject to the availability of amounts provided in advance in appropriation Acts, the Office of Justice Programs may make grants to each State, which shall be used by the State, in conjunction with units of local government, State and local courts, other States, or combinations thereof in accordance with subsection (b).

(b) USE OF GRANT AMOUNTS.—Grants under this section may be used to establish and develop programs to—

(1) assist State and local law enforcement agencies in enforcing State and local criminal laws relating to computer crime;

(2) assist State and local law enforcement agencies in providing education to the public to prevent and identify computer crime;

(3) educate and train State and local law enforcement officers and prosecutors to conduct investigations and forensic analyses of evidence and prosecutions of computer crime;

(4) assist State and local law enforcement officers and prosecutors in acquiring computer and other equipment to conduct investigations and forensic analysis of evidence of computer crimes, and

(5) facilitate and promote the sharing of Federal law enforcement expertise and information about the investigation, analysis, and prosecution of computer crimes with State and local law enforcement officers and prosecutors, including the use of multi-jurisdictional task forces.

(c) ASSURANCES.—To be eligible to receive a grant under this section, a State shall provide assurances to the Attorney General that the State—

(1) has in effect laws that penalize computer crime, such as criminal laws prohibiting—

(A) fraudulent schemes executed by means of a computer system or network;

(B) the unlawful damaging, destroying, altering, deleting, removing of computer software, or data contained in a computer, computer system, computer program, or computer network; or

(C) the unlawful interference with the operation of or denial of access to a computer, computer program, computer system, or computer network;

(2) an assessment of the State and local resources needed, including criminal justice resources being devoted to the investigation and enforcement of computer crime laws; and

(3) a plan for coordinating the programs funded under this section with other federally funded technical assistance and training programs, including directly funded local programs such as the Local Law Enforcement Block Grant program (described under the heading "Violent Crime Reduction Programs, State and Local Law Enforcement Assistance" in the "Federal Assistance Programs of Commerce, Justice, and State, The Judiciary, and Related Agencies Appropriations Act, 1998" (Public Law 105-112, 115 Stat. 115)), and

(d) MATCHING FUNDS.—The Federal share of a grant received under this section may not exceed 90 percent of the costs of a program or proposal funded under this section unless the Attorney General deems the waiver of all or a part of the requirements of this subsection.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2000 through 2003.

(2) LIMITATIONS.—Of the amount made available to carry out this section in any fiscal year not more than 3 percent may be used by the Attorney General for salaries and administrative expenses.

(3) MINIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantee units within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.25 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands each shall be allocated 0.25 percent.

(f) GRANTS TO INDIAN TRIBES.—Notwithstanding any other provision of this section, the Attorney General may use amounts made available under this section to make grants to Indian tribes for use in accordance with this section.

AMENDMENT OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Mr. Chairman, I offer an amendment.

The Clerk read the amendment as follows:

Amendment offered by Mr. MCCOLLUM: Page 4, line 17, strike "2000 through 2003" and insert the following: "2001 through 2004".

Mr. MCCOLLUM (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

AMENDING CHARTER OF AMVETS ORGANIZATION

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 604) to amend the charter of the AMVETS organization, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. SCOTT. Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for yielding to me on this bill.
Mr. Speaker, H.R. 604 would amend the Federal charter for the American Veterans of World War II, Korea and Vietnam, the AMVETS. At the 1998 AMVETS annual convention, the delegates voted to change the name of the American Veterans of World War II, Korea and Vietnam to American Veterans to more accurately reflect the membership of AMVETS.

AMVETS membership now includes not only veterans from those three wars but also anyone who served honorably at any time in the armed services, national guardsmen and reservists. At that convention, the AMVETS also voted to change the structure of their governing body, H.R. 604 contains language to reflect the structure change in the statute.

Also, because AMVETS moved the location of their headquarters from the District of Columbia to Lanham, Maryland, the headquarters and principal place of business section of their charter needs to be changed to indicate that they are now located in Maryland. In order for these changes to be recognized by the Department of Veterans Affairs, the AMVETS Federal charter must be amended.

There were no objection to the request of the gentleman from Florida.

Mr. SCOTT. Mr. Speaker, 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 Florida?

There was no objection.

The Clerk read the bill, as follows:

H.R. 604

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

SECTION 1. AMENDMENTS TO AMVETS CHARTER.

(a) NAME OF ORGANIZATION.—(1) Sections 22701(a) and 22706 of title 36, United States Code, are amended by striking "AMVETS (American Veterans of World War II, Korea, and Vietnam)" and inserting "AMVETS (American Veterans)."

(b) HEADQUARTERS AND PRINCIPAL PLACE OF BUSINESS.—Section 22708 of such title is amended—

(1) by striking "the District of Columbia" in the first sentence and inserting "the Washington/Baltimore Metropolitan area"; and

(2) by striking "the District of Columbia" in the second sentence and inserting "that metropolitan area";

(2)(A) The heading of chapter 227 of such title is amended to read as follows:

"CHAPTER 227—AMVETS (AMERICAN VETERANS)."

(2)(B) The item relating to such chapter in the table of chapters at the beginning of subtitle II of such title is amended to read as follows:

"227. AMVETS (AMERICAN VETERANS) ........................................ 22701''.

The bill was ordered to be engrossed and printed in the Record.

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

There was no objection.

The Clerk read the title of the Senate bill.

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

Mr. SCOTT. Mr. Speaker, reserving the right to object, I yield to the gentleman to explain the purpose of the bill and his proposed amendment.

Mr. MCCOLLUM. I thank the gentleman for yielding.

Mr. Speaker, S. 2924, the Internet False Identification Prevention Act of 2000, which passed unanimously without opposition on October 31, 2000, concerns something that is very important to us. Over the last several years, Congress has become increasingly aware of the problem of crime committed by persons who use the identity of others to obtain goods and services. In fact, in 1998 Congress passed the Identity Theft and Assumption Deterrence Act of 1998 to toughen our laws against this type of crime.

While the crime of identity theft has entered the Internet Age and it makes important improvements to our laws against the distribution and use of false identification documents. Our current laws unfortunately done little to stop a growing Internet market in every imaginable type of false identification. S. 2924 will put a stop to this widespread distribution of false identification, which can be used to commit identity theft, serious financial crimes, and to facilitate the underground purchase of alcohol and tobacco. The new law will make it clear that it is a crime to transfer false identification documents by electronic means, and that those documents can be in the form of computer files, disks or templates. S. 2924 will also close a loophole in current law that permits manufacturers of false identification documents to escape liability.

I am offering an amendment, in consultation with Senator COLLINS, that addresses several concerns that were raised by the intellectual property community after the bill passed the other body. The amendment deletes the section of the bill that had caused those concerns.

Mr. Speaker, Congress must do all it can to fight this growing incidence of identity thefts and the criminals who use the Internet to make it easy to create false identification documents. S. 2924 will make needed changes to current law. I urge my colleagues to support this bill.

Mr. SCOTT. Mr. Speaker, reclaiming my time, based on the explanation of the bill and the amendment, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2924

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 "Internet False Identification Prevention Act of 2000".

SEC. 2. COORDINATING COMMITTEE ON FALSE IDENTIFICATION.
(a) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall establish a coordinating committee to ensure, through existing interagency task forces or other means, that the creation and distribution of false identification documents is vigorously investigated and prosecuted.
(b) The coordinating committee shall consist of the Secret Service, the Federal Bureau of Investigation, the Department of Justice, the Social Security Administration, and the Immigration and Naturalization Service.
(c) TERM.—The coordinating committee shall terminate 2 years after the effective date of this Act.

(d) REPORT.—
(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury, at the end of each year of the existence of the committee, shall report to the Committees on the judiciary of the Senate and House of Representatives on the activities of the committee.
(2) CONTENTS.—The report referred in paragraph (1) shall include—
(A) a brief factual description of significant investigations and prosecutions; and
(B) a brief factual description of significant investigations and prosecutions; and
(C) specification of the Federal statutes utilized for prosecution; and
(D) a brief factual description of significant investigations and prosecutions; and
(E) specification of the sentence imposed as a result of each guilty plea and conviction.

SEC. 3. FALSE IDENTIFICATION.
Section 1028 of title 18, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (6), by striking "or" after the semicolon,
(B) by redesignating paragraph (7) as paragraph (8); and
(C) by inserting after paragraph (6) the following:
"(7) knowingly produces or transfers a document-making implement that is designed for use in the production of a false identification document; or"
(2) in subsection (b)(1)(D), by striking "(7)" and inserting "(8)";
(3) in subsection (b)(2)(B), by striking "or" after "(7) and inserting "; (7)", or "(8)";
(4) in subsection (c)(3)(A), by inserting ", including the making available of a document by electronic means" after "commerce";
(5) in subsection (d)—
(A) in paragraph (1), by inserting "template, computer file, computer disc," after "impression";
(B) by redesigning paragraph (6) as paragraph (8);
(C) by redesigning paragraphs (3) through (5) as paragraphs (4) through (6), respectively;
(D) by inserting after paragraph (2) the following:
"(3) the term "false identification document" means a document of a type intended or commonly accepted for the purposes of identification of individuals that—
"(A) is not issued by or under the authority of a governmental entity; and
"(B) appears to be issued by or under the authority of the United States Government, a State, political subdivision of a State, foreign government, a State, political subdivision of a foreign government, an international governmental or an international quasi-governmental organization; or
"(C) by inserting after paragraph (6), as redesignated (previously paragraph (5)), the following:
"(5) the term "transfer" includes selecting an identification document, false identification document, or document-making implement and placing or directing the placement of such identification document, or document-making implement on an online location where it is available to others; and"

SECTION 4. REPEAL.
Section 1738 of title 18, United States Code, is repealed.

SEC. 5. EFFECTIVE DATE.
This Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MCCOLLUM
Mr. McCollum. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:
Amendment in the nature of a substitute offered by Mr. McCollum:
Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.
This Act may be cited as the "Internet False Identification Prevention Act of 2000".

SEC. 2. COORDINATING COMMITTEE ON FALSE IDENTIFICATION.
(a) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall establish a coordinating committee to ensure, through existing interagency task forces or other means, that the creation and distribution of false identification documents as defined in section 1028(d)(3) of title 18, United States Code, as added by section 3(2) of this Act is vigorously investigated and prosecuted.
(b) MEMBERSHIP.—The coordinating committee shall consist of the Director of the United States Secret Service, the Director of the Federal Bureau of Investigation, the Attorney General, the Commissioner of Social Security, and the Commissioner of Immigration and Naturalization, or their respective designees.
(c) TERM.—The coordinating committee shall terminate 2 years after the effective date of this Act.
(d) REPORT.—
(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury, at the end of each year of the existence of the committee, shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the activities of the committee.
(2) CONTENTS.—The report referred in paragraph (1) shall include—
(A) the total number of indictments and informations, guilty pleas, convictions, and acquittals resulting from the investigation and prosecution of the creation and distribution of false identification documents; and
(B) a factual description of significant investigations and prosecutions, and
(C) specification of the Federal statutes utilized for prosecution.
MULTIDISTRICT LITIGATION ACT OF 2000

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that the committee on the judiciary be discharged from further consideration of the bill (H.R. 5562) to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The amendment in the nature of a substitute was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

This legislation obviously promotes judicial administrative efficiency without compromising the rights of litigants and their counsel to due process and appropriate compensation. It is strongly endorsed by the Administrators of U.S. District Courts, the Federal Law Enforcement Officers Association, and the Standing Committee on the Judiciary. I urge my colleagues to support it as well.

As a final point, Mr. Speaker, I will shortly offer a technical amendment to the bill based on an observation by counsel for the ranking member. H.R. 5562 as introduced inadvertently references a nonexistent subsection of title 28 of the U.S. Code. The amendment simply strikes this reference.

I might add that this is the last bill that I will offer, be it managed or commented on in this body while I am a Member of Congress. I have enjoyed again working with the gentleman from Virginia (Mr. SCOTT). It has been a great privilege to be a Member of the House, and it has been my support for H.R. 5562.

Mr. Speaker, the bill that is under consideration is wholly consistent with past judicial administrative efficiency and appropriate compensation. It is strongly endorsed by the Administrators of U.S. District Courts, the Federal Law Enforcement Officers Association, and the Standing Committee on the Judiciary. I urge my colleagues to support it as well.

I might add that this is the last bill that I will offer in the House while I am a Member of Congress. I have enjoyed again working with the gentleman from Virginia (Mr. SCOTT). It has been a great privilege to be a Member of the House, and it has been my support for H.R. 5562.

Mr. SCOTT. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

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 “Multidistrict Litigation Act of 2000.”

SEC. 2. MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended—

(1) in the third sentence of subsection (a), by inserting “or ordered transferred to the transferee or other district under subsection (i)” after “terminated”; and

(2) by adding at the end the following new subsection (j):

“(j) Subject to paragraph (2) and except as provided in subsection (i), any action transferred under this section by the panel may be transferred for trial purposes by the judges of the transferee district to whom the action was assigned, to the transferee or other district in the interest of justice and for the convenience of the parties and witnesses.

“(2) Any action transferred for trial purposes under paragraph (1) shall be remanded by the panel for the determination of compensatory damages to the district court from which it was transferred, unless the court to which the action has been transferred for trial purposes also finds, for the convenience of the parties and witnesses and in the interests of justice, that the action should be retained for the determination of compensatory damages.”

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply to any civil action pending on or brought on or after the date of the enactment of this Act.

AMENDMENT OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCollum: Page 2, lines 7 and 8, strike “and except as provided in subsection (i)”.

Mr. MCCOLLUM (during the reading).

I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The amendment was agreed to.
The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4020) to authorize the addition of land to Sequoia National Park, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill. The Clerk read the Senate amendment, as follows:

Senate amendment:
Strike out all after the enacting clause and insert:

SECTION 1. ADDITION TO SEQUOIA NATIONAL PARK

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall acquire by donation, purchase with donated or appropriated funds, or exchange of interest in and to the land described in subsection (b) for addition to Sequoia National Park, California.

(b) LAND ACQUIRED.—The land referred to in subsection (a) is the land depicted on the map entitled “Dillonwood”, numbered 102/80,044, and dated September 1999.

(c) ADDITION TO PARK.—Upon acquisition of the land under subsection (a)—

(1) the Secretary of the Interior shall—

(A) modify the boundaries of Sequoia National Park to include the land within the park; and

(B) administer the land as part of Sequoia National Park in accordance with all applicable laws; and

(2) the Secretary of Agriculture shall modify the boundaries of the Sequoia National Forest to exclude the land from the forest boundaries.

Mr. RADANOVICH (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection. The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection. The Clerk read the bill, as follows:

H.R. 2049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. RENAMING.
The park in Fairfax County, Virginia, established under Public Law 89-671 (16 U.S.C. 284 et seq.) and known as Wolf Trap Farm Park for the Performing Arts, is hereby renamed “Wolf Trap National Park for the Performing Arts”. Any reference to such park in any law, regulation, map, document, paper, or other record of the United States shall be considered to be a reference to the “Wolf Trap National Park for the Performing Arts”.

SEC. 2. USE OF NAME.
The Act entitled “An Act to provide for the establishment of Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes”, P.L. 89-671 (16 U.S.C. 284) is amended by adding at the end the following:

SEC. 3. TECHNICAL CORRECTION.

Any laws, rules, or regulations that are applicable solely to units of the National Park System that are designated as a ‘National Park’ shall not apply to ‘Wolf Trap National Park for the Performing Arts’ nor to any other units designated as a ‘National Park for the Performing Arts’.

SEC. 4. APPLICABILITY OF OTHER LAWS.

Mr. RADANOVICH (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection. The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING HENRY B. GONZALEZ

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 445) honoring Henry B. Gonzalez, former United States Representative from Texas, and extending the condolences of the Congress on his death, 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 California?

There was no objection. The Clerk read the concurrent resolution, as follows:

H. Con. Res. 445

Whereas Henry B. Gonzalez served his Nation and the people of the 20th District of Texas for more than 30 years as Chairman of the Committee on Banking and Housing, having held more than 500 hearings as Chairman of the Committee on Banking and Urban Affairs, having shepherded more than 70 bills from introduction to enactment into law, including landmark legislation to revamp and
rescue the United States savings and loan industry;

Whereas Henry B. Gonzalez focused the attention of the House of Representatives on solving the nation’s most vexing issues: principals in public policy problems, especially the needs of the poor and the powerless, including making affordable housing available to the poor, making college affordable for all, and ensuring that the United States remain a leader in public service, and strengthening civil rights for all Americans;

Whereas Henry B. Gonzalez represents the quintessential American success story by virtue of having become the first American of Mexican descent in Texas history to represent the people of the United States House of Representatives, and one of the first Mexican-Americans to rise to the position of Chairman of a major congressional committee of the House of Representatives;

Whereas Henry B. Gonzalez served his country in World War II in military intelligence, and taught math to veterans and citizens in schools he also taught, encouraged the development of public housing, 2 major medical centers, numerous development projects, and the public laws he authored that brought the Hemisfair ’68 World Fair to San Antonio, thereby making the city a recognized center for international conferences and tourism;

Whereas Henry B. Gonzalez a champion for the downtrodden and the poor (exemplified, among other things, by his 22-hour long filibuster against the bill in the Senate in the 1950’s), consistently brought his skill and passion to bear on behalf of the underprivileged, thereby making our Nation a much better place;

Whereas Henry B. Gonzalez a modest man of great popularity and of a fervently independent character, was awarded the John F. Kennedy Profile in Courage Award for his display of political courage as a leader who acted upon principle throughout his multifaceted career, without fear or favor;

Whereas Henry B. Gonzalez will always remain an enduring symbol of character and political courage;

Resolved by the House of Representatives of the United States of America in the One Hundred Sixth Congress, the first session, at the city of Washington, on December 15, 2000:

That the Congress:

(1) honors the late Henry B. Gonzalez with profound sorrow of the death of the Honorable Henry Barbosa Gonzalez on November 28, 2000, and extends condolences to the Gonzalez family, and especially to his wife Bertha and their 8 children;

(2) expresses its profound gratitude to the Honorable Henry Barbosa Gonzalez and his family for the service that he rendered to his country; and

(3) recognizes with appreciation and respect the Honorable Henry Barbosa Gonzalez’ example of dedication, and the personal efforts he made to enhance the quality of education for all Americans who face discrimination because of their race, gender, or ethnicity. He was one of the last of a generation of legislators, but in his honor and in his memory, none of us should ever forget the valuable lessons he taught us.

Mr. GOODLING. Mr. Speaker, I rise in support of H. Res. 552 offered by the gentleman from Oregon (Mr. Wu). It urges the House to support mentoring and enrichment programs that promote and encourage young people to enter mathematics, science, engineering and technology fields of study. Young people in our Nation are not making the grade when it comes to mathematics and science achievement. Mentoring is one of those ways that we can encourage success in those areas.

I, Mr. Wu, Mr. Speaker, further resolving the right to object, I would just like to say very briefly with respect to this resolution that I have seen the program at the Oregon Graduate Institute work on several occasions. I have worked with the students, I have met with the professors who teach in it, the professionals who teach in it, and I have seen the wondrous things that it can do for young women and young men learning science, mathematics and other technical subjects which are by their nature quite difficult, people from all income ranges and backgrounds. It is a terrific private-public partnership. It is something that we should try to replicate. It is something that we should try to replicate in other places around the country. I urge the Congress on this date has chosen to recognize this program and other similar programs.

Mr. Speaker, I withdraw my reservation of objection.

On a more personal note, I would like to thank the chairman of the House Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. Goodling), for his many kindnesses during my tenure as a member of the United States Congress. I would like to thank him for his great service to this institution, to the Nation and especially to its young people. I wish him well for whatever his future plans are, and I especially appreciate the personal recognition in the committee and in the hallways and byways of this Congress.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. Pease). Is there objection to the request of the gentleman from Pennsylvania? There was no objection.
The amendment to the title was agreed to.
A motion to reconsider was laid on the table.

PAT KING POST OFFICE BUILDING
Mr. GOODLING. Mr. Speaker, I ask unanimous consent of the Committee on Government Reform and Oversight be discharged from further consideration of the bill (H.R. 3488) to designate the United States Post Office located at 69 Third Avenue in Long Branch, New Jersey, as the Pat King Post Office Building, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?
Mr. PALLONE. Mr. Speaker, reserving the right to object, and I will not object, I would like to make some remarks.

Mr. Speaker, I rise in support of H.R. 3488 to name the Long Branch, New Jersey Post Office after a hero, Detective Sergeant Pat King. Long Branch is my hometown and November 20, 1997, was a very sad day for the City of Long Branch. On that day, Officer Pat King was killed by a career criminal from out of state who made his living promoting prostitution and selling drugs. On this particular day, the assailant went gunning for a police officer, an active police officer, and he found Pat King.

Sergeant King was killed because he was simply wearing an officer's uniform. Following the shooting, the assailant went on an hour long crime spree, including a chase and exchange of gunfire that injured other officers. He finally shot himself with a second weapon. Following the shooting, the assailant went on a crime spree, including a chase and exchange of gunfire that injured other officers. He finally shot himself with a second weapon.

Mr. Speaker, my bill, H.R. 3488, named the Long Branch Post Office after Pat King. Officer King, 45 years old at the time, was the most decorated police officer in the history of the City of Long Branch. By passing this bill, this body not only pays tribute to Pat King it honors all 365 police officers across the country who died last year at the hands of vicious criminals.

Mr. Speaker, for a police officer, the mere act of donning a uniform makes him an immediate target for sick and criminal minds. Each call presents dangers and threats that we cannot begin to imagine. It is my hope that in naming the post office after Pat King we will be paying tribute to individuals so dedicated to their fellow human beings that they are willing to die to protect our safety. It is a way to honor bravery and unselfishness at a time when we question whether it still exists and it is a way to remind young people that dedicating a career to helping others is still a path deeply admired by their community.

To Pat's widow, Maureen, and her sons Patrick and Todd, I say that I hope this tribute provides them with
Mr. ROHRABACHER. Mr. Speaker, I am pleased that the Congress has passed S. 3181, the National Moment of Remembrance Act, which calls for the creation of a White House Commission to honor men and women of the United States who have died while in service to their country while defending freedom from enemy attack. In May 2000, both Houses of Congress passed a bi-partisan bill to establish a moment of Remembrance at 3 p.m. on each and every Memorial Day. The concurrent resolution to create a National Moment of Remembrance was introduced by Senator Chuck Hagel, Senator Murray, myself and Congressman John MURTHA.

S. 3181 was authored by Senator Hagel and was passed unanimously in the Senate, while I introduced a similar version in the House. The bill will establish a White House public and private sector commission to organize and coordinate national and local Memorial Day observances to honor the brave men and women who have made the ultimate sacrifice in service to their country.

The National Moment of Remembrance is a symbolic act of unity to bring together Americans of all walks of life to respect our democratic heritage and to dedicate ourselves to the values and principles for which our citizen-soldiers gave their lives. The National Moment of Remembrance and other commemorative events are needed to reclaim the true meaning of Memorial Day.

I commend our House leadership for bringing this Act to the floor. And I am grateful to Senator Hagel and Bob Kerrey for their leadership. I also thank Carmella LaSpada, Chairperson of the No Greater Love organization for initiating the National Moment of Remembrance and encouraging lawmakers to make this Act a reality. I also thank those who crafted the language of this Act: James Dean of the General Services Administration, Carmella LaSpada, Mike Coullier with Senator Hagel and my Special Assistant, Al Santoli, who is a Vietnam Veteran.

Mr. SCOTT. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

NATIONAL MOMENT OF REMEMBERANCE ACT

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that the following be enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.
The United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, shall be known and designated as the "Pat King Post Office Building".

SEC. 2. REFERENCES.
Any reference in a law, map, regulation, document, paper, or other record of the United States to the White House Commission referred to in section 1 shall be deemed to be a reference to the "Pat King Post Office Building".

The bill was ordered to be engrossed and transmitted to the Senate.

LAYING ON THE TABLE HOUSE RESOLUTION 674, HOUSE RESOLUTION 675, HOUSE RESOLUTION 676

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the following be 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 "National Moment of Remembrance Act".

SEC. 2. FINDINGS.
Congress finds that—

(1) it is essential to remember and renew the legacy of Memorial Day, which was established in 1868 to pay tribute to individuals who have made the ultimate sacrifice in service to the United States and their families;

(2) greater strides must be made to demonstrate appreciation for those loyal people of the United States whose values, represented by their sacrifices, are critical to the future of the United States;

(3) the Federal Government has a responsibility to raise awareness of and respect for the national heritage, and to encourage citizens to dedicate themselves to the values and principles for which those heroes of the United States died;

(4) the relevance of Memorial Day must be made more apparent to present and future generations of people of the United States through local and national observances and other commemorative events needed to reclaim Memorial Day as the sacred and noble event that that day is intended to be.

SEC. 3. DEFINITIONS.

(A) ALLIANCE. ÐThe term "Alliance" means the White House Commission on the National Moment of Remembrance established by section 5(a).

(B) EXECUTIVE DIRECTOR AND WHITE HOUSE LIAISON. ÐThe term "Executive Director and White House Liaison" means the Executive Director and White House Liaison appointed under section 10(a)(1).

(C) MEMORIAL DAY. ÐThe term "Memorial Day" means the legal public holiday designated as Memorial Day by section 6103(a) of title 5, United States Code.

(D) TRIBAL GOVERNMENT. ÐThe term "tribal government" means the governing body of an Indian tribe (as defined in section 4 of title 25, United States Code).

SEC. 4. NATIONAL MOMENT OF REMEMBERANCE.
The minute beginning at 3:00 p.m. (local time) on Memorial Day each year is designated as the "National Moment of Remembrance".

SEC. 5. ESTABLISHMENT OF WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBERANCE.

(A) ESTABLISHMENT. ÐThere is established a commission to be known as the "White House Commission on the National Moment of Remembrance".

(B) MEMBERSHIP. Ð(1) COMPOSITION. ÐThe Commission shall be composed of the following:

(A) 4 members appointed by the President, including at least 1 representative of tribal governments;

(B) The Secretary of Defense (or a designee);

(C) The Secretary of Veterans Affairs (or a designee);

(D) The Secretary of the Smithsonian Institution (or a designee);

(E) The Director of the Office of Personnel Management (or a designee);

(F) The Administrator of General Services (or a designee);

(G) The Secretary of Transportation (or a designee);

(H) The Secretary of Education (or a designee);

(I) The Secretary of the Interior (or a designee);

(J) The Executive Director of the President’s Commission on White House Fellows (or a designee);

(K) The Secretary of the Army (or a designee);

(L) The Secretary of the Navy (or a designee).
(M) The Secretary of the Air Force (or a designee).
(N) The Commandant of the Marine Corps (or a designee).
(P) The Executive Director and White House Liaison (or a designee).
(Q) The Chief of Staff of the Army.
(R) The Chief of Naval Operations.
(S) The Chief of Staff of the Air Force.
(T) No other member, the appointment of whom the Commission determines is necess-ary to carry out this Act.

(2) NONVOTING MEMBERS.—The members ap-pointed to the Commission under subparagraph (A) of paragraph (1) shall be nonvoting members.

(3) DATE OF APPOINTMENTS.—All appoint-ments under paragraph (1) shall be made not later than 90 days after the date of enactment of this Act.

(c) TERM; VACANCIES.—

(1) TERM.—A member shall be appointed to the Commission for the life of the Commission.

(2) VACANCIES.—A vacancy on the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(d) INITIAL MEETING.—Not later than 30 days after the date specified in subsection (b) for completion of appointments, the Commission shall hold the initial meeting of the Commission.

(e) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(f) QUORUM.—A majority of the voting members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—
The Commission shall select a Chairperson and a Vice Chairperson from among the members of the Commission at the initial meeting of the Commission.

SEC. 6. DUTIES.

(a) IN GENERAL.—The Commission shall—

(1) encourage the people of the United States to give something back to their coun-tries, which provides them so much freedom and opportunity;

(2) encourage national, State, local, and tribal governments by individuals and enti-ties in commemoration of Memorial Day and the National Moment of Remembrance, includ-ing participation by—

(A) appropriate humanitarian and patriotic organizations;

(B) elementary, secondary, and higher edu-ca-tion institutions;

(C) veterans’ societies and civic, patriotic, educational, sporting, artistic, cultural, and historical organizations;

(D) Federal departments and agencies; and

(E) museums including cultural and his-torical museums; and

(3) provide national coordination for commemora-tions in the United States of Memorial Day and the National Moment of Remem-brance, including—

(i) the production, publication, and dis-tribution of books, pamphlets, films, and other educational materials;

(ii) bibliographical and documentary projects and publications;

(iii) conferences, convocations, lectures, seminars, and other similar programs;

(iv) the development of exhibits for librar-ies, museums, and other appropriate institu-tions;

(v) ceremonies and celebrations commemo-ration specific events that relate to the his-tory of the United States; and

(vi) competitions, commissions, and awards regarding historical, scholarly, artist-ic, literary, musical, and other works, pro-grams, and activities related to commemora-tion of Memorial Day and the National Mo-ment of Remembrance;

(B) recommendations to appropriate agen-cies or advisory bodies regarding the issuance by the United States of commemmo-rative coins, medals, and stamps relating to Memorial Day and the National Moment of Remembrance;

(C) recommendations for any legislation or administrative action that the Commission determines to be appropriate regarding the commemoration of Memorial Day and the National Moment of Remembrance;

(D) an accounting of funds received and ex-pended by the Commission in the fiscal year covered by the report, including a detailed description of the source and amount of any funds donated to the Commission in that fiscal year; and

(E) a description of cooperative agree-ments and contracts entered into by the Commission.

(b) SEC. 7. POWERS.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(2) PUBLIC PARTICIPATION.—The Commis-sion shall provide for reasonable public par-ticipation in matters before the Commission.

(b) INFORMATION FROM FEDERAL AGEN-CIES.—

(1) IN GENERAL.—The Commission may secure from any Federal agency such in-formation as the Commission considers neces-sary to carry out this Act.

(2) PROVISION OF INFORMATION.—On request of the Chairperson or the Executive Director, the head of the agency shall provide the information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the usual manner and under the same conditions as other agencies of the Federal Government.

(d) GIFTS.—The Commission may solicit, accept, use, and dispose of, without further Act of appropriation, gifts, bequests, devises, and donations of services or property.

(e) POWERS OF MEMBERS AND AGENCIES.—Any member or official of the Commission may, if authorized by the Commission, take any ac-tion that the Commission is authorized to take under this Act.

(f) AUTHORITY TO PROCURE AND TO MAKE LEGAL AGREEMENTS.—

(1) IN GENERAL.—Subject to the avail-ability of appropriations, to carry out this Act, the Chairperson or Vice Chairperson of the Commission or the Executive Director and White House Liaison may, on behalf of the Commis-sion—

(A) procure supplies, services, and prop-erty; and

(B) enter into contracts, leases, and other legal agreements.

(g) RESTRICTIONS.—

(1) WHO MAY ACT ON BEHALF OF COMMISSION.—Except as provided in paragraph (1), nothing in this Act authorizes a member of the Commission to procure any item or enter into any agreement described in that para-graph.

(b) DURATION OF LEGAL AGREEMENTS.—A contract, lease, or other legal agreement en-tered into by the Commission may not ex-ceed the date of termination of the Commis-sion.

(c) SUPPLIES AND PROPERTY POSSESSED BY COMMISSION AT TERMINATION.—Any supply, property, or other asset that is acquired by, or the use of which is authorized by, the Commission, remains in the possession of, the Commission shall be considered property of the General Services Administration.

(d) EXCLUSIVE RIGHT OF NAME, LOGOS, EMBLEMS, SEALS, AND MARKS.—

(1) IN GENERAL.—The Commission may de-vise any logo, emblem, seal, or other design-ing mark that the Commission deter-mines—

(A) to be required to carry out the duties of the Commission; or

(B) to be appropriate for use in connection with the commemoration of Memorial Day or the National Moment of Remembrance.

(2) LICENSING.—

(A) IN GENERAL.—The Commission—

(i) shall have the sole and exclusive right to use the name "White House Commission on the National Moment of Remembrance" and any logo, emblem, seal, or descriptive or designating mark that the Commission law-fully adopts; and

(ii) shall have the sole and exclusive right to allow or refuse the use by any other enti-ty of the name "White House Commission on the National Moment of Remembrance" or any logo, emblem, seal, or descriptive or designating mark.

(B) TRANSFER ON TERMINATION.—Unless otherwise provided by law, all rights of the Commission under subparagraph (A) shall be transferred to the Administrator of General Services on the date of termination of the Commission.

(e) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any right established or vested before the date of enactment of this Act.

(f) USE OF FUNDS.—The Commission may, without further Act of appropriation, use funds received from licensing royalties under this section to carry out this Act.

(g) COMMISSION OF APPROPRIATION.—

(h) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or em-ployee of the Federal Government may be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 3351 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Com-mission.

(i) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensa-tion received for the services of the member as an officer or employee of the Federal Gov-ernment.

(j) TRAVEL EXPENSES.—A member of the Commission may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agen-cy under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(k) STAFF.—The Chairperson of the Com-mission or the Executive Director and White House Liaison may, without regard to the
civil service laws (including regulations), appointment and termination such additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) COMPENSATION.—
   (A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the Executive Director and White House Liaison and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

   (B) MAXIMUM RATE OF PAY.—The rate of pay for the Executive Director and White House Liaison and other personnel shall not exceed the rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(d) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—
   (1) IN GENERAL.—In addition to the details under paragraph (2), on request of the Chairperson, or the Vice Chairperson, or the Executive Director and White House Liaison, an employee of any agency under subchapter I of chapter 57 of title 5, United States Code, may be detailed to the Commission without reimbursement.

   (2) DETAIL TO THE DEPARTMENT OF DEFENSE.—The Secretary of Defense may detail to the Commission without reimbursement any officer or employee of the Department of Defense.

   (3) DETAIL TO OTHER DEPARTMENTS AND AGENCIES.—The Commission may detail to the Commission without reimbursement any officer or employee of any other Federal agency.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

   (2) the date that is 10 years after the date of enactment of this Act.

(f) COOPERATIVE AGREEMENTS.—

   (1) IN GENERAL.—The Commission may enter into a cooperative agreement with another entity, including any Federal agency, State or local government, or private entity, under which the entity may assist the Commission in—

      (A) carrying out the duties of the Commission under this Act; and

      (B) distributing to the public awareness of and interest in Memorial Day and the National Moment of Remembrance.

   (2) ADMINISTRATIVE SUPPORT SERVICES.—On the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, any administrative support services and any property, equipment, or services that the Commission determines to be necessary to carry out this Act.

   (g) SUPPORT FROM NONPROFIT SECTOR.—The Commission may accept program support from nonprofit organizations.

SEC. 9. REMEMBRANCE ALLIANCE.

(a) ESTABLISHMENT.—There is established the Remembrance Alliance.

(b) COMPOSITION.—

   (1) MEMBERS.—The Alliance shall be composed of individuals, appointed by the Commission, that are representatives or members of—

      (A) the print, broadcast, or other media industry;

      (B) the national sports community;

      (C) the recreation industry;

      (D) the entertainment industry;

      (E) the retail and wholesale trade industry; 

      (F) the food industry;

      (G) the health care industry;

      (H) the transportation industry;

      (I) the education community;

      (J) national veterans organizations; and

      (K) families that have lost loved ones in combat.

   (2) HONORARY MEMBERS.—On recommendation of the Alliance, the Commission may appoint honorary, nonvoting members to the Alliance.

(c) MEETINGS.—The Commission shall conduct meetings in accordance with procedures approved by the Commission.

(d) COMPENSATION.—The Commission may fix the term of appointment for members of the Alliance.

(e) ALLIANCE PERSONNEL MATTERS.—

   (1) COMPENSATION.—A member of the Alliance shall serve without compensation for the services of the member to the Alliance.

   (2) TRAVEL EXPENSES.—A member of the Alliance may be allowed reimbursement for travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(f) TERMINATION.—The Alliance shall terminate on the date of termination of the Commission.

SEC. 10. EXECUTIVE DIRECTOR AND WHITE HOUSE LIAISON.

(a) APPOINTMENT.—

   (1) IN GENERAL.—The Director of the Committee Management Secretariat Staff of the General Services Administration shall appoint an individual as Executive Director and White House Liaison.

   (2) APPOINTMENT TO CERTAIN CIVIL SERVICE LAW.—The Executive Director and White House Liaison may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(b) DUTIES.—The Executive Director and White House Liaison shall—

   (1) serve as a liaison between the Commission and the President; and

   (2) serve as chief of staff of the Commission.

(c) COMPENSATION.—The Executive Director and White House Liaison may be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall audit, on an annual basis, the financial transactions of the Commission (including financial records, reports, files, and other papers, items, or property) in accordance with generally accepted auditing standards.

(b) MEETING ACCESS.—The Commission shall ensure that the Comptroller General, in conducting an audit under this section, has—

   (1) access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as necessary to facilitate the audit; and

   (2) full ability to verify the financial transactions of the Commission, including access to any financial records or securities held for the Commission by depositories, fiscal agents, or custodians.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

The amounts authorized to be appropriated to carry out this Act, to remain available until expended—

   (1) $500,000 for fiscal year 2001; and

   (2) $250,000 for each of fiscal years 2002 through 2009.

SEC. 13. TERMINATION.

The Commission shall terminate on the earlier of—

   (1) a date specified by the President that is at least 2 years after the date of enactment of this Act; or

   (2) the date that is 10 years after the date of enactment of this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SCOTT asked and was given permission to speak out of order for 1 minute and to revise and extend his remarks.)

THANKS TO EDWARD PEASE FOR HIS DISTINGUISHED SERVICE

Mr. SCOTT. Mr. Speaker, I ask for the time just to the house, including access to acrimony in the manner in which he has presided today and on previous days. Much has been made about the acrimony of the House of Representa-

atives, and I can say that if more Members believed as the Speaker has in the honorable and distinguished way that he has conducted his legislative affairs, very little would have been heard about acrimony.
So I want to join the gentleman from California in thanking the Speaker for his fine service.

COMMENDING PRESENT ARMY NURSE CORPS FOR EXTENDING EQUAL OPPORTUNITIES TO MEN AND WOMEN

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that the Committee on Armed Service be discharged from further consideration of the resolution (H. Res. 476) commending the present Army Nurse Corps for extending equal opportunities to men and women, and recognizing the brave and honorable service of the men and women who have served in the Army Nurse Corps and as Army hospital corpsmen.

From the earliest days of this great country, whenever our army was needed, nurses have served. During the Revolutionary and Civil Wars and other times of need, nurses have been there with the soldiers.

Congress officially established the U.S. Army Nurse Corps on February 2, 1901, with 202 nurses serving on active duty. During World War II, the Corps swelled to over 59,000 nurses, all of whom served their country valiantly and honorably.

Indeed, Army Corps Nurses received 1,619 medals, citations, and commendations during World War II, reflecting their courage and dedication. Sixteen medals were awarded posthumously to nurses who died as a result of enemy fire. These included the 6 nurses who died at Anzio, 6 who died when the Hospital Ship Comfort was attacked by a Japanese suicide plane, and those who died in Korea.
the dedicated and honorable service they rendered to the United States and the Marine Corps; and

(4) recognizes with appreciation and respect the loyalty and sacrifice their families have demonstrated in support of the Marine Corps.

SEC. 2. The Clerk of the House of Representatives will transmit an enrolled copy of this resolution to the Commandant of the Marine Corps and to the families of each member of the Marine Corps killed in the accident referred to in the first section of this resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. Pease). The Chair is prepared to move to special orders, but without prejudice to resumption of legislative business.

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.

TRIBUTE TO THE LATE BISHOP JAMES T. MCHugh

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Smith) is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, today a great man of God, a brilliant writer of homilies and incisive commentary, an extraordinary humanitarian, a courageous defender of human life, Bishop James T. McHugh—was buried.

After a long battle with cancer, Bishop McHugh passed away on December 10th. Consistent with how he lived his life, Bishop McHugh faced death like he faced life—with courage, dignity and an unwavering faith that inspires us all.

Prior to his assignment at Rockville Center, New York, Bishop McHugh served with dedication and effectiveness as Bishop of the Diocese of Camden, New Jersey, and area which borders my district.

Mr. Speaker, I have had the privilege of knowing this holy man of God and calling him "friend" for over 25 years. By his words and extraordinary example, Bishop McHugh lived the Gospel of Jesus with unpretentious passion and humility. Bishop McHugh radiated Christ. He recognized evil and deceit in the world for what it was, yet he never ceased to proclaim reconciliation and renewal through Christ, the Sacraments and the Church.

Clearly among the best, brightest and most wise, Bishop McHugh nevertheless was humble and soft-spoken. His courage to press on against any and all odds was without peer. He was a spiritual giant, and we will miss him dearly.

A graduate of Seton Hall University and the Immaculate Conception Seminary in Darlington, New Jersey, Bishop McHugh began his pastoral ministry to the Church early in his life. Ordained in 1957, Bishop McHugh's impact has been felt in countless ways. His constant and unwavering defense of the unborn will serve as a pillar of strength to all of us who carry on the fight for life.

At the time of his death, Bishop McHugh was a member of the U.S. Bishops' Committee on Pro-Life Activities, as well as a consultant to the Pontifical Council on the Family. His dedication to the family and the pro-life movement knew no bounds, and his representation of the Vatican at international meetings at the United Nations on population control and pro-life matters served not only as an inspiration for myself and many others, but he upheld the convictions and beliefs of the church and believers worldwide, and did it with great distinction.

Bishop McHugh's courage and convictions could not have been more evident, again, as he entered his final days in life. He spoke up on behalf of all of those who are disenfranchised and possessed. Again, he preached reconciliation and love. I ask that we all remember him.

Mr. Speaker, today, a great man of God, a brilliant writer of homilies and incisive commentary, an extraordinary humanitarian, a courageous defender of human life, Bishop James T. McHugh—was buried.

After a long battle with cancer, Bishop McHugh passed away on December 10th. Consistent with how he lived his life, Bishop McHugh faced death like he faced life—with courage, dignity and an unwavering faith that inspires us all.

Prior to his assignment at Rockville Center, Bishop McHugh served with dedication and effectiveness as Bishop of the Diocese of Camden, New Jersey, and area which borders my district.

Mr. Speaker, I have had the privilege of knowing this holy man of God and calling him "friend" for over 25 years. By his words and extraordinary example, Bishop McHugh lived the Gospel of Jesus with unpretentious passion and humility. Bishop McHugh radiated Christ. He recognized evil and deceit in the world for what it was—yet he never ceased to proclaim reconciliation and renewal through Christ, the Sacraments and the Church.

Clearly among the best, brightest and most wise, Bishop McHugh nevertheless was humble and soft-spoken. His courage to press on against any and all odds was without peer. He was a spiritual giant, and we will miss him dearly.

A graduate of Seton Hall University and the Immaculate Conception Seminary in Darlington, New Jersey, Bishop McHugh began his service to the Church early in life. Ordained in 1957, Bishop McHugh's impact has been felt in countless ways. His constant and unwavering defense of the unborn will serve as a pillar of strength to all of us who carry on the fight for life.

At the time of his death, Bishop McHugh was a member of the US Bishops' Committee on Pro-Life Activities as well as a consultant to the Pontifical Council on the Family. His dedication to the pro-life movement knew no bounds, and his representation of the Vatican at international meetings at the United Nations on population control and pro-life matters served not only as an inspiration for myself, but upheld the convictions and beliefs of the Church and believers worldwide.

Bishop McHugh's courage and convictions could not have been more evident than just recently, when he ordered that no public officials or candidates who supported abortion be permitted to appear at Catholic churches. Although Bishop McHugh was criticized by the media, he was upheld in high regard by those of us who hold that all human life is precious. Bishop McHugh held strong to clear Christian teaching on the sanctity of human life and the duty of all men and women of goodwill, especially politicians, to protect the vulnerable from the violence of abortion.

Early in his career, Bishop McHugh worked on staff of the National Conference of Catholic Bishops and was named director of the Division for Family Life in 1967 and director of the U.S. Bishops' Committee on Pro-Life Activities in 1972. Bishop McHugh did advanced theological studies at the Angelicum in Rome and earned his doctorate in sacred theology in 1981.

Bishop McHugh must be commended for this outstanding work as Vatican delegate to numerous international conferences, including the 1974 International Conference on Population in Bucharest, Romania, the 1980 UN World Conference on Women in Copenhagen, Denmark; the 1984 UN World Population Conference in Mexico City; the 1990 World Summit for Children in New York; the 1992 International Earth Summit in Rio de Janeiro, Brazil, and the 1994 International Conference on Population and Development in Cairo, Egypt.

SUPREME COURT'S DECISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mrs. Mink) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I feel compelled to note my strong objection to the U.S. Supreme Court's decision on the matter of the State of Florida's recount of undercounted ballots in the November 7th, 2000 Presidential election. I believe that it was wrong for the U.S. Supreme Court to overrule the decision rendered by the Supreme Court of Florida in a matter that was strictly within the law and purview of the law of the State of Florida.

The principles of equal protection of the law have never required the U.S. Supreme Court to intervene to provide uniformity in the form of the ballot, within a state or among the states, nor has it required uniformity in the method used to tally the votes cast.

The State of Florida as elsewhere in the country has allowed each county or similar political subdivision to determine on its own the form of the ballot, and the manner of machine or handcount that is to be used.

If standards or requirements of uniformity are needed to conform to equal protection requirements, then all ballots and all counts in
Florida are null and void. There were no standards and certainly no uniformity in how the counts were established by initio.

The Court examined the recount process in an effort to find some way to invalidate what the Florida court had ordered.

Had the Supreme Court been interested in making every vote count in Florida, it could have easily remanded the case back to the Florida Supreme Court, established the uniform standard to be used, and allowed the count to proceed.

Instead, in remanding the matter to the Florida Supreme Court it noted that the time had run out.

There was no basis for the U.S. Supreme Court's ruling that December 12 was an absolute deadline. If it had to rely on a deadline why not December 18. It didn't use December 18 because that would have allowed enough time for the recount to have been completed.

Even December 18 is not a real definite. In 1960, Hawaii Democrats went to court to ask for a recount, after the Lt. Governor had certified the results of the Presidential election. The Governor then ordered a statewide recount which took until December 27 to complete. It was not transmitted to Washington, D.C. until early January. When the Joint Session met on January 6, 1961, there were three certifications on the Speaker's desk. One sent from Hawaii on November 28, the one announced by the electors on December 19, and the one sent by the Court after the recount.

On election night 1960 Hawaii throught that Kennedy had won by 92 votes. The next morning the "final" tabulation had Nixon winning by 142 votes. After the court ordered recount Kennedy was ahead by 115 votes.

Vice President Nixon preserved over the Joint Session on January 6, 1961 and declared that Kennedy had won Hawaii.

As Justice Stevens noted in his dissent, the Hawaii court ordered recount took precedence over the State's Lt. Governor's certification done pursuant to state law, and even took precedence over the electors announced vote on December 18.

In the Hawaii case, December 12, and December 19 were not regarded as deadlines that would interfere with the state Judiciary's power and responsibility to make sure that all of the votes were properly counted. The Republican Governor William Quinn, the Republican Lt. Governor James Kealoha, and the Republican United States Senator Hiram Fong agreed that Kennedy had indeed carried the state of Hawaii in the 1960 Presidential election.

I see no justification for the U.S. Supreme Court's interference in the 2000 presidential election.

Florida could have taken until December 31st to recount all of its ballots. The December 12th deadline was arbitrary.

The people of America have been cheated of a full and fair outcome.

I especially resent those who asked that Vice President Gore not contest the outcome in Florida. Without Florida he was the clear winner. He had won 267 electoral votes. Bush only had 246 votes without Florida. In addition Gore had won the nationwide popular vote as well. Gore had the duty to defend the outcome, not at whose behest, but as the voters all across the country had determined. He had no right to concede the outcome without a fierce defense. It was not his to concede. Fifty million voters had expressed their will. A Florida recount was needed to validate their choice.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

(Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMkus) is recognized for 5 minutes.

(Mr. SHIMkus addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

(Mr. ROHRABACHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE INSPIRATION OF THE U.S. CAPITOL, AND ITS LESSONS FOR THE NEXT GENERATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. McCOLLUM) is recognized for 5 minutes.

Mr. McCOLLUM. Mr. Speaker, last evening I looked out upon this Capitol from my office window in the Rayburn Building. The Capitol dome was lighted. It was a cool evening. The flags were flying, and the lights were on the Capitol dome.

I paused to look about 10 p.m. because I thought that was going to be my last evening in office as I retire from this United States House of Representatives. I had virtually cleaned out my office. I just sat there for a few minutes, having a very beautiful view of this Capitol.

It occurred to me that we often look at the Capitol, but we do not see it. As Members of Congress, we are often in another world in our minds, doing things of the people's work that we should be doing, making decisions and doing all the things we are involved with. Very often we do not get off the train and smell the roses and really look around us. It is difficult to do, living these busy lives that we do.

But our Capitol represents that which is the greatest in America. It represents the history of this Nation, the greatest free nation in the history of the world. It represents and symbolizes lots of things.

It is a wonderful piece of architecture. Those of us who have had the privilege of taking the architect's tour and taking constituents to the top of the dome know it intimately from that standpoint.

But just looking at it from the outside, and looking at its intricate work, those mechanisms, makes us in awe of it as a building and a structure, and realizing that structure was conceived years and years ago before we had all of the modern technology we have today.

It is far more than an architectural structure, it is a symbol of this great free Nation. It is, like our Constitution and our Bill of Rights, a part of our heritage. We have this greatest free Nation because we had Founding Fathers with the wisdom to adopt a Constitution and the Bill of rights that protect us from government, that require government to be closest to the people in the States and local communities, where they can, and have a Federal or central government only to do those things of national security and matters which really cannot be done by an individual one of the 50 States.

We have also a check and balance system, where the legislative branch, the executive branch, and the judicial branch of governments work together in harmony to produce outcomes that sometimes, upon their initial appearances, look messy, untidy, and difficult, but they are not. They are actually things that can resolve, because of those mechanisms, great crisis problems in ways that do not involve bloodshed, that do not involve riot in the streets, that simply involve a serious debate and serious consideration; in ways that engage the American public in a democratic fashion.

We just witnessed one of those great moments in our history: a presidential election that went on for days after the balloting, in which we had lots of partisan views and personal opinions, and engaged the American people.

Some thought that the election should have been resolved sooner; some thought it should have gone on beyond the Supreme Court decision of this past few days. But the reality is that our system worked. The beauty of it is that our Founding Fathers’ gift to us has indeed shown forth again in bringing about in a fashion that our republic is proud of the resolution of the issue of who will be the next president of the United States and the next Vice President, George W. Bush and Richard Cheney.

I am honored to have served in this body, to have been a Member over the last 20 years of this House of Representatives; to have been party to a small piece of history for events that have unfolded here in my time.

During that tenure lots of things have happened: We have seen the end of the Cold War. We have seen the fall of the Berlin Wall. We have seen the balancing of the Federal budget. We have seen the advent of the age of the Internet. We have seen vast changes in our lives.
But it is the future to which we should turn. It is to the next generation. It is to the children who are in school today that we will look to leadership. I would remind them that there is no finer place to look than in history and in the Constitution, and I say that this Capitol represents, and to the structures that were set up by our Founding Fathers.

Learn discipline, learn history, study great literature, get a good education, and participate in government. Participate in the party. Whether that is serving for office oneself, or simply getting out and voting and encouraging others to get out and vote, or working in campaigns. But show that interest.

Learn, study, do what others who have going before you have done, and be interested enough to protect these freedoms, protect our structure, protect the strongest military in the world to keep America safe while we are strong, and to protect these institutions that are valuable, so our children and grandchildren for years to come will be able to have these great freedoms that were given to us.

Again, it has been my great privilege to have served the U.S. House of Representatives and the people of this Nation in this office. As I leave tonight and say farewell in my last moment on the House of Representatives floor, I want to thank all that I have served with, both the Members and the staff and those who are here tonight, those who work in the U.S. House, work on the floor of this House, work in the cloakrooms of both parties. We owe a debt of gratitude. I want to thank those people.

It has been a great privilege. It will be a great honor to look from the outside as a private citizen and watch the workings of this body, for I know not only what a great institution this is, but what a great institution it will continue to be because of the people who have served, because of that interest served, and because our young people, generation after generation, will continue to revitalize our system of government and make this continue to be the greatest free nation in the history of the world.

THE INDIAN AMERICAN FRIENDSHIP COUNCIL AND STRENGTHENING INDIA-AMERICA TIES

The SPEAKER pro tempore. 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, I just want to take some of the time this evening before I yield to my colleague, the gentleman from California (Mr. SHERMAN), to talk about the activities of the Indian American Friendship Council.

I noticed that the previous speaker, and I guess he is now in the Chair, wanted to say that the gentleman from Florida (Mr. MCCOLLUM) who is now presiding over the House of Representatives as the Speaker was, with myself, the founder of the Indian American Caucus and the Indian American Friendship Council which the gentleman (Mr. SHERMAN) and I are about to talk about, and worked very closely with the Congressional Caucus on India and Indian-Americans from the beginning when it was founded to try to bring the United States and India closer together, and to address some of the concerns and issues that the Indian-American community had here in the United States.

One of the accomplishments that the gentleman from Florida (Mr. MCCOLLUM) made, and I am sure he is very proud of, is the fact that the Congressional Caucus on India and Indian-Americans has grown now. It is actually the largest caucus in the House of Representatives. The gentleman’s involvement in it from the very beginning was a very important part of its success.

Let me say that not only do I appreciate the gentleman’s contribution, but I know that the Indian-American community appreciates it very deeply.

Whenever I go to any event whether there is an Indian-American community, they constantly make reference to the fact that the caucus has been successful, what we have accomplished, and talk about the various things we have done.

I just wanted to pay tribute to the gentleman as well this evening on another aspect of the many things the gentleman did during his career here in the House of Representatives.

Let me say, the reason that the gentleman from California (Mr. SHERMAN) and I are talking specifically about the Indian American Friendship Council is because this session of Congress, which will close this evening in the House, I think was one of the most successful Congresses in terms of trying to bring the United States and India closer together, and making not only our colleagues in the government but I think the American people in general aware of the need to increase warm relations between the United States and India.

When I was about to get up this evening and mention the contributions that the Indian American Friendship Council, and I looked on their website, I noticed that the lead theme, if you will, was “Bridging the world’s two greatest democracies.” That is what the Friendship Council is all about, trying to bring the world’s two greatest democracies together.

Over the 7 or 8 years that now we have had the Congressional Caucus on India and Indian-Americans, I think we have accomplished a lot in that regard. If I go back 20 years, at that time many people I think worth in India and in the United States thought of the two countries as not only not partners, but maybe even I would not say enemies, certainly, but maybe on opposite sides of the fence on many issues, whether it was the economy or the development of trade or security issues, or whatever.

Certainly over that last 7 or 8 years we have accomplished a lot to change that. So the Indian American Friendship Council has played a role.

I wanted to give particular thanks this evening to Dr. Krishna Reddy, the founder and still the president of the Friendship Council. One of the things that Members of Congress on both sides of the aisle certainly cannot forget is that every year in the summer, usually I think it is in July, the Indian American Friendship Council has a big event, basically a conference, which concludes with a banquet in the evening where many Members of Congress participate.

I think there is more participation by Members of Congress in that conference and in that banquet than any other event put on by the Indian-American community here in Washington.

□ 1945

It is because Dr. Reddy and the people involved in the Indian American Friendship Council who really go out of their way to make it clear that Congressmen and Senators are important, and the only way that we can accomplish the goals of bringing the United States and India closer together is by having the community work with Congress and work with their Members of Congress to accomplish that goal and basically say what their concerns are.

I went through again the Web site of the Friendship Council, and I saw a list of about 10 goals that the Friendship Council tries to achieve, and every one of these is, I think, very significant in terms of U.S.-India affairs, as well as the role of the Indian American community.

I just wanted to, if I could, very quickly look at these. The goals basically say, and the first one is to forge better overall ties with an emerging power that is the world’s largest democracy, better ties within the United States and India. That is in general.

Second, to give concrete expression to our shared democratic values and our interests in strengthening evolving democracies. What they mean by that is that the council has played a major role in getting the Indian American community involved, not just in the community, but involved in civic affairs, whether that means registering to vote, getting out to vote, or working for candidates, or lobbying in a positive way in Washington or a State capital for candidates.

The third goal is to urge Indian progress towards global nonproliferation and security norms; very important, and not an easy task, because we know that with the detonating of nuclear weapons, the testing, we should say, nuclear weapons in India a few years ago, there was a major concern about whether India will continue on the path towards nonproliferation.
The council has made it clear that that is the path that both the Indian government, the U.S. Government and all governments should proceed down. Nonproliferation is a goal. I commend the Friendship Council for having that goal.

Fourth is to maximize our partnership and trade investment and information technology exchanges with one of the world’s largest economies, and one of the West’s largest middle classes. We do not even need to comment on that one. Obviously, there has been a tremendous growth in trade between our two countries. There are tremendous opportunities in the information technology field. Indian Americans have played a major role obviously in the information technology field here in the United States as well as in India.

Next is to broaden and deepen our relations with the world class Indian population in the area of information technology. Again, we have explained that, and, furthermore, to enhance our joint efforts on urgent global issues including terrorism and narcotics.

When Mr. Clinton went to India in March, and in that historic visit, which the council had been urging for a long time and Dr. Reddy had been preparing the way for for a long time, one of the major issues that was addressed was terrorism. And it was also addressed when Prime Minister Vajpayee came here to the United States before the House of Representatives in September, and significant progress has been made between the two countries in the goal of trying to get rid of or trying to address international terrorism.

And another goal was to team up to protect the global environment with clean energy and other initiatives where Indian leadership is essential. When I was in India with the President in March, we made some major progress with regard to environmental concerns.

We were at a hotel next to the Taj Mahal when an agreement was signed between the United States and India to try to improve the environment, to improve access to energy. And, again, the Friendship Council had been in the forefront of trying to stress the environmental and energy needs and the fact that our two countries, one, the United States, being the leader in the developed world and the other, India, being a leader in the developing world on these environmental and energy issues.

Finally is to join hands in the global campaign against polio, HIV/AIDS and other public health problems. Dr. Reddy, himself, is a dentist. He is very concerned about public health. He has been active in the Indian government and by other organizations here in the United States, because of his concern, his public health concerns; and obviously, this is another area where the Friendship Council has been playing a major role and many members of the Indian caucus have taken the leadership in trying to improve the public health environment in India.

Let me just say that I just want to conclude my portion, if you will, of the Special Order by saying that I really admire the work of Dr. Reddy and the Indian American Friendship Council. I know that many of my colleagues do. This is an American organization that works with Democrats and Republicans and certainly will continue to do the excellent job they do in the next Congress.

Mr. Speaker, I yield the balance to the gentleman from California (Mr. SHERMAN).

THE INDIAN AMERICAN FRIENDSHIP COUNCIL AND STRENGTHENING INDIA-AMERICA TIES

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker’s announced policy of January 6, 1999, the gentleman from California (Mr. SHERMAN) is recognized for the remainder of his time and the minority leader’s hour.

Mr. SHERMAN. Mr. Speaker, it has been a pleasure to work with the gentleman from New Jersey (Mr. PALLONE) on strengthening the ties between the United States and Israel.

I want to express in praising the Indian American Friendship Council and discussing how important U.S.-India relations are for the people of the United States and the important work of the Indian-American Friendship Council in strengthening those ties.

Mr. Speaker, just a few years ago, half a billion Indians went to the polls to choose a new parliament, five times as many people who participated last month in the U.S. Presidential election. Frankly, a higher level of participation in democracy than we enjoy here in the United States.

India has demonstrated to the world that democracy is not just a system of government for the developed world, but, in fact, is a system of government that can work anywhere. Where else in the world would democracy face such incredible challenges? A Nation of a billion people, perhaps the most ethnically and religiously diverse nation on the face of the earth, with one democratically elected parliament.

India has surprised the world, not only with its ability to maintain and strengthen its democratic institutions but also with its economic growth. It serves as a model to the entire world.

The Indian American community has also served as a model. It is now the most highly educated of all of America’s ethnic groups. Forty years ago, there were 35,000 Indo-Americans. Today, there are 35,000 Indo-American physicians, not to mention the tens of thousands of Indo-Americans who are in the various other professions who have succeeded in business, particularly information technology and who have participated in the cultural and political life of this country.

Clearly strengthening ties between India and the United States is an important mission, and no organization performs that mission to a greater degree and with more finesse and capacity than the Indian-American Friendship Council.

The Indian-American Friendship Council has prominent chapters in networking groups, in many cities and many Indian-American communities and other supporters of the U.S.-India relationship and elected Members of the Congress.

Mr. Speaker, not only does the Indian-American Friendship Council serve as a bridge to those who serve in Congress, but it also serves as a bridge to the State Department and the other departments involved in international economic and diplomatic policy of this country.

I am particularly proud of Dr. Krishna Reddy, the founder of the Indian-American Friendship Council, who I am proud to say is a Southern Californian. So while the gentleman from New Jersey (Mr. PALLONE) has accomplished much in Indo-American relationship, he cannot claim that his region is the home of Dr. Reddy, whereas we, in Southern California, can.

In a speech that in mind and knowing of all the gentleman has done for the U.S.-India relationship and to support the Indian-American Friendship Council, I would at this point, yield to the gentleman from New Jersey (Mr. PALLONE), for any parting words about the importance of the Indian-American Friendship Council.

Mr. PALLONE. Mr. Speaker, I thank the gentleman from California (Mr. SHERMAN), and I agree that I cannot lay claim to Dr. Reddy, because he is from this State of New Jersey. But I will say that about a year or two ago, Dr. Reddy started a chapter of the Indian-American Friendship Council in New Jersey.

They are now very active, and I have been to some of their meetings where there were maybe 200 or 300 people, and so even though he is from California, his name and his activities have now spread to my great State as well.

Mr. SHERMAN. Mr. Speaker, I am glad to see that Southern California is spreading wisdom to the far shores of New Jersey.

Mr. Speaker, I want to commend the gentleman from New Jersey (Mr. PALLONE), who has been here long before I was involved in the India Caucus and in strengthening ties between the world’s richest democracy and the world’s largest democracy.

Issues that we need to confront to avoid constitutional crisis of coming decades. Mr. SHERMAN. Mr. Speaker, I would like to begin the speech I had planned to give tonight.

Mr. Speaker, you have been here on many occasions when I have addressed...
the House late at night, and this is the last speech of the 106th Congress, as I understand it, the last three quarters of an hour which you will be presiding over this House.

I wish the gentleman tremendous luck and good fortune as the gentleman leaves this House. I want to thank the gentleman for his service to this House and to this Nation, and particularly his service as a presiding officer over this House, which he has done so many times.

Mr. Speaker, I especially want to thank you in advance for your indulgence during the next three quarters of an hour.

I also want to thank the House for this opportunity to address the House in the closing minutes of the 106th Congress and take this opportunity to wish all of my colleagues happy holidays and a happy and productive new year.

Mr. Speaker, we come to the end of the 106th Congress. And we come to the conclusion of the selection of the 43rd President of the United States, perhaps more in exhaustion than in glee, having severely tested our constitutional structure. When we come back next year, we need to do so in the spirit of bipartisanship. And I think it is just so. It, we need to address some of the issues as to which there is no Democrat policy, no Republican policy, but issues that go to the structure of our democracy, issues that we need to confront now. The Constitution is one of these issues that we need to confront now.

I have been asked who could have imagined these problems and hundreds of others.

We simply need to look at the technical mechanisms for our government, for our Constitution. And for our democracy in order to identify those issues that could present crisis in the future.

Now, there are a variety of different kinds of problems this country faces as to which Members of Congress are not to be expected to have in-depth expertise. In my own State, there are tremendous problems dealing with the general fire and distribution of electric power. And few Members of the State legislature of this Congress have in-depth expertise or experience in matters of electric power; but when it comes to government and politics and voting, that is the one area where we are experts. It is time that we turn that expertise to making sure that all of the foreseeable problems that could go to the structure of our government are given attention and hopefully are solved in time.

These are problems, and I will address nine different problems in the remainder of any speech, that have not gotten much attention. They are problems that we are notF

December 15, 2000

CONGRESSIONAL RECORD — HOUSE

H12525

Note: Mr. Weldon is joined at the podium by Mr. Gephardt.

Mr. Weldon. Mr. Speaker, it is not enough for us to have an election; it is not enough to have a victory; and by this, I mean continuity of policy. If, for example, the Vice President has become President and there is a vacancy in the Vice Presidency, the stock markets should know that, if that Vice President who has become President were to die, that our national policies would remain pretty much the same, that our economic policies would remain the same.

Our adversaries and our friends alike should be informed that the Vice President may or may not be of the same party.

Our old system was, I think, superior. The statute, until a couple of decades ago, provided that, if there was a vacancy in both the President and the Vice Presidency, the next person in line was the Secretary of State, and I believe that the Secretary of the Treasury, individuals who had been confirmed by the Senate, individuals of high integrity and very substantial governmental responsibility, individuals, though, most importantly, who would share a general philosophy with the President of the United States.

Today, we have a very different system, a system where we could have a change in the party of the White House, not as a result of an election, but just as a result of succession. One could have imagined in the 1970s with Gerald Ford serving as President that
the country would wonder what if something happened to President Ford? Would that mean that we would pull out of Vietnam? Who knows? No one should have doubted during that time, but anyone looking at the Constitution and Bill of Rights would have doubted that a change in the person of the President would change the policies of the Presidency.

Now I should point out that we changed our election laws several decades ago because it was believed that the first four persons in line to succeed to the Presidency should be elected officials. I do not find that incredibly compelling, but I can understand why others do.

So let us maintain that policy should others think it important, but let us provide that every President may file with the Clerk of the House and the Clerk of the Senate an official document indicating that the person third in line would either be the Speaker of the House or the Minority Leader of the House, and the person fourth in line would be the Majority Leader in the Senate or the Majority Leader in the Senate.

Under those circumstances, we would know that a Member of Congress would be third and a Member of Congress would be fourth in line. Then no matter what is likely to happen, an elected official held in high esteem by their colleagues in the Congress would serve as third and fourth in line. At the same time, we would know that the party in the White House is not subject to change except through election.

If we fail to do so, then some time in the next century, we will face months, if not years, when our allies and enemies wonder whether there could be a radical change in our policies due only to a sad death or incapacity. Assassins or potential assassins may be inspired to their evil deed by the belief that they are, not only commit a heinous act against this country, but in the misbegotten belief that that is an appropriate way to change radically America’s foreign or domestic policy. Mr. Speaker, we have not addressed this issue, I believe, for decades. We ought to.

Let us move on, though, to another issue that is also important; and that is one that has been discussed at great length, and that is the need for voting machines around this country or vote tabulation systems that are worthy of the 21st Century and worthy of the world’s most powerful democracy.

There have been several bills introduced that provide for at least a study of what can improve the use of our vote tabulation system. But let me describe how important that is. Thirty-one percent of this country uses the punch card system which we became aware of in Southern Florida. That system is used, for example, in Los Angeles and Ventura Counties, major counties which I personally represent.

One out of every 66 persons voting for President in Florida in a punch card county had their vote unregistered for President, an undervote. Now, you may say perhaps 1 out of every 66 Floridians did not care to register a vote for President. But in the adjoining counties where optical scanners are used, only 1 out of every 250 voters chose to skip that office. We know from our own experience that the vast majority of people who go to the polls at a Presidential election cast a vote for President, except for a very few people who do not vote at all. In other words, not only the two major choices, but several other choices besides.

In fact, experience in Florida shows that it is not the case that there are just certain counties in Florida where people want to skip the office of President, because several counties have moved from one vote casting system to the other from 1996 to the year 2000. When they did so, they went from roughly 1 out of every 66 ballots missing a vote for President to 1 out of every 250.

“So we see that the tendency to vote for President, when accurately tabulated using the best machines available, that 249 out of 250 people cast a vote, the same experience, and that, in fact, the vote tabulating machines used in punch card counties are ignoring almost 1 percent of the votes cast for President. This needs to be changed, and we need to do more than just hand count. Yes, we could provide Federal funds on a pilot basis to a dozen counties around the country. We could provide $50 million or $70 million. We could stand in front of a few fancy machines in a few counties. But 31 percent of all Americans are using this punch card system. Other Americans are using equally bad systems. And 1 percent of that 31 percent are being disenfranchised. That is wrong.

We should spend a billion a year for several years, real money for a real problem, because there are 1800 pre-cincts in this country, and each one has half a dozen or more voting booths with tabulation devices. Every county has to be able to count the ballots. This is a big deal and cannot be dealt with by a few pilot programs that solve the problem in just a few counties.

What we ought to do is provide grants to counties and other local jurisdictions to consider elections, grants of between 50 percent and 80 percent of the cost of new vote tabulation and vote casting machinery and the cost of implementing the systems and training the employees involved.

What we ought to do is commission the Federal Election Commission with the responsibility of identifying one, two or three of the best vote tabulation systems for large counties, perhaps a different list of one, two or three systems for medium-sized counties, and perhaps a different list of the best systems to be used in small counties. Then we should turn to every county in America that does not have one of these good systems and offer between 50 and 80 percent of the cost of buying the new equipment. To do otherwise is to say that democracy is worth a quarter trillion dollars a year to defend from foreign threats, but not even a tiny, tiny portion of that to defend from domestic threats, from unintentional disenfranchisement.

Furthermore, the Supreme Court, whether one agrees with it or not, has just enumerated or identified an equal protection right for votes to be counted accurately.

Now, it is possible that this court will never find another circumstance in which to apply that new constitutional right. It is possible that this court found that new right to apply it only to this election and now will want to seal it and never use it again, but that is just this court. One can imagine a court inspired by more liberal values that would rely on this case to question or invalidate elections from coast to coast if there was a denial of equal protection right to vote cast one’s vote in a way in which it would be accurately counted.

The fact is these old vote tabulation systems are found often, and to a greater extent and a greater proportion, in urban counties, with previously disenfranchised minorities, disadvantaged minorities, using systems that throw out 1 percent of their vote, while adjoining more economically upscale counties use new upscale vote tabulation systems. I am not sure this court would use the Equal Protection Clause to deal with that issue, but I do know that in other courts in other decades this issue may rise to the level of constitutional scrutiny, and at that point, at that point we may face another constitutional crisis as some other court examines whether it is fair to use accurate systems in upscale counties and decree systems for those who are poor and those in traditionally discriminated against racial minorities.

I also, though, want to point out another issue, and that is if we do have a Federal right, an equal protection right to accurate voting, that we establish some rules that require that those rights be raised on a timely basis. I cite the butterfly ballot from Palm Beach County. Certainly we ought to have a rule that says that that ballot needs to be challenged 30 days before the election or 3 days after it is known or should be known to the candidates involved in the election so that we do not have a Federal Court invalidating an election weeks or months afterwards because it finds that the butterfly ballot denies equal protection to those who use it.

We must have a system that puts the onus on candidates to bring to the attention their objections first to county election officials and then, if they feel they have a constitutional claim, to
Mr. Speaker, let me turn to a third issue, and one that has also gotten some attention, and that is the electoral college. When the electoral college was first instituted, democracy was a newfangled dangerous idea that our Founding Fathers did not want to fully embrace, but which other modern countries have more fully embraced because it is now a proven idea, and American values require that the President of the United States be elected by the people. Now, the values of the 1700s may have been different; but until recently, virtually no American could have conceived of the idea, was even aware of the existence of the electoral college.

Secondly, Mr. Speaker, I would point out that at the time our Constitution was signed, the States really were independent countries. When they were independent countries, we used the following terminology. We would say the United States are going to do something. Today we say the United States is going to do something, because we are now one nation, with one President that is pledged to one people. We are both a Republic and a democracy. The distinction between a democracy and a Republic is now, I believe, outdated because we are a Republic that should be guided by democratic values, particularly in the selection of a President.

Now, in this election, the person who will be in the White House did not get a plurality of the votes, but that was by a mere 300,000 to 400,000 votes. Imagine if by 1 million votes or 2 million votes or perhaps 3, 4, or 5 million votes one person is installed in the White House while the other won the popular vote. Would that President have all of the legitimacy that we would like the President to have? What is worse, what happens if there is a tie? I know we just lived through one crisis. But what if Ralph Nader had won Florida? Not this election, maybe next election. If that would have occurred, then none of the Presidential candidates would have had 270 electoral college votes, and the Presidency would have been decided here in the House of Representatives. So far that sounds reasonably fair. But we in this House voted by States. North Dakota and South Dakota would have as much influence as New York and California combined. Would the country really accept a President who had been chosen by a majority of the States, representing only a fraction of the Nation’s population? I think such a President might have been accepted in the 1700s. In fact, that is how Thomas Jefferson was selected. But I am not at all sure that a President selected through such a manner would have legitimacy today.

Finally, the maintenance of the electoral college means that there could just be a few dozen votes in one State that could decide an election and could be the subject of a recount, or more than one recount. The solution is clear. We ought to elect a President by national vote. But one issue then arises. What if no Presidential candidate receives 50 percent of the vote? I suggest that we draw the line at 40 percent, since throughout the last hundred years every President we have installed, I believe, has received 40 percent of the popular vote; yet in contests today where we have a contest between three, four or five viable candidates for President, none of them have gotten over 40 percent of the vote, then I would suggest a national runoff.

For those who disagree with the cost of such an enterprise, even in those incredibly rare occasions when a leading candidate failed to receive even 40 percent, then perhaps the House of Representatives could select the President, with each member of the House having an equal vote.

Mr. Speaker, we may not abolish the electoral college; but if we do not, it is time for us to stop playing with the explanation that it will have faithless electors. Now, I am confident on December 18 we will not have faithless electors; that every elector will cast their vote for the slate to which they are pledged. But just because it does not happen does not mean we should stop and wait for it when it does happen. There have been faithless electors in the past.

If we cannot agree to abolish the electoral college, let us at least abolish electoral college members and use a point system that is automatic. If we like the pageantry, then we could have electoral college members, but their votes should be tabulated for the candidate to which they are pledged, unless that candidate releases them by a formal, legal, and binding act. If we do not release them, then we will take a breath, we will relax on December 18, when faithless electors do not control the outcome of the Presidency, and we will leave it to our children and grandchildren to experience the constitutional crisis that we could prevent today by eliminating the risk of faithless electors.

Now, there is another issue I would like to discuss, and that is the statutory interpretation. It is by no means clear whether this is the law of the land, but it is the belief of some that a candidate for President cannot tell the people of the country who would serve in his or her cabinet. There is discussion that our various anti-bribery statutes, et cetera, indicate that no candidate for office can indicate who will get an appointment should he or she be successful. Now, I agree we should not be selling appointments, and that is why we should certainly clarify the law so that if a Presidential candidate chose to announce who would serve in this or that position, and announced it publicly, that the country would take that into consideration.

No candidate should risk the violation of Federal law. One could even postulate the idea of a criminal conviction just for telling us what some of us don’t want to know. In fact, quite a politically involved individual, I would advise most Presidential candidates not to tell us who they would appoint to the cabinets. But any Presidential candidate who chose to do so should not face any retribution.

Now, Mr. Speaker, the next time bomb which we have not bothered to listen to is the method of amending our Constitution by holding a Constitutional Convention. We have never amended our Constitution that way, and so we have tremendous questions as to how such a Constitutional Convention would work. The last time Congress dealt with this, I believe, was in the 102nd Congress, when there was a Constitutional Convention Implementation Act introduced but basically ignored by the House and the Senate. Here are a few of the issues.

Let me cite article 5 of our Constitution, first of all, which says that with the concurrence of three-quarters of the States, there will be a convention for proposing amendments to the Constitution, which would then have to be ratified by the legislatures in three-quarters of the States. If by 1 million votes or 2 million votes, two-thirds of the States, there shall be a convention for proposing amendments to the Constitution, which would then have to be ratified by the legislatures in three-quarters of the States. At times in the past, sometimes 50 or 100 years in the past, have passed the necessary resolution to call for a Constitutional Convention. Usually, they have called for a Constitutional Convention to deal with this or that problem. Some States have called for constitutional conventions to deal with a balanced budget amendment or with term limits. But if a Constitutional Convention were called, or purportedly called, perhaps called in the opinion of some and not called in the opinion of others, the Congressional Research Service outlines quite a number of questions that have not been settled.

For example, on question yet to be settled is whether or not the petitions to call that convention must all be in the same document or whether some convenor can call for a convention to deal with term limits and others a convention to deal with balancing the budget, and a bunch of others calling for a convention to completely revisit the Constitution. What are the scope and limitations of any such Constitutional Convention? Once assembled, for example assembled for the purpose of passing term limitations, is the convention free to propose the several States the complete revision of our constitution? What is the validity of any rescission of a petition by a State legislature? If a legislature called for a Constitutional Convention to deal with the adverse consequences of prohibition and passed that resolution in the first half of the last century, is that State, one, counted toward the calling of a Constitutional Convention included in the tally of
modern States that have called for a Constitutional Convention to deal with such modern concepts as term limits?

Mr. Speaker, I have brought up bipartisanship as a way to ratify amendments to our Constitution. We should deal at length with the structure of our democracy.

We also, of course, should deal with campaign finance reform. And then we should deal with an issue put before us by the Supreme Court decision in Jones v. Clinton. You will remember that that is the decision in which the Court decided that anyone could sue the President for any reason, that the lawsuit would go forward, the President could be deposed.

And fortunately, in the last 4 years only one party, only one individual, has sued the President. It had very significant consequences.

I would cite the House to the last paragraph of the Supreme Court's decision where it says, "If Congress deems it appropriate to afford the President stronger protection, it may respond with appropriate legislation."

We ought to take the court up on that. And here is why: anyone with sufficient financing could sue the incoming President, the President could have dozens and dozens of lawsuits filed by people who simply are angry with President-elect Bush or then-President Bush. Slander lawsuits, sexual harassment lawsuits, job discrimination lawsuits, Federal lawsuits, State lawsuits.

Could $10 million be raised from highly partisan Democrats for the purpose of financing dozens of lawsuits resulting in dozens and dozens of depositions of the incoming President? Perhaps. I do not want to find out. And even if that is not the state to which our country has yet sunk in levels of partisanship, do we want to wait a decade or two or three until there is an organized effort to sue whoever is then President as many times as possible and take as many depositions as possible on as many salacious topics as possible?

I suggest, instead, that we indicate that any lawsuit against the President is suspect under the statute of limitations is told, that the rights of the plaintiffs are preserved until that Presidency is completed, and that any depositions necessary to preserve evidence, any documents that are necessary to be preserved are preserved so that trial of the defendant is proper in the lawsuit, the defendant in that lawsuit leaves the White House. To do otherwise is to invite anti-Presidential retribution by lawsuits.

There is another issue that I hesitate to bring before the House but one that we might be able to deal with, and that is the ongoing investigation begun by Kenneth Starr. Most of this country knows that we have failed to reauthorize, that we have squelched the Indepedent Counsel's Office of Ken Starr. And if the President's Office of the country does not know that the Independent Counsel's Office of Ken Starr continues to operate and is allowed to continue to operate as long as it wishes to or until we in this Congress by statute pull the plug, pay back the office, and send the files to the Justice Department.

Now we have a particular reason to do so. The Justice Department, on January 21, will be in Republican hands; and if there is anything in those files which even a Republican administration using reasonable discretion determines to prosecute, they are free to do so. But we allowed the Independent Counsel statute to expire because we know that it does not operate with discretion, that an office that exists only to prosecute one individual and it is terminated if it fails to prosecute will find some reason to prosecute, at least find some reason to continue to investigate.

And if you think that partisan tensions are now as high in Washington as they could ever be, imagine how this country will react if a Republican Congress allows to continue the Ken Starr investigation.

Will we just be viewed as another Pakistan, another troubled democracy or an occasional democracy if we begin the process of indicting our former Presidents?

I suggest that the continued failure of this Congress to act, the continued allowance of this Congress to fund Robert Ray's operation has the seeds for raising partisanship to one unnecessary level.

We have heard as much as we need to about Monica Lewinsky. And Federal dollars should no longer be spent to finance an office that has nothing to do, that loses its power, that loses its pay-as-soon-as-they-decide-that-the-Lewinsky-matter-is-no-longer-worthy-of-investigation.

Mr. Speaker, I have brought up partisanship quite a number of times in this presentation. Let me just take a minute to talk about what I think bipartisanship means.

Bipartisanship, when it comes to legislation, means working together to obtain bills that have substantial support on both sides of the aisle, working with the leadership and the mainstream Members on both sides of the aisle to put together bills that solve problems for America.

Alternatively, it could mean working through the committee process, and should mean working through the committee process. But with the support of the ranking member and the chairperson of the subcommittee that is relevant and/or the committee that is relevant or obtain substantial support from Democrats and Republicans on the relevant committees.

My fear is that we will deal with bipartisanship by finding a bill that is purely partisan and then reaching out to one or two Members of the other party and saying a bill that is 99 and three-quarters percent Republican and one-tenth of one percent Democrat is a bipartisan bill. That would be a betrayal of the consents of bipartisan ship.

I commend President-elect Bush for reaching out to the Democrats to appoint to his administration, just as President Clinton has appointed a Republican who now serves as Secretary of Defense. But it would be a bitter form of bipartisanship if the appointment process was used cynically to appoint a sitting U.S. Senator that is a Democrat not to bring bipartisan to the administration but to change the partisan makeup of the United States Senate.

There are many retired Democratic U.S. Senators and House Members that would make excellent members of President-elect Bush's cabinet. He should not use bipartisanship as a tool for partisanship as a device cynically used to appoint and thereby alter the effects of the congressional election.

Mr. Speaker, I thank you for your indulgence. I thank you for the hours that we have spent together in this hall from time to time. I thank you for your indulgence. And I thank the House for giving me the opportunity to be the last to address the 106th Congress. I know that when we return we will reach across the aisle to begin solving the problems of America, and I hope that that process is aided by focusing on those problems as to which there is no Democratic or Republican view.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1795. An act to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Bioengineering.
The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested: S. Con. Res. 162. Concurrent Resolution to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4577) "An Act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes."

CORRECTING ENROLLMENT OF H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 162) to the end that the concurrent resolution be hereby adopted; and a motion to reconsider be hereby laid on the table.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 162

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 4577), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, shall make the following correction:

In section 1(a)(4), before the period at the end, insert the following: ``, except that the

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(To the following Members (at the request of Mr. Scott) to revise and extend their remarks and include extraneous material:)

Mrs. Mink of Hawaii, for 5 minutes, today.

Mr. Davis of Illinois, for 5 minutes, today.

(To the following Members (at the request of Mr. Smith of New Jersey) to revise and extend their remarks and include extraneous material:)

Mr. Smith of New Jersey, for 5 minutes, today.

Mr. Wolf, for 5 minutes, today.

Mr. Shimkus, for 5 minutes, today.

Mr. Rohrabacher, for 5 minutes, today.

Mr. McCollum, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Knollenberg, and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $988.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. Thomas, from the Committee on House Administration, reported that the committee has examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1653. An act to complete the orderly withdrawal of the NOAA from the civil administration of the Pribilof Islands, Alaska, and to assist in the conservation of coral reefs, and for other purposes.

H.R. 4577. An act making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4942. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 5210. An act to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the "George Atlee Gooding Post Office Building".

H.R. 5528. An act to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

H.J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

SINE DIE ADJOURNMENT

Mr. McCollum. Mr. Speaker, pursuant to House Concurrent Resolution 446, One Hundred Sixth Congress, and as the designee of the majority leader, I move that the House do now adjourn. The motion was agreed to.

The SPEAKER pro tempore. In accordance with the provisions of House Concurrent Resolution 446, One Hundred Sixth Congress, the Chair declares the second session of the One Hundred Sixth Congress adjourned sine die.

Thereupon (at 8 o'clock and 41 minutes p.m.) pursuant to House Concurrent Resolution 446, the House adjourned.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the fourth quarter of 2000, by Committees of the House of Representatives, pursuant to Public Law 95-384, and for miscellaneous groups in connection with official foreign travel during the fourth quarter of 2000 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NATO PARLIAMENTARY ASSEMBLY DELEGATION TO GERMANY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 17 AND NOV. 21, 2000

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date Arrival</th>
<th>Date Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Mink of Hawaii</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
<tr>
<td>Mr. Davis of Illinois</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
<tr>
<td>Mr. Smith of New Jersey</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
<tr>
<td>Mr. Wolf</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
<tr>
<td>Mr. Shimkus</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
<tr>
<td>Mr. Rohrabacher</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
<tr>
<td>Mr. McCollum</td>
<td>11/17</td>
<td>11/21</td>
<td>Germany</td>
<td>972.00</td>
<td></td>
<td></td>
<td>972.00</td>
</tr>
</tbody>
</table>
REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NATO PARLIAMENTARY ASSEMBLY DELEGATION TO GERMANY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOVEMBER 17 AND NOVEMBER 21, 2000—Continued

Name of Member or employee  Date  Arrival  Departure  Country  Foreign currency  U.S. dollar equivalent or U.S. currency1  Foreign currency  U.S. dollar equivalent or U.S. currency1  Transportation  Foreign currency  U.S. dollar equivalent or U.S. currency1  Other purposes  Total  Foreign currency  U.S. dollar equivalent or U.S. currency

Hon. Vernon Ehlers ...................................................... 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Hon. Scott McKee .......................................................... 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Hon. Norm Sisisky ............................................................ 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Hon. John Tanner ............................................................ 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Susan Olson ................................................................. 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Robin Escoe ................................................................. 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
John Herzberg ............................................................... 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
David Hobbs ................................................................. 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Scott Palmer ................................................................. 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Linda Pedigo ................................................................. 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
J. Walter Hobbs .............................................................. 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00
Josephine Weber ........................................................... 11/17 11/21 Germany ................................. 972.00 .................... ( ) .................... ( ) .................... 972.00

Committee total .......................................................... 15,477.00 15,477.00

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

11395. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department’s final rule—Cranberries Grown in the States of Massachusetts, et al.; Increased Assessment Rate [Docket No. FV00-984-2 FR] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11396. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department’s final rule—Walnuts Grown in California; Increased Assessment Rate [Docket No. FV00-984-2 FR] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


11399. A letter from the Acting Assistant Secretary, Health Affairs, Department of Defense, transmitting a semiannual report on Pharmaceutical Benefits; to the Committee on Armed Services.

11400. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the amount of Department of Defense purchases from foreign entities for Fiscal Year 2000 pursuant to Section 827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) as amended by Section 812 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–262); to the Committee on Armed Services.

11401. A letter from the Director, Office of Management and Budget, transmitting a report on the GMB Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.
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:

[December 15 (legislative day of December 14), 2000]

Mr. LINDER: Committee on Rules. House Resolution 674. Resolution providing for consideration of the joint resolution (H.J. Res. 133) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. 106-1030). Referred to the House Committee on Rules.

[Submitted December 15, 2000]

Mr. YOUNG of Florida: Committee of Conference. Conference report on H.R. 4577. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106-1033). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Florida:

H.R. 5666. A bill making miscellaneous appropriations for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. TALES (for himself and Ms. WELLS HOLT): H.R. 5667. A bill to provide for reauthorization of small business loan and other programs, and for other purposes; to the Committee on Small Business.

By Mr. KNOBEL: H.R. 5668. A bill to repeal provisions of Federal law requiring labeling on saccharin containing foods; to the Committee on Commerce.

By Mr. KASICH: H.R. 5669. A bill to amend title 5, United States Code, to provide that the Civil Servicemen Retirement and Disability Fund be excluded from the budget of the United States Government; to the Committee on the Budget, and in addition to the Committee on Government Reform, 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. KASICH: H.R. 5670. A bill to ensure that the receipts and disbursements of the Social Security trust funds are not included in a unified Federal budget; to the Committee on the Budget.

By Mr. JACOBSON of Texas: H.R. 5671. A bill to amend title 5, United States Code, to establish election day in Presidential election years as a legal public holiday by moving the legal public holiday known as Veterans Day to election day in such years, and for other purposes; to the Committee on Government Reform.

By Mr. JACOBSON of Texas: H.R. 5672. A bill to establish a commission to develop uniform standards which may be adopted by States for the administration of elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, 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. CANNON: H.R. 5673. A bill to amend title 38, United States Code, to provide a safe harbor for voluntary monitoring by e-commerce sites; to the Committee on the Judiciary.

By Mr. DAVIS of Virginia (for himself, Mr. ROTHMAN, Mr. KENNEDY of Rhode Island, and Mrs. WILSON): H.R. 5674. A bill to establish an Election Administration Commission to study Federal, State, and local voting procedures and election administration and provide grants to modernize voting procedures and election administration, and to establish a trust fund; to the Committee on House Administration, and in addition to the Committee on the Judiciary, 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. EHRLICH: H.R. 5675. A bill to amend title 39, United States Code, with respect to “cooperative mailings”; to the Committee on Government Reform.

By Mr. GREENWOOD (for himself, Mr. BOSST, Mr. FOSTER, and Mr. HASTINGS of Florida): H.R. 5676. A bill to establish a Commission for the comprehensive study of voting procedures in Federal, State, and local elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, 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. HOLT: H.R. 5677. A bill to establish a Commission to study and make recommendations on the modernization of state and local election procedures in the Federal, State and local electoral process, and for other purposes; to the...
Committee on House Administration, and in addition to the Committee on the Judiciary, 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. Markey (for himself, Mr. Tauzin, Mr. Dingell, Mr. LaTourette, Ms. Eshoo, Mr. Frost, Mr. Cox, Ms. Eddie Bernice Johnson of Texas, Mr. Burr of North Carolina, Mr. McGovern, Mr. Olver, Mr. Hastings of Florida, Mr. Horn, Mr. Phelps, Mr. George Miller of California, Mr. Clyburn, Mr. Boehner, Mr. Deal of Georgia, Mr. Barton of Texas, Mr. Udall of Colorado, Mr. Riley, and Mr. Burton of Indiana):

H.R. 5678. A bill to amend title 3, United States Code, and the Uniform Time Act of 1966 to establish a single poll closing time for Presidential general elections; to the Committee on House Administration, 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 Ms. McKinney:

H.R. 5679. A bill to provide that a State may use a proportional voting system for multiseat congressional districts; to the Committee on the Judiciary.

By Mr. Nadler (for himself and Mr. Sherman):

H.R. 5680. A bill to require the Federal Election Commission to study voting procedures in Federal elections, award Voting Improvement Grants to States, and for other purposes; to the Committee on House Administration.

By Mr. Walden of Oregon:

H.R. 5681. A bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; to the Committee on Resources.

By Mr. Young of Florida:

H. Con. Res. 446. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Sixth Congress; considered and agreed to.

By Ms. Jackson-Lee of Texas:

H. Con. Res. 447. Concurrent resolution expressing the sense of the Congress that the States should adopt uniform voting procedures to carry out the election of the President and Vice President; to the Committee on House Administration.

By Ms. Dunn (for herself, Mr. Dicks, Mr. Hastert, and Mr. Arney):

H. Res. 677. A resolution expressing the commitment of the Members of the House of Representatives to fostering a productive and collegial partnership with the 43rd President; to the Committee on Government Reform.

By Mr. McCollum:

H. Res. 678. A resolution providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Seventh Congress; considered and agreed to.

By Mr. McCollum:

H. Res. 680. A resolution expressing the sense of the House with respect to the request of Leonard Peltier for executive clemency; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 792: Mr. Barr of Georgia.
H.R. 2817: Mr. Stupak.
H.R. 4415: Ms. DeLauro and Ms. Schakowsky.
H.R. 4571: Mr. Gutiérrez.
H.R. 4707: Mr. Andrews.
H.R. 5265: Mr. Bishop.
H.R. 5266: Mr. McHugh.
H.R. 5406: Mr. Upham.
H.R. 5409: Mr. Oxley and Mr. Ehrlich.
H.R. 5642: Mr. Goodlatte and Mr. Manzullo.
H.R. 5653: Mr. Hastings of Florida, Mr. Udall of Colorado, and Mr. Foley.
H. Con. Res. 337: Mr. Fosella.
H. Con. Res. 363: Mr. LaFalce.
H. Con. Res. 444: Mr. Watts of Oklahoma, Mr. Pombo, and Mr. Barton of Texas.
H. Res. 672: Mr. Stark, Mr. Brown of Ohio, Mr. Pascrell, Mr. Weiner, Mr. Frost, Mrs. Morella, Mr. Reyes, and Ms. Carson.
H. Res. 673: Mr. Kuykendall, Mr. Evans, and Mr. Bishop.

PETITIONS, ETC.

Under clause 3 of rule XII.

124. The Speaker presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 606 of 2000 petitioning the United States Congress to condemn the terrorist attack on the United States Naval vessel the U.S.S. Cole and urges President William Jefferson Clinton to use all the resources of the United States government to speedily bring those responsible for the terrorist attack to justice; to the Committee on Armed Services.
DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2001—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the conference report to accompany H.R. 4577, the fiscal year 2001 Labor/HHS Appropriations Bill, which the clerk will report.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, having met, have agreed: that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the amendment of the House, and agree to the title of the bill, with an amendment.

This conference report serves to wrap up work on all fiscal year 2001 appropriations bills. Those two bills were previously passed by the Congress, but were vetoed by the President.

The only significant change to the bills previously passed by Congress is the deletion of the telephone tax provision in the Treasury bill. The conference report includes other appropriations matters, which emerged subsequent to the completion of the other fiscal year 2001 bills.

Significant items include $150 million for repair of the U.S.S. Cole, $100 million for intelligence activities requested by the White House, $110 million for the new markets initiative, $100 million for volunteer firefighter grants sought by our colleague from Delaware, Senator ROTH, and $100 million for the Library of Congress to enhance the National Digital Library.

I want to also thank all my colleagues for their patience as I worked with the White House for a compromise on the Alaskan Fishery/Sea Lion protection issue. Through the hard work of many here in Congress and at the White House, OMB and the Department of Commerce, we achieved a compromise that meets the priorities of all parties—those who share the goal of protecting the sea lion population, and the economic well being and viability of the commercial fishing industry in my State.

There are many specific issues that I could comment on today, but I had the opportunity to brief members of this side of the aisle at a conference this afternoon, and the bill is available in the Cloakroom for review.

I urge all my colleagues to support this conference report, which completes the work of this Congress. Next month, when the 107th Congress convenes, and a new President is inaugurated, they will both start with no carryover from this Congress.

Mr. BYRD. Mr. President, as has been the case on far too many occasions in the past number of years, the Senate finds itself today in the position of having to deal with a massive omnibus appropriations bill. We have had to pass a record number—21—of Continuing Resolutions in order to keep the Federal Government operating since the fiscal year began on October 1st. These Continuing Resolutions were necessary because we in the Congress and the Administration could not resolve our differences on a myriad of issues, most of which have not involved funding levels at all. Rather, the haggling for the past many weeks has been over issues such as ergonomics regulations, immigration, and certain regulatory matters; all of which would be more appropriately handled by the authorizing committees with jurisdiction over them. Instead of following the established practices and the regular

---

NOTICE

Effective January 1, 2001, the subscription price of the Congressional Record will be $393 per year or $197 for six months. Individual issues may be purchased for $4.00 per copy. The cost for the microfiche edition will remain $141 per year with single copies remaining $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, Public Printer
order of enacting the thirteen annual appropriations bills, we have in recent years, chosen to delay appropriations bills until it is too late to do anything other than to package them in a manner that causes such packages to be used as vehicles for all manner of non-appropriations issues. This has necessitated the adoption of late-year omnibus appropriations packages well after the start of the fiscal year, such as the one before the Senate today. This is a practice that should never have been started and which, if not discontinued, I fear will gravely diminish the Senate as an institution. Senators are being denied the right to debate and amend appropriations bills, all of which contain billions of taxpayer dollars, and literally thousands of funding issues affecting their constituents. Instead, we are being presented with unamendable omnibus appropriations packages, which I hope not to see. Now, many matters that have not had any Senate consideration at all. In the next Congress, the 107th Congress, we should strive mightily, on a bipartisan basis, to return to regular order of enacting early in the first session of each annual omnibus appropriations bill.
The Appropriations Committee has marked up each of the thirteen appropriations bills in a timely manner every year under our distinguished Chairman, Senator Stevens. He is indeed masterful in his handling of appropriations matters and he is very knowledgeable on the issues that come before the Appropriations Committee. He is also one who leads the Committee in a bipartisan manner at all times. We give the same consideration to requests of Members of the Committee on both sides of the aisle, and I am honored to serve as Ranking Member of the Committee under his chairmanship. Mr. OBEY and myself, at the request of Senator STEVENS that the appropriations bills have, too often, been lumped together into omnibus packages, such as the one before the Senate.
In an effort to facilitate a return to the regular order in the Senate’s handling of the thirteen annual appropriations bills, I was pleased to have the support of both Leaders, Mr. Daschle and Mr. Lott, in my amendment to the Commerce Justice State Appropriations bill for Fiscal Year 2001 to restore Senate Rule XXVIII, Paragraph 2. That provision makes it out of order for extraneous matters to be included in conference reports. Several years ago, in connection with Senate’s consideration of an FAA conference report, the Senate voted to overturn the Chair when it ruled that there was extraneous matter in that conference report. The effect of that vote to overturn the Chair, as stated in Senate Rule XXVIII, Paragraph 2. Consequently, it has not been out of order for any matter to be inserted in any conference report since that time. Upon enactment of the Commerce Justice State Appropriations bill, as a result of my amendment thereto:

Rule XXVIII, Paragraph 2 will be restored. This will mean that in the 107th Congress, it will not be in order for extraneous matters to be placed in a conference report. Upon a point of order being made in that regard, if sustained, such a conference report will be rejected. I believe that restoration of this rule will go a long way toward eliminating these annual omnibus appropriations measures that the Senate has had to deal with in the past several years and is again being asked to adopt here today.

Having said that, Mr. President, I shall vote for the pending conference report. It contains the Fiscal Year 2001 appropriations bills for the Departments of Labor, Health and Human Services, and Education, for the Department of the Treasury and General Government, and for the Legislative Branch. By far, the largest of these appropriations bills is the Labor/HHS Appropriations bill.

In the agreement reached on the Labor/HHS Appropriations bill, the funding totals some $108.9 billion in budget authority for Fiscal Year 2001. This is an increase of almost $12 billion from last year and represents the largest ever one-year increase for the Labor/HHS Appropriations bill. This increase is about 12 percent increase above last year’s level, and will enable funding levels for education to be increased by almost 15 percent, including an appropriation of more than $1 billion for a new school renovation program. The Labor/HHS Appropriations bill also includes critical funding for many health programs such as the Ryan White AIDS program, NIH, child immunization, substance abuse prevention, and mental health programs. All of these programs are funded at levels substantially higher than last year. As Members are aware, the bill also funds the Head Start program, and the low income home energy assistance program, LIHEAP. I recognize that a number of Senators believe that we should go even higher levels for the Labor/HHS bill. While I might agree with those Senators, and although a tentative agreement in October would have funded the Labor/HHS Appropriations bill at a level of over $122 billion, that agreement fell through over a legislative rider involving ergonomics.

After weeks of haggling over the ergonomics issue, as well as other issues such as immigration, and overall funding levels, we have no other choice than to accept this compromise that is before the Senate today. As I say, it does not fully please any Senator. I am sure there are some who feel that the funding levels are too high; but the time has long since passed for us to complete our work and get this final appropriations package to the President’s desk.

In addition to the Labor/HHS Appropriations bill, this package contains funding for the Legislative Branch, and the Departments of Treasury and General Government, which measure funds a number of programs for law enforcement, as well as the U.S. Customs Service—the federal agency with responsibility for border patrol and enforcement of our immigration laws.

There is also a division of this omnibus package that includes a number of non-appropriations matters. Those matters were considered by Chairman STEVENS, Chairman YOUNG, Mr. OBEY and myself, at the request of Members of the House and Senate. There were many more such matters that were considered, but were not included in this final package.

Finally, the package contains a division relating to tax matters, including the so-called Balanced Budget Act, BBA, Medicare fix. Those tax matters were inserted into the omnibus package by the Leadership, and they fall into the jurisdiction of the Ways and Means and Finance Committees. Accordingly, we Appropriations Members were not involved in that process.

In conclusion, Mr. President, I urge my colleagues to vote for this conference agreement. Despite its having all the flaws that we have seen in previous omnibus appropriations bills, the time has come to finish the work of the 106th Congress. In that way, we will clean out the 106th Congress, the 107th Congress, when it convenes on January 3rd, and for the new Administration, when our new President, George W. Bush, is sworn into office on January 20th.

I recognize that there are those who predict a continuance of the gridlock that we have seen in the recent past, or perhaps greater gridlock in the next Congress, as it struggles to work with the Bush Administration; I hope and believe that there will be unprecedented opportunities for bipartisan efforts to prevail in solving the Nation’s most pressing problems; to maintain a vital national defense, and to find solutions which ensure that our Medicare and Social Security programs can sustain the promise for our citizens over the coming century. I am optimistic that the new Congress will be prepared to work with the Bush Administration. I know that the overwhelming number of Members of the House and Senate, on a bipartisan basis, join me in pledging our best efforts to do so, and our good faith commitment to achieve results in these critical areas, on behalf of the American people.

Mr. STEVENS. Mr. President, after protracted negotiations, the Administration and I have reached an agreement that provides the necessary protections for the Steller sea lion while allowing for the needs of fishermen who depend on the robust and healthy groundfish stocks off Alaska. I believe the Senate knows my personal feelings, and the feelings of practically all those who are involved in the harvesting, processing, and subsequent marketing of this final package of provisions that come from the North Pacific and Bering Sea, on this matter. While we recognize that the Steller sea lion deserves protection, we are not convinced...
that the Commerce Department has proven, let alone adequately tested, its hypothesis that fishing contributes to the sea lions’ decline. A few minutes spent skimming the biological opinion reveals the lack of science underlying the proposed regulations. For example, the Commerce Department states in its biological opinion that it does not know if fishing impacts sea lions, or that sea lions would likely continue to decline even if all fishing were halted.

Nonetheless, the lives of our fishermen will continue to be affected by this opinion. Our agreement provides a three-step phase-in process for fishery restrictions proposed to be implemented by the National Marine Fisheries Service (NMFS) in the Alaska groundfish fisheries under Endangered Species Act (ESA) requirements. This section is intended to lessen the negative economic consequences to the fishing community caused by the restrictions and to ensure that any Steller sea lions (which have measures to create negative consequences for the conservation of the fisheries and ecosystem. This is accomplished by requiring the Secretary to rely on the fishery management provisions in the Magnuson-Stevens Act, including the regional council processes, when implementing reasonable and prudent alternatives under the Endangered Species Act.

Unfortunately, work on this provision was not completed until shortly before the conference agreement was filed on the final day of this session. I ask unanimous consent that the section-by-section analysis of this provision be printed in the RECORD.

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

SECTION-BY-SECTION ANALYSIS

Subsection (a) includes findings by Congress concerning the decline of the Steller sea lion and need for scientists to study the relationship between commercial fishing and sea lions. It also includes findings confirming that the authority to manage federal fisheries lies with the regional councils created under the Magnuson-Stevens Act. This clarifies that the Secretary is required to comply with, and use the procedures established under, the Magnuson-Stevens Act when implementing measures to comply with the Endangered Species Act. This finding recognizes that the Administration should not use the Endangered Species Act to impose measures without respect to the Magnuson-Stevens Act, particularly the processes by which the councils develop, review, and promulgate fishery management measures, including those measures necessary to protect threatened and endangered species, the regional councils.

Subsection (b) requires the North Pacific Fishery Management Council to conduct an independent scientific review of the November 1999 biological opinion (hereinafter referred to as "Opinion") issued by NMFS for the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries, drawing upon the expertise of the Academy of Sciences to give the review its highest priority. Subsection (c)(1) directs the Secretary to submit proposed Magnuson-Stevens Act fishery conservation and management measures to the councils for their review. Subsection (c)(2) requires that the RPAs, as developed by Council under subsection (c)(1), become effective on January 1, 2002. To address Congress’ concerns about the objectivity and validity of the scientific review, and the scientific conclusions of this opinion the opinion must incorporate changes warranted by the scientific review required under subsection (b) or other new information that comes to the Secretary’s attention. The Council and the Secretary are directed to jointly develop a schedule for the development of FMP amendments or amendments to any regional fishery management plan that will take effect by the end of 2001. Subsection (c)(2) specifies that the RPAs shall not go into effect immediately, but shall be phased in according to sub-subsection (c)(3) during the 2001 fisheries.

Subsection (c)(3) requires the 2001 Bering Sea/Aleutian Island and Gulf of Alaska groundfish fisheries to be managed in accordance with the regulations promulgated for the 2000 fisheries prior to the issuance of the July 19, 2000 court injunction in those fisheries (which has since been lifted). The 2000 regulations continue the precautionary protections for Steller sea lions, while maintaining the comprehensive and proven framework that has protected the marine resources of the North Pacific and been fine-tuned for more than two decades. These regulations for the first months of the 2001 fisheries are to be implemented by emergency rule so that the fisheries can begin by January 20, 2001. Subsection (c)(4) requires the Secretary of Commerce to amend regulations based on new information concerning the extent to which predation may be causing the decline of the Steller sea lion. Subsection (c)(5) requires that the "Global Control Rule" from the RPA’s take effect immediately in the fisheries, this is particularly important during the period during which the Steller sea lions are being managed under the 2000 regulations. Paragraph (5) modifies the Global Control Rule during 2001 to limit any reduction to not more than ten percent of the total allowable catch in any of the fisheries.

Subsection (c)(6) provides the North Pacific Council with the authority to recommend, and the Secretary of Commerce with the authority to approve, modifications to the RPAs contained in the regulations that will take effect by the end of the summer of the 2001 fisheries. These modifications may include the opening of additional designated Steller sea lion critical habitat areas to fishing by small boats, the postponement of seasonal catch limits inside critical habitat for small boats, or other measures to ensure that small boat fishermen and on-shore processors in Alaska are not adversely affected during 2001 as compared to the fisheries before the July 19, 2000 injunction. This was specifically agreed to by both the Congressional and Administration bargainers to allow coastal Alaskan fishermen to fish in the safer waters closer to shore.

Subsection (e) provides $30 million as a direct grant to the Commerce Department, $20 million to the Secretary of Commerce to develop and implement a comprehensive research and recovery program for the Steller sea lion, and $10 million to the Magnuson-Stevens Fund to study the biodiversity and ecological consequences to the fisheries under the Magnuson-Stevens Act. Congress recognizes that has protected the marine resources of the North Pacific Ocean. This subsection also directs the Secretary of Commerce to implement non-lethal measures and guidelines to reduce marine mammal predation, including killer whales, to determine the extent to which predation may be the cause of the decline of the Steller sea lion.

Subsection (f) requires that any conservation and management measures that will take effect during 2001 be tested to determine their validity. The Secretary is strongly encouraged to cooperate with the Alaska SeaLife Center, the North Pacific Universities Marine Mammal Consortium, the University of Alaska, and the North Pacific Council in the development and use of these funds. The Alaska SeaLife Center should receive $5,000,000 of these funds for its work on Steller sea lion science.

Subsection (g) requires that the Secretary of Commerce and the U.S. Senate and House appropriations committees within six months after receiving the funds to indicate how they will be disbursed.

Mr. BYRD. Mr. President, in these waning days and hours of the 106th Congress, the focus in Washington is naturally on what action is taking place to resolve the remaining fiscal year 2001 appropriations bills. It is appropriate to conclude the business of this Congress. However, all around us, life goes on. Our constituents in the steel industry must be among the few in America who will not be happy to see the 106th Congress adjourn sine die. Since the steel industry has seen the 106th Congress as a double whammy for the last two years trying to bail out an
industry being flooded by cheap, illegally dumped steel. These people, our constituents from Weirton and Wheeling, West Virginia, from Pennsylvania, Illinois, Alabama, Maryland, Utah—

their arms are tired, their voices hoared. Their business of steel starts their heads above water and shouting for help. As we look forward to adjournment, they are continuing to face a flood whose undertow threatens to pull them under. Today, as a result of this continuing assault on our steel industry, losses make up almost 40 percent of the U.S. market, compared to a historical rate of approximately 18 percent.

Congress has tried to respond. Members have supported individual companies and groups in filing trade cases with the Administration, attempting to use our anti-dumping and countervailing duty laws as they were intended, to thwart illegal actions by foreign competitors. Members of Congress, myself included, have introduced and fought for legislation to help this core American industry. But the flood of illegally dumped steel continues, fed by the Asian economic crisis, the failure of the Russian economy, and foreign companies ports in the United States to gain a competitive edge with the help of illegal government subsidies. When one trade case is filed with regard to one type of steel, these competitors switch to another type of steel, forcing affected U.S. companies to bear the cost of their sales losses combined with the cost and time of collecting data and building their legal cases. The overall effect is to grind small companies down to the verge of collapse.

In 1977, there were 16,961 steelworkers on the payroll in West Virginia. In March 2000, there were just 6,857, a loss of 10,104 good-paying jobs. That's a 60 percent loss. So you understand why I am concerned. The national picture is no brighter. In 1998, there were 1,142,000 workers nationwide in the primary metals industry, which includes steel. As of September 2000, that total employment number had dropped to just 692,000, a drop of approximately 39 percent.

In the last two years, thousands of steelworkers have been laid off, some for considerable periods. Six steel companies have declared bankruptcy since 1998. But total steel imports in 2000 will be over 30 percent higher than in 1999. Total steel imports through August 2000 are 17 percent higher than over the same period in 1999 and are greater even than imports over the same period in 1998, a record year. At the same time, steel prices continue to be depressed, with hot-rolled steel prices 12 percent lower in August 2000 than in the first quarter of 1998, and average import customs values for all steel products more than 15 percent lower over the same period.

Is the cost too high to end an era of American history? Do we want to watch the linchpin of the American industrial revolution—our steel industry—be felled by government subsidized foreign competition, aided and abetted by indifferent application of the very trade laws implemented to protect American companies and American workers from illegal competition? When we were able to stop our crippled Regis destroyer, the ill-fated U.S.S. Cole, is brought home for repairs, I would like American steel to bind up those wounds. I don't want to be dependent on foreign sources of steel for critical national defense needs. I want our workers helping to build the ships that supported our forces in that war. Today, I am a legislator, and I want to help the industry that supports our forces in war and in other critical missions.

I had prepared a resolution, cosponsored by Senators Specter, Rockefeller, Bayh, DeWine, Durbin, Hollings, Kohl, Levin, Lincoln, Mikulski, Santorum, Sarbanes, Schumer, Santorum, Stabenow, Thune, and Wellstone, that would be a Senate companion to H. Res. 635. H. Res. 635 was introduced on October 18, and currently has 237 cosponsors. This resolution would call upon the President to take any action necessary to prevent further damage to our industry. Fighting this war one skirmish at a time, we need a comprehensive approach to dealing with this crisis in the domestic steel industry.

I am pleased that my resolution was, instead, accepted and included in the conference report to accompany the Labor/HHS appropriations bill this year, such cooperation took a back seat to partisan bickering and ill-advised parliamentary tactics that had the effect of further polarizing this body. How many mornings did Americans awake to newspaper headlines reporting that Congress and the president still, weeks and months after we were to adjourn, had not finished their work.

There are many good provisions in the legislation soon to be sent to the President and I want to thank all those who put in long hours to bring this Congress to a close. I am particularly supportive of the Medicare changes that will strengthen the quality of health care for our seniors.

In 1997, Congress made some difficult, but necessary, changes in the financial structure of the Medicare system as part of the Balanced Budget Act. These changes were needed to preserve and protect the system and delay its impending bankruptcy from 2001 until 2015, while also increasing choice and expanding benefits for beneficiaries. However, as I have been increasing concern that certain reimbursement reductions and caps contained in the Budget Act are resulting in access problems for our seniors. Personally, I have grown concerned about the potentially negative impact on the delivery of health care in our rural communities and for our most frail elderly if we do not make certain adjustments.

I am also pleased this legislation addressed many of the concerns raised by my constituents and the Arizona health care community. This proposal improves senior health care by increasing access to critical preventative benefits— including bi-annual pap smears, mammograms, colon cancer screenings, and medical nutrition therapy for patients with diabetes and renal disease. Rural hospitals are strengthened by updating reimbursement policies and increasing access for seniors to emergency and inpatient surgical services.

And this legislation significantly lowers co-payments for out-patient hospital visits.
I am also pleased that Native Americans will not be overlooked in this legislative package, but instead will receive an economic boost through equitable treatment of tribal governments for unemployment tax purposes, a change that I have been advocating for nearly a decade. An important stimulus to economic development in Indian country is to provide employment tax credits and incentives, including unemployment compensation benefits. This change to the Federal Unemployment Tax Act, FUTA, will correct an uneven interpretation in the tax law by finally including tribal employees in the Nation’s comprehensive unemployment benefit system.

Unfortunately, I must oppose this legislation for a variety of reasons. Once again, I must object to the pork barrel spending in this year-end legislative package and in all of the appropriations bills that have become law. Regrettably, the process that got us to this point led to what The New York Times headline aptly characterized as “The Politics of the Surplus.” In other words, we paved our way home by spending billions of taxpayers’ dollars on budget items that never went through a proper appropriations process.

In the run-up to this final agreement, over $24 billion in pork barrel spending (a list of this spending may be found on my Senate Web site) was doled out and that figure will surely climb once we get a good look at the bills before us. Mr. President, our appetite for pork barrel spending was so large this year, in fact, that NBC News highlighted our feast on their Nightly News segment, “The Fleecing of America.” Who among us will ever forget the 1.5 million taxpayer dollars we have already approved to restore “a 56-foot iron rendition of the Roman god of fire and metalworking, Vulcan”? Or the $1.5 million for sunflower research?

Or the $400,000 for the Southside Sportsman Club?

Or the $250,000 to develop improved varieties of potatoes? Or the $100,000 for the “Trees Forever Program”?

Or the $176,000 for the Reindeer Herders Association? Or the $5 million for insect rearing?

But, there is more to come in this year-end budget deal, which has at least $1.9 billion in pork. For instance, in the Conference Report for the Commerce, State, and Justice Appropriations bill, some examples of earmarks having never undergone the appropriate merit review process include: $3 million for Red Snapper research, $1 million for Hawaiian coral reef monitoring, $500,000 for the California Ozone study, $200,000 for the Kotzebue Sound test fishery for king crab and sea snail, $600,000 for cold water fencing for the Columbia River hatcheries, $750,000 for bottled-nose dolphins, $3,338,000 for sea turtles, $1 million for winter pollock survey in Alaska, $1 million for the implementation of the National Height Modernization, NHM, system in North Carolina, $300,000 for research on the Charleston bump, and $150,000 for lobster sampling.

The pork barrel spending adds up. Look at the numbers.

Last spring Alaskaans outlined our spending plans calling for about $600 billion in so-called discretionary spending—that is, spending on programs other than Social Security, Medicare, and interest on the debt. The President’s budget requested about $623 billion in discretionary spending. We’ll end up spending in the neighborhood of $650 billion—some $100 billion over the discretionary spending caps set by the 1997 Balanced Budget Act.

According to Robert Reischauer, former head of the Congressional Budget Office, this will be the third year in a row in which the budget, excluding Social Security, “has been in surplus,” he notes. Happened, Reischauer says, was over 70 years ago. This is why I believe, Mr. President, we should take advantage of our robust economy and make significantly paying down our national debt one of our top priorities.

I must also once again express my disappointment over the narrow scope of the immigration provisions contained in this bill. I support the Latino and Immigrant Fairness Act, LIFA. Negotiations between the White House and the leadership, which endorsed more limited immigration reform, have resulted in a compromise that makes progress, but falls far short of the Fairness provisions we never had a chance to vote on.

In particular, this bill makes meaningful but insufficient progress on amnesty for those wrongly denied it, and does not address legitimate concerns about Central American refugee parity. Fortunately, negotiators have agreed to temporarily restore Section 245(i), which allows immigrants with family or employment to adjust their status in the United States, rather than return to their countries of origin and face the threat of 10 years of separation from family and work in the United States before returning. This bill also contains important provisions encouraging family unification through the creation of several new visa categories. That said, it will fail to support the Latino and Immigrant Fairness Act in the 107th Congress.

This is why, I must also object to a provision inserted by Senator Inouye, who has once again gone to great lengths to provide protectionist legislation to the lone U.S. operator of large cruise ships in Hawaii. In the 106th’s closing hours, the Senator has had a legislative provision inserted in the final appropriations measure that will prohibit any cruise ship operator from allowing gaming on board any vessel that departs from and returns to Hawaii. This provides American Classic Voyages with the protection they need to keep other cruise operators who depend on gaming to attract passengers and provide an additional revenue stream from entering a competitive market and prohibit other vessels currently departing from other U.S. port cities from sailing among the Hawaiian islands. In the end, the American consumer is the loser.

While Hawaii law currently prohibits any gaming within the state, including its waters, U.S., state, and international law allows gaming on vessels more than three miles from shore. I have no argument against Hawaii’s gambling prohibition. But, the post-end of debate by Senator Inouye is aimed at keeping planned operations by international cruise operators out of Hawaii and preserving the monopoly
created for American Classic Voyages as part of special interest legislation he sponsored and which became law in 1998. The language will result in fewer large cruise ship operators serving the Hawaiian Islands and drastically restricting my choice for cruise vacations in Hawaii.

What is most amazing is this measure, like so many others in this bill, was never discussed publicly, with the administration, or with any Committee of jurisdiction in Congress. This type of closed-door, special interest legislation should concern every Member. To deny the American public the freedom of choice in cruising vacations and restrict international trade without one moment of debate is very troubling.

In light of this and other such inappropriate legislating, we must enact institutional reforms to put an end to the rampant abuse of the budget process.

If we are to hold any hope for reforming the budgetary process in this body, fundamental changes to the rules governing the appropriations process must be made. The two Rules of the Senate designed to impose discipline on the appropriations process are Rule 16, and Rule 28. Senates were designed to block legislative riders on appropriations bills coming out of Committee, and Rule 28 is designed to accomplish the same goal on Conference Reports. Unfortunately, due to the fact that Rule 16 point of order and Rule 28 require a three-fifths vote of the Senate is required to over-rule the Chair, it has proven ineffective in stripping riders. And, as we all know, Rule 28 is effectively moot at this point.

As such, when the Senate reconvenes next year, it is my intention to offer an amendment to the Rules of the Senate designed to toughen Rule 16, and to reaffirm and toughen Rule 28. This amendment would do the following:

Rule 16 would be modified to require a three-fifths vote of order against a legislative item inserted into a general appropriations bill by the appropriations committee. Further, a single point of order may be raised against each legislative item, and each point of order would be debatable and subject to a roll call vote.

Rule 28 would be modified, blocking Conference a general appropriations bill from inserting in their Report any matter not committed to them by either House to a level exceeding the highest appropriated level for such item presented to them by either House, and reducing an appropriated level for any item committed to them below the lowest appropriated level for such item committed to them by either House.

Further, Conferences a general appropriations bill would be restricted from modifying any item committed to them by either House where such modification is not germane to the item being modified. In any case, no matter may be inserted into the Report that is not germane to the general appropriations bill committed to the Conferences.

The result of these changes would be to impose a strict ‘scope of conference’ rule on appropriations Conferences.

A point of order may be made by any Senator against any general appropriations bill Conference Report for any violation of the act set forth by this rule. In such cases where a single restriction has been violated more than once within a Conference Report, or where more than one restriction has been violated within a single Conference Report, each violation may be treated individually, and may be subject to a specific point of order. In the event that a single, or multiple points of order, are made against a general appropriations bill Conference Report for reasons set forth under these new restrictions, a three-fifths vote of the Senate is required to over-rule the Chair. Each appeal of the ruling of the Chair of each respective point of order is debatable and must be voted on separately.

Mr. President, before I end, I want to wish everyone a happy holiday season and New Year.

Mr. LAUTENBERG. Mr. President, I would like to take some time to discuss the importance of investing in our Nation’s transportation infrastructure.

We have what could fairly be termed a looming transportation crisis in the United States. Business and personal travelers are overwhelmingly relying on air travel to get from city to city, and the system is plagued with delays and congestion which is not only undermining people’s personal plans but also harming the business community.

Air travel has become so inconvenient and unreliable, the public needs alternatives. The Federal Aviation Administration, aviation delays increased 58 percent between 1995 and 1999. And to add to passengers’ frustration, the average delay is getting longer each year—averaging 50 minutes in 1999.

Even worse, flight cancellations increased 68 percent over that same period—1995–1999. Overall, nearly one in four flights was either delayed or canceled in 1999.

The summer of 1999 was the most delayed summer in aviation history. That is until this summer, which blew past last year’s delay record.

The number of delays, the number of cancellations, and the length of delays all have continued to go up so far in 2000. Air travel’s high-speed rail infrastructure more than doubled in 1999 and are up almost another 50 percent so far this year. With aviation travel expected to increase more than 50 percent over the next decade, the problem is looming.

The Federal Aviation Administration estimates that boardings will increase to 917 million by 2008. Our current aviation system can’t handle this demand. Fortunately, we have a solution to this problem right before our eyes. A solution that we have ignored and neglected for too long—high-speed passenger rail.

Nineteen of the 20 most-delayed airports in the United States are located on potential high-speed corridors. And high-speed rail can provide a competitive travel alternative, particularly over distances less than 500 miles.

The situation on our roads is almost as dire as the problems in our skies. One study estimated that $72 billion dollars was lost in 1997 as a result of traffic congestion through lost productivity and wasted fuel. And this situation continues to deteriorate. People now spend 50 percent more time stuck in traffic than they did in 1990 and triple the time they did in 1982.

Critics have complained about Amtrak receiving $23 billion federal subsidies since 1971. But this is pocket change compared with the funding we have provided other modes over that same period. Since 1971, we have spent over $160 billion on aviation programs and over $300 billion on highways.

The High-Speed Rail Investment Act can be the vehicle for giving Americans more transportation options. This legislation would allow Amtrak to sell $10 billion in high-speed rail bonds over ten years. The Federal Government would leverage private sector investment in our rail infrastructure by providing tax credits to bond holders.

States would be full partners in this effort and would have to put up a 20 percent match which would go into an escrow account to be used to repay the bond principal.

These funds would enable high-speed rail projects to go forward in the Midwest, the Southeast, the Gulf Coast, and along the Pacific Coast. And it would allow us to finish the Northeast Corridor high-speed rail project.

High-speed rail means better, faster, more competitive rail service. It means a comfortable travel alternative to those who want to avoid congested highways and cramped and delayed planes.

The High-Speed Rail Investment Act, S. 1900, is supported by a bipartisan group of 57 Senators representing all regions of the country. And companion House legislation, H.R. 3700, introduced by Representatives from across the Nation. And Mr. President, co-sponsored by JAMES OBERSTAR, now has over 150 co-sponsors.

Our Nation’s governors, state legislators, and mayors understand our transportation problems and see high-speed rail as a vital part of the solution to our transportation woes. Newspapers from across the Nation have come out in support of investing in high-speed rail.

Mr. President, the benefits of High Speed Rail Service are clear. High-speed rail is the future of transportation in America. We cannot maintain a productive and efficient transportation system without modernizing our
rail infrastructure and providing a competitive alternative means of transportation on our rails.

I am therefore pleased that I have the commitment of my colleagues to provide resources for high speed rail next year. If we don't act in the Senate, I know the Senator from Delaware and other colleagues will work relentlessly toward this goal.

Mr. HATCH. Mr. President, as the Senate considers the Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act of 2000, I want to take this opportunity to comment about several of the provisions included in the bill. This bill contains many important health care provisions affecting both Medicare providers and Medicare beneficiaries. Accordingly, I am delighted that a final agreement has been reached with the White House on these provisions and that the measure is past.

I also want to take this opportunity to commend the distinguished Chairman of the Finance Committee, Senator Roth, for his leadership and persistence over the past several months in moving this critically important legislation. On a personal note, I would be remiss if I did not say that I will miss my colleague and good friend BILL ROTH. I am very sorry that he will not be here to continue the work on which he has labored for so many years.

BILL ROTH has made a real difference to Americans—he was one of the original believers in across-the-board tax cuts. He was also a champion for personal savings account, which is a simple way to get our nation out of "stagflation." The tax policy worked and produced one of the longest periods of prosperity in history. BILL ROTH was also a father of the individual retirement account, which is a simple way that Americans can help themselves save for retirement. Senator ROTH worked tirelessly over the years to expand IRAs, make them even more available and more workable. I greatly admire his understanding of the tax code and tax policy, and we are going to miss his continued contributions to this complex area.

But, Chairman ROTH has also been a champion on the Finance Committee and in the Senate for his commitment in addressing the critical structural and financing problems facing the Medicare program. Indeed, his work over the past several years as Chairman of the Finance Committee has dramatically improved the prospects that meaningful Medicare reform can be accomplished, in a bipartisan fashion, in the next Congress. Moreover, because of his efforts, the foundation has been laid for a workable and much-needed Medicare drug benefit that I am hopeful Congress will enact with the leadership of Senator-elect Bush.

For now, I would like to comment briefly on several provisions which I authored, or strongly supported, that are included in this legislation.

First, I am pleased the legislation contains provisions to create a prospective payment system for federally qualified health centers in every state of the country. Betty Vierra, who serves as the Executive Director of the Association for Utah Community Health, advised me that this is one of the top priorities for community health centers in Utah and across the nation. Community health centers have been working on this issue since 1997, and I am pleased they have finally won their hard-fought battle.

The bill also contains provisions from the Medicare Access to Technology Act of 2000, legislation that I introduced earlier this year. Last year, provisions were included in the omnibus budget legislation for fiscal year 2000 that addressed some of the outstanding problems concerning access issues for Medicare beneficiaries. Unfortunately, we were to able to resolve all of the issues last year. As a result, Medicare beneficiaries continue to have trouble gaining access to many new medical technologies that are already reimbursed by private insurance plans.

That is why I introduced the Medicare Patient Access to Technology Act of 2000. I believe we must eliminate the artificial barriers and bottlenecks that have arisen in the way Medicare decides to cover, code and pay for new medical devices and diagnostics. Last year's legislation, which was included in the Balanced Budget Relief Act (BBRA), represents an important first step in modernizing the Medicare program to provide timely access to needed medical treatments provided in the hospital outpatient setting.

Briefly, my legislation requires the Health Care Financing Administration (HCFA) to implement the OPPS pass-through payment program on the basis of categories starting April 1, 2001. The bill includes a provision which changes the way in which HCFA reimburses for clinical and laboratory services including the establishment of a specific process for clinical laboratory payments, and to report to Congress on this issue. Finally, the legislation requires the maintenance of local codes by Medicare contractors for three years and also requires HCFA by October 1, 2001, to provide for the inclusion of new technologies and devices more quickly in the Medicare inpatient hospital payment program.

On another matter, I have been deeply concerned about the safety of our nation's blood supply. Patient access to a safe and adequate blood supply is a national health priority, however, many of us have heard from the American Red Cross, America's blood centers, and the American Association of Blood Banks about hospitals having trouble paying for new blood therapies. Additional funding is needed if we are to remain committed to the safest blood supply possible.

The blood banking and transfusion medicine communities are constantly working to assure that safety improvements for blood are implemented as soon as they are available. Unfortunately, these measures significantly increase the cost of blood products—over 40 percent for the two latest technologies—for both the hospital and blood bank.

Blood is donated by volunteers, nonprofit blood centers must recover the costs associated with providing a safe product. Nonprofit blood centers pass these charges onto hospitals, which in turn, must get timely and adequate reimbursement for these life-saving and life-enhancing services. Unfortunately, the current system by which HCFA determines inpatient reimbursement rates does not account for these safety improvements a timely manner.

The bill directs HCFA and MedPAC to review how hospitals are being reimbursed for blood. It also asks both entities to recommend necessary changes to provide fair and timely reimbursement. While these recommendations are not to be completed until late next year, I will continue to work on guaranteeing that patients are receiving the safest possible blood products as soon as possible.

I am also very pleased that the legislation before the Senate today contains additional funding for our nation's skilled facilities (SNFs). In September, I introduced legislation, S. 3030, along with my colleague Senator DOMENICI, to increase Medicare reimbursements for those providing nursing home care.

Nursing homes across our country continue to struggle under the enormous demands of complying with the implementation of the prospective payment system as authorized pursuant to the Balanced Budget Act of 1997 (BBA). In an effort to address this problem, Congress passed legislation last year to restore nearly $2.7 billion for the care of nursing home patients. This action provided much needed relief to an industry that is facing extraordinarily financial difficulties as a result of the spending reductions provided under the BBA as well as implementation by HCFA.

Unfortunately, the problem is not fixed and more needs to be done. That is why Senator DOMENICI and I introduced the Skilled Nursing Facility Care Act of 2000 so that seniors can rest assured that they will have access to this important Medicare benefit.

In Utah, there are currently 93 nursing homes serving nearly 5,800 residents. I understand that seven of these 93 facilities, which are operated by Vencor, have filed for Chapter 11 protection. These seven facilities for approximately 800 residents. Clearly, we need to be concerned about the prospect of these nursing homes going out of business, and the dramatic consequences that such action would have on all residents—no matter who pays the bill. I am pleased that the bill before the Senate contains provisions from the Skilled Nursing Facility Care Act to ensure patient access to nursing home
care. Medicare’s skilled nursing benefit provides life enhancing care following a hospitalization to nearly two million seniors annually. Unless Congress and HCFA take the necessary steps to ensure proper payments, elderly patients will be at risk, especially in rural, underserved and economically disadvantaged areas.

Specifically, the bill provides approximately $1.6 billion to SNFs over the next five years. The legislation repeals the mandatory 2% Medicare spending reduction in the SNF market basket for FY 2001 thereby providing the full market basket update. In FY 2002 and 2003 the updates would be the market basket index increase minus 0.5 percentage points.

Moreover, temporary increases in the federal per diem rates provided by last year’s increases would be in addition to the increases in this provision. The bill also increases the nursing component for each Resource Utilization Group (RUG) for current and base year levels for SNF care furnished after April 1, 2001 and before October 1, 2002. Clearly, these additional dollars will help ensure the continuity of beneficiary care in our nation’s nursing homes.

Another issue that I worked hard to get into the legislation is the financial commitment made for the treatment and research on diabetes. I am extremely pleased that the bill provides a substantial increase in appropriations for seven new programs for children with Type 1 Diabetes as well as for Native Americans with diabetes. As my colleagues recall, the BBA created two new grant programs under which the Secretary of Health and Human Services could make grants to support prevention and treatment services of diabetes for children and for Native Americans, respectively.

Specifically, Congress committed $30 million each for Native American diabetes care and $12 million each for NH research of Type 1 Diabetes in children. This program was authorized for five years—FY 1998 through FY 2002. I am very pleased the legislation increases the appropriated funds available for these two programs by raising the amount from $30 million to $100 million for FY 2001 and FY 2002, respectively. Moreover, the bill appropriates $100 million for each program for FY 2003.

These dollars have been extremely helpful to the Indian Country where Native Americans suffer the highest rate of diabetes than any other segment of our population. I want to commend the Republican leadership for ensuring that these dollars were included in the bill—this commitment is truly making positive difference in the lives of millions of Americans who suffer from this deadly disease.

With respect to home health care, the legislation protects funding for home health care services by delaying until October 1, 2002 a BBA-scheduled 15 percent cut in Medicare payments. I sponsored legislation earlier this year that addresses the issue of the 15 percent cut. And, while I hoped we could repeal the 15% cut provision altogether, I can appreciate the difficulty the conference faced in resolving this complicated and costly provision. Delaying the cut for another year will provide Congress additional time to address this critical and pervasive issue.

Moreover, the bill provides for a full medical inflation update for home health. I am particularly pleased the bill contains a provision that enhances the use of telehealth in the delivery of home health care services. This enhancement will be especially helpful to those individuals who live in the rural and remote parts of Utah where medical specialists are not readily available. As a result, Utahns who live in these areas will not have improved access to the best doctors and medical care specialists regardless of where they live.

The bill also contains a provision on adult day care. This provision clarifies the RUG current code for a RUG-1 for a patient’s plan of treatment does not preclude appropriate coverage for home health care. It also clarifies the ability of homebound beneficiaries to attend religious services without being disbarred from care.

As one of the Senate’s strongest supporters of home health care, I believe these provisions will enhance substantially the home health care benefit.

As far as hospitals are concerned, the legislation provides a substantial amount of new funding for our nation’s hospitals. I have been particularly concerned about the financial impact of the BBA’s provisions on rural hospitals. As I travel across Utah, I am constantly reminded by hospital administrators about the serious financial pressures many of these institutions currently face with increased demands for care while coping with reduced reimbursements from Medicare. Clearly, Congress needs to act now to ensure the financial viability of our nation’s hospitals.

The bill also addresses the problem for rural disproportionate share hospitals (DSHs) which care for a disproportionate share of poor Medicare patients. The bill extends the Medicare Dependent Hospital program for rural areas; it updates target amounts for sole community hospitals; and increases the reimbursement for emergency and ambulance services.

Moreover, the bill ensures continued access to hospital services nationwide by providing a full inflation market basket update for fiscal year 2001. The plan also ensures the financial stability of teaching hospitals by increasing payments related to physician training. This provision is especially important to Utah’s University Hospital which has been hard hit in the past this by the BBA reductions.

With regard to Native Americans, the legislation contains an extremely important provision regarding Indian health care. The bill authorizes, for the first time, the Indian Health Service (IHS) and tribally operated clinics and hospitals to receive Medicare Part B reimbursement for services provided under the physician fee schedule. This proposal would enhance the access of many Medicare beneficiaries to affordable, quality health care and improve the ability of these clinics and hospitals to serve the Native American population.

Another important Medicare issue I want to raise involves providing appropriate coverage for certain injectable drugs and biologicals that are critical to many Medicare beneficiaries. To resolve this issue, the legislation has a provision which addresses this important issue.

The Medicare Carriers Manual specifies that a drug or biological is covered under this provision if it is “usually” not self-administered. Under this standard, Medicare for many years covered certain drugs and biologicals administered by physicians in their offices and other outpatient settings. In August 1997, however, HCFA issued a memorandum that had the effect of eliminating coverage for certain products that could be self-administered. This resulted in patients suddenly losing their Medicare coverage for these products, thus limiting access to drugs and biologicals for many seniors and disabled individuals.

The new language clarifies Medicare reimbursement policy to guarantee that physicians and hospitals will be reimbursed for injectable drugs and biologicals. The new language requires coverage of drugs and biologicals which are not usually self-administered by the patient, thus restoring the coverage policy that was in effect before the August 1997 HCFA memorandum was issued.

When HCFA considers whether a drug or biological is usually self-administered, I feel HCFA should determine whether a majority of Medicare beneficiaries can actually self-administer the drug. HCFA should assume, as it did for many years, that Medicare patients do not usually administer injections or infusions to themselves, while oral medications usually are self-administered.

I believe that it would be appropriate for HCFA to issue guidelines for its contractors to clarify implementation of the legislation. In addition, HCFA should instruct its contractors to exclude a drug or biological without making an explicit finding supported by evidence that the product is usually self-administered by most Medicare patients.

This issue is an important step to provide our seniors and persons with disabilities with the prescription drugs and biologicals that they deserve. I look forward to working with HCFA to ensure that our Medicare beneficiaries receive adequate and appropriate coverage for these drugs and biologicals.

On another matter Mr. President, I would also like to state that as the
Medicare provisions of this legislation are implemented, I urge the Secretary of Health and Human Services to review policies that affect the order of services provided to home health beneficiaries to assure that, under the prospective payment system, health agencies are given maximum flexibility to provide services in a clinically appropriate and efficient order.

In this connection, I believe the Secretary should also review the role of occupational therapists in conducting the initial Outcome and Assessment Information Set (OASIS) even when occupational therapy is not the therapy service that initially qualifies the beneficiary for covered home health services.

For example, when patients are prescribed home health solely for rehabilitation, the review should include whether or not it would be clinically appropriate for occupational therapy to be the first service provided to the patient. Another factor to be considered is whether or not it may be appropriate for an occupational therapist to conduct the initial OASIS. I am hopeful that the prospective payment system implemented by the Secretary will not result in limitation of home health agencies to fully utilize the unique skills of covered therapists.

Once again, Mr. President, I am pleased the Congress and President Clinton have come together in reaching agreement on this legislation. It is vital that these provisions become enacted this year; they will help many people across our country. I look forward to the President signing this measure into law at the earliest possible date.

I also want to take this opportunity to thank the numerous individuals across the great state of Utah who took the time to meet with me here in Washington and in Utah over the past year. It is important for us to consider whether these provisions included in this bill. I value the input and expertise I received from health care providers and consumers in Utah, and especially from the elderly whose views have been particularly helpful to me in the development of this legislation.

Seniors in Utah and across our country depend on Medicare. We must ensure this program provides the highest quality of health care to beneficiaries. More than ever, the future of the health care system is in our hands. I am hopeful that the Congress and the President will work with the leadership from President-elect Bush, we will be able to build on today's work and further improve the quality of services to beneficiaries and, especially, provide for a new outpatient prescription drug benefit.

Mr. KERRY. Mr. President, let me say a few words about the Small Business Reauthorization Act of 2000 and the process to bring this legislation to the floor as part of the Fiscal Year 2001 Omnibus Appropriations bill. First, however, I would like to thank Senate Committee on Small Business Chairman Jim Talent, House Small Business Committee Ranking Member Nilda Velazquez, our staffs, Laura Ayoud with Senate Legislative Counsel and John Ratliff with the House Legislative Counsel's office for their efforts in preparing the first version of this legislation that was included in the Fiscal Year 2001 Omnibus Appropriations bill, contains a good portion of the conference report negotiated by the Senate and House Committees on Small Business. Despite the rough start, bipartisan wrangling over unrelated issues, broken deals and lengthy delays, I am pleased that we can at last pass this legislation so critical to our nation's small businesses. Unfortunately, it is our small businesses that President Clinton has threatened to veto such a package.

Additionally, a Wellstone provision agreed to during negotiations was removed. The Wellstone provision would have continued the pilot project to build the capacity of community development venture capital firms through research, training and management assistance. Senator Wellstone had already agreed to make this program a three year pilot project and cut the funding down from $20 million over four years. But the provision was removed from the Conference Report without consulting either of us.

I am also disappointed that some provisions included in the Senate passed version of the Small Business Reauthorization Act, as well as in the Administration's budget request, were not included in the final version of this legislation. The Senate version contained several provisions important to the Administration, Members of the Senate Small Business Committee and the Senate in general. In the spirit of compromise, the agreement to drop several of these important provisions, with an understanding, in many cases, to revisit these issues in the 107th Congress.

Chairman Bond agreed to remove his provision regarding the "Independent Office of Advocacy Act," which I co-sponsored, and which passed the Senate as a separate bill. This Committee has heard on more than one occasion that separation of the Office of Advocacy from the Small Business Administration is the best means to ensure its autonomy. I look forward to working with the Chairman on this issue in the next Congress. A provision requested by Senator Ted Stevens setting up a HUBZone pilot program in Alaska and a provision requested by Senator Diane Feinstein to allow fruit and vegetable packing houses hit by the 1998 freeze to participate in the SBA's Disaster Loan program were removed as well. I have assured Senator Feinstein that the Committee will look further into this matter in the next Congress in an effort to allow the SBA to provide relief if it is warranted.

A provision requested by the Administration and strongly supported by Senator Paul Wellstone was also dropped. This provision would have created a Native American Small Business Development Center (SBDC) Network that would have worked together with the traditional SBDC Network that would have been separately funded. I have received assurances from both Chairman Bond and the House Committee on Small Business that this issue will be addressed in the next Congress, along with concerns raised by Senator H Owen of Arizona that the 8(a) program needs greater focus.

Proposed regarding the Quadrennial Small Business Summit, the Small Business Advocacy Review Panel Technical Assistance Amendments to the Government Contracting Act and the Small Business Reauthorization Act, which I co-sponsored, were also dropped. The final version of this legislation does include some of the provisions I requested regarding improvements to the Microloan program. The changes to the Microloan program stems from the President's Fiscal Year 2001 budget request and had broad support in the Congress as well as the Administration. Several Members of the House Committee on Small Business. I have long been a firm believer in microloans and their power to help people gain economic independence while improving the communities in which they live. With a relatively small investment, the Microloan program helps turn ideas into small businesses adding up to sel-sufficiency for many families and big returns for the taxpayers. The final version of the Microloan program, which resulted from a roundtable Committee meeting in the Senate and discussions with the Administration and users of the Microloan program, will be a great
boon to the effectiveness and availability of Microloans. Specifically, provisions increasing the maximum loan amount from $25,000 to $35,000 and increasing the average loan size to $15,000 were included. However, changes to make the program more effective, such as increasing the number of intermediaries or authorizing reimbursement for peer-to-peer mentoring, were weakened or removed because the House did not have time to hold hearings and study them thoroughly.

I believe all of the changes in the Senate bill make sense, have broad bipartisan and bicameral support, and would go a long way toward providing increased access to capital, especially for minority entrepreneurs. I want to make it clear to my colleagues who support the Microloan program that I will continue my efforts to strengthen this program and will work with Chairman Bono and our House counterparts to make these remaining improvements in the next Congress. I also intend to revisit the Microloan funding issue before the end of the three-year reauthorization period if the level authorized is inadequate to meet program needs.

While I am disappointed that some of the Senate changes were not included in the final compromise, this legislation is crucial for our nation's small businesses. It reauthorizes all of the SBA's programs, setting the funding levels for the credit and business development programs, and making selected improvements. Without this legislation, the 504 loan program and the Small Business Innovation Research (SBIR) program would shut down; the venture capital debenture program would shut down; and funding to the states for their small business development centers would be in jeopardy.

The SBA's contribution is significant. In the past eight years, the SBA has approved more than $370,000 small businesses get more than $80 billion in loans. That's double what small businesses had received in the preceding 40 years since the agency's creation. The SBA is better than ever before, with four straight years of clean financial audits; it has a quarter less staff, but guarantees twice as many loans; and its credit and finance programs are a bargain. For a relatively small investment, taxpayers are leveraging their money to help thousands of small businesses every year and fuel the economy.

Let me just give you one example. In the 7(a) program, taxpayers spend only $1.24 for every $100 loaned to small business owners. Well known successes like Winnebago and Ben & Jerry's are clear examples of the program's effectiveness.

Overall, I agree with the program levels in the three-year reauthorization bill. During the December 6th Small Business Committee hearing on SBA's budget earlier in the year, I believe the program levels are realistic and appropriate based on the growing demand for the programs and the prosperity of the country. I also think they are adequate should the economy slow down and lenders have less cash to invest. Consistent with SBA's mission, in good times or bad, we need to make sure that small businesses have access to credit and that our economy benefits from the services, products and jobs they provide. As First Lady and Senator-elect HILLARY RODHAM CLINTON says, we don't want good ideas dying in the parking lot of banks. We also know that small states are hit hard by a natural disaster. There are many members of this Chamber, and their constituents, who know all too well the value of SBA disaster loans after floods, fires and tornadoes.

Mr. President, I am extremely pleased that we included legislation to extend the Small Business Innovation Research (SBIR) program for 8 more years as part of this comprehensive SBA reauthorization bill. While I am very sorry the process has taken this long, in no way should that imply that there is not strong support for the SBIR program, the Small Business Administration, or our nation's innovative small businesses.

The SBIR program is of vital importance to the high-technology sector throughout the country. For the past decade, growth in the high-technology field has been a major source of the resurgence of the American economy we all enjoy. While many Americans know of the success of Microsoft, Oracle, and many of the dot.com companies, few realize that it is America's small businesses, working in industries like software, hardware, medical research, aerospace technologies, and bio-technology, that are helping to fuel this resurgence—and that it is the SBIR program that makes much of this possible. By setting aside Federal research and development dollars specifically for small high-tech businesses, the SBIR program is providing important contributions to our economy.

These companies have helped launch the space shuttle; conducted research on Hepatitis C; and made B-2 Bomber missions safer and more effective. Since the start of the SBIR program in 1983, more than 17,600 firms have received over $9.8 billion in SBIR funding agreements. In 1999 alone, nearly $1.1 billion was awarded to small high-tech firms through the program, assisting more than 4,500 firms.

The SBIR program has been, and remains, an excellent example of how government and small business can work together to advance the cause of both science and our economy. Access to risk capital is vital to the growth of small high technology companies, which accounted for more than 40 percent of all jobs in the high technology sector of our economy in 1998. The SBIR Small Business Investment Company program, which passed the Senate on June 14, 2000, the bill and our improvements make common-sense changes to this critical economic development tool. These changes will greatly increase the opportunity for small business owners to build a facility, buy more equipment, or acquire a new building. In turn, small business owners will be able to expand their companies and hire new workers, ultimately resulting in an improved local economy.

Since 1980, over 25,000 businesses have received more than $20 billion in fixed-asset financing through the SBIR program. In my home state of Massachusetts, companies like Advanced Magnetics of Cambridge, Massachusetts, illustrate that success. Advanced Magnetics used SBIR funding to develop a drug making it easier for hospitals to find new treatments. The development of this drug increased company sales and allowed Advanced Magnetics to hire additional employees. This is exactly the kind of economic growth we need in this nation, because jobs in the high-technology field pay well and raise everyone's standard of living. That is why I am such a strong supporter and proponent of the SBIR program and fully support its reauthorization.

This legislation also includes my legislation to establish a New Markets Venture Capital program at SBA. This small business legislation is designed to promote economic development, business investment, productive wealth and stable jobs in "new markets": low- and moderate-income areas where there is little to no sustainable economic activity but many overlooked business opportunities. The venture capital program is modeled after the Small Business Administration's successful Small Business Investment Company program. The SBIC program has been so successful that it has generated more than $19 billion in investments in more than 13,000 businesses since 1992.

With the passage of the "New Markets" legislation, low- and moderate-income areas will have increased opportunities to join the economic boom in America and this targeted venture capital will make a powerful difference in areas like the coalfields of Kentucky's Appalachia or the Mississippi's Delta region.

This legislation also contains H.R. 263A, which reauthorizes SBA's 504 loan program, which passed the Senate on June 14, 2000. The bill and our improvements make common-sense changes to this critical economic development tool. These changes will greatly increase the opportunity for small business owners to build a facility, buy more equipment, or acquire a new building. In turn, small business owners will be able to expand their companies and hire new workers, ultimately resulting in an improved local economy.

Since 1980, over 25,000 businesses have received more than $20 billion in fixed-asset financing through the 504 program. In my home state of Massachusetts, companies like Advanced Magnetics have received $338 million in 504 loans that created more than 10,000 jobs. The stories behind those numbers say a lot about how SBA's 504 loans...
help business owners and communities. For instance, in Fall River, Massachusetts, owners Patricia Ladino and Russell Young developed a custom packing plant for scallops and shrimp that has grown from ten to 30 employees in just two short years and is in the process of another expansion that will add as many as 25 new jobs.

Under this reauthorization bill, the maximum debenture size for Section 504 loans has been increased from $500,000 to $1 million. For loans that meet special public policy goals, the maximum debenture size has been increased from $1 million to $1.3 million. It has been a decade since we increased the maximum guarantee amount. If we were to change it to keep pace with inflation, the maximum guarantee would be approximately $1.25 million instead of $1 million. By not implementing such a sharp increase, we are striking a balance between rising costs and increasing the government's exposure.

I am pleased to say that this legislation also includes a provision assisting women-owned businesses, which I first introduced in 1998 as part of S. 2448, the Small Business Loan Enhancement Act. This provision adds women-owned businesses to the current list of businesses eligible for the larger public policy loans. As the role of women-owned businesses in our economy continues to increase, we would be remiss if we did not encourage their growth and success by adding them to this list.

Mr. President, the 504 loan program gets results. It expands the opportunities of small businesses, creates jobs and improves communities. It is crucial that it be reauthorized. I am pleased this legislation has been included in this package.

Small Business Development Centers (SBDC) are also reauthorized under this legislation. SBDCs serve tens of thousands of small business owners and professionals every year. By any measure, this bill takes a giant step to retool the formula that determines how much funding each state receives. This is an important program for all of our states and we want no confusion about its funding. Without this change, some states would have suffered sharp decreases in funding, disproportionate to their needs. I appreciate and am glad that the SBA and the Association of Small Business Development Centers worked to develop a formula so that small businesses can continue to be adequately served. As I said previously, I plan to revisit the Native American SBDC Network issue next Congress.

This legislation also reauthorized the National Women's Business Council. For such a tiny office, with minimal funding and staff, it has managed to make a significant contribution to our understanding of the impact of women-owned businesses to our economy. It has also done pioneer work in raising awareness of business practices that work against women-owned business, such as some in the area of Federal procurement. Recently, the Council completed two studies that documented the world of Federal procurement and its impact on women-owned businesses.

According to the National Foundation on Women Business Owners, over the past decade, the number of women-owned businesses in this country has grown by 103 percent to an estimated 9.1 million firms. These firms generate almost $3.6 trillion in sales annually and employ nearly 11 million workers. With the impact of women-owned businesses on our economy increasing at an unprecedented rate, Congress relies on the National Women's Business Council to serve as its eyes and ears as it anticipates the needs of this burgeoning entrepreneurial sector. Since it was established in 1988, the bipartisan Council has provided important unbiased advice and counsel to Congress.

This Act recognizes the Council's work and reauthorizes it for three years, from FY 2001 to 2003. It also increases the annual appropriation from $500,000 to $1 million, which will allow the council to support new and ongoing research, and produce and distribute reports and recommendations prepared by the Council.

The Historically Underutilized Business Zone, or "HUBZone" program, which passed this Committee in 1997, has tremendous potential to create economic prosperity and development in those areas of our Nation that have not seen great rewards, even in this time of unprecedented economic health and stability. This program is similar to my New Markets legislation in that it creates an incentive to hire from, and perform work in, areas of this country that need assistance the most. This bill would authorize the HUBZone program at $10 million for the next 3 years, which is $5 million above the Administration's request.

Additionally, this legislation includes very important provisions to allow those groups which were inadvertently missed when this legislation was crafted—namely Indian tribal governments and Alaska Native Corporations—to participate in the program. I appreciate the willingness of the Committee on Indian Affairs to work with our Committee to create increased HUBZone opportunities for Native Americans.

As I stated, the HUBZone section does not contain any provision addressing the interaction of the HUBZone and 8(a) minority contracting programs. I believe that the 8(a) program is an important and necessary tool to help minority small businesses receive access to government contracts. The Chairman and I agree that there is a need to enhance the participation of both 8(a) and HUBZone companies in Federal procurement. It is my intention that the Senate Committee on Small Business consider the issue of enhancing small business procurement in the next Congress.

This legislation also includes a provision relating to SBA's cosponsorship authority. This authority allows SBA and its programs to cosponsor events and activities with private sector entities, thus leveraging the Agency's limited resources. The legislation extends this authority for three additional years.

Mr. President, let me conclude by reminding my colleagues that all of our states benefit from the success and abundance of small businesses. This legislation makes their jobs a little easier. I ask my colleagues for their support of this important legislation.

Mr. THURMOND. Mr. President, as we draw the 106th Congress to a close, I wish only to take a moment to express my appreciation to Senator Stevens and others who concluded the negotiations on this final appropriations bill. They have worked under difficult circumstances, and I commend them for their accomplishment. I particularly acknowledge the effort of the Senator Stevens. He is an outstanding chairman. He has devoted months of effort to this bill at great personal sacrifice. He is extremely capable and is always courteous and I express my personal thanks to him for his good work.

I am particularly gratified that the Appropriations Committee found a way to fund a leadership development program for the Boys and Girls Clubs of America. I have long held an interest in youth and young people, many of whom are native to the Native American people of our Nation. The funding contained in this bill for a National Training Center will assist this nationwide organization in its mission of serving youth. The Center will offer a full array of programs, training, and research for participants from across the entire Nation. As a result, significant progress will be made toward the goals of promoting citizenship, leadership, and character development; the prevention of drug and alcohol abuse; and dropout prevention. On behalf of the youth of this Nation, I again express my appreciation for the Congress supporting this measure.

Mr. BIDEN. Mr. President, I want to take a few minutes to speak to the Commerce, Justice, State, the Judiciary, the Appropriations legislation that is contained in this bill. Unfortunately, I’ve got some good news and some bad news. The good news is that this bill recognizes the need to dedicate more resources to our foreign policy needs; the bad news is that the bill fails to contain funding for three important programs in the Justice portion of this legislation.

The State Department does important work—protecting our citizens and pursuing our foreign policy objectives—in some of the most dangerous and difficult places in the world. Unlike the U.S. military, State Department employees go into areas of conflict unarmed, and generally unprotected. We have State Department officials in Iraq, Afghanistan, Kyrgyzstan, and the Truman, and throughout the war-torn corners of the former Yugoslavia.
That is why I am particularly pleased to see that funding for embassy security in the Commercial Justice-State bill is at the levels requested by the Administration. I strongly support full funding of two critical accounts—embassy security and personnel—and in the legislation to authorize State Department activities which was initiated by the Committee on Foreign Relations last year.

I fail to fund the State Department's security account would have had a devastating effect on the safety of the Americans who serve us overseas, both in the number of security agents who protect them against terrorist threats and construction of new, safe embassies. Fortunately both these security programs will be well-funded. I regret, however, that agreement was not reached to fund a new Center for Anti-terrorism and Security Training. I hope we can give this careful consideration next year.

In addition, after many years of decline, funding for the State Department's most basic needs—including salaries and administrative expenses—has been increased. The final funding for this account is $472 million higher than the Administration's original request by $95 million, which should help offset the many reductions in the State Department budget during the 1990s.

As the Secretary of State has said numerous times, diplomats are our first line of defense. Just as we are concerned about military readiness, so we must be attentive to diplomatic readiness overseas. We need to do as much as we can—and in my opinion, this funding goes only part way—to ensure that we retain the best and the brightest in our Foreign Service.

I am pleased that the amount of money dedicated to United Nations Peacekeeping operations exceeds the Administration's original request by $625 million, which should help offset the many reductions in United Nations programs in the wider State Department budget during the 1990s.

This was the single most important paragraph in the 1994 Crime bill because it leaves the landmark Violence Against Women Act underfunded, serially jeopardizing the tremendous strides we have made in every State across this country to reduce domestic violence and sexual assault against women. Congress originally approved this legislation in 1994 and then reauthorized it unanimously this past October. In the bill before us, however, Congress gives funding to live up to the commitment made by the Administration in 1994.

I wish that I could be as positive about the Justice Department portion of the bill, but I cannot. I am disheartened that the legislation does not contain three crucial provisions—reauthorization of the COPS program, the Violent Crime Reduction Trust Fund, and full funding for the Violence Against Women Act.

Although we have 49 co-sponsors from both sides of the aisle and letters of support from every major law enforcement organization, a few powerful members on the other side have refused to allow a vote on the continuation of the COPS program.

In 1994, we set a goal of funding 100,000 police officers by the year 2000. We met that goal months ahead of schedule. As of today, there have been 109,000 officers funded and 68,100 officers deployed to the streets.

Because of COPS, the concept of community policing has become law enforcement's principal weapon in fighting crime. Community policing has redefined the relationship between law enforcement and the public. But, crime rates remain high and crime is reduced crime. And that is what we attempted to do.

Crime is down 7 percent from last year and 16 percent since 1995. But we can't become complacent. We have to continue to help state and local law enforcement by putting more cops on the street. Mark my words, the day we become complacent is the day that crime rates go up again. And refusing to even allow a vote on this bill is even worse than complacency—it is irresponsible.

And I will say again that I firmly believe that reauthorization of the Violent Crime Reduction Trust Fund is the single most significant thing that we can do to continue the war on crime.

The results of these efforts have taken hold. Crime is down—way down. And we didn't add 1 cent to the deficit or the debt.

This was the single most important paragraph in the 1994 Crime bill because no one can touch this money for any other purpose. It can't be spent on anything else but crime reduction. It is the one place where no one can compete. It is set aside. It is a savings account to fight crime.

This fund works. It ensures that the crime reduction programs that we pass will be funded. It ensures that the crime rate will continue to go down instead of up. It ensures that our kids will have a place to go after school instead of hanging out on the corner. It ensures that violent crimes against women get the individualized attention that they need and deserve. It gives States money to hire more cops and get better technology. This bill is also satisfactory because it leaves the landmark Violence Against Women Act underfunded, seriously jeopardizing the tremendous strides we have made in every State across this country to reduce domestic violence and sexual assault against women.
institutions either to take delivery of equity securities under a single stock future or under any other circumstance, or otherwise to invest in any equity security otherwise prohibited for depository institutions; or (iii) allow a bank to establish single stock futures to circumvent restrictions in the law on ownership of equity securities under its chartering or authorizing statute.

Under Title III of the bill, the SEC is granted authority to take certain enforcement actions in connection with security-based swap agreements. It is important to emphasize that nothing in the title should be read to imply that swap agreements are either securities or futures contracts. To emphasize that point, the definition of a “swap agreement” is placed in a neutral statute, the Gramm-Leach-Bliley Act, that is, legislation that is not specifically part of a banking, securities, or commodities law. However, drawing upon the SEC’s enforcement experience, the SEC is permitted, on a case-by-case basis, with respect to security-based swap agreements (as defined in the legislation) to take action against fraud, manipulation, and insider trading.

Title III makes it clear that the SEC is not to impose regulations on such instruments as prophylactic measures. Banks are already heavily regulated in institutions. Further regulatory burden, rather than discouraging wrongdoing, would be more likely to discourage development and innovation, during business overseas instead. The SEC is directed to focus on the wrong doers rather than provide new paperwork burden and regulatory costs on the law abiding investors and financial services providers. For example, the SEC is directed not to require the registration of security-based swap agreements. If a registration statement is submitted to the SEC and accepted by the SEC, the SEC agency promptly to notify the registrant of the error, and the registration statement will be null and void.

Inside trading provisions of the Securities Exchange Act will be applied to single stock futures transactions as well. Title IV of the Commodity Futures Modernization Act of 2000 contains the Legal Certainty for Bank Products Act of 2000. This title is a free standing provision of law, part of neither the banking statutes nor the commodities statutes. The provisions of this title clarify the jurisdictional line between the regulation of banking products and futures products.

Under section 403 of Title IV, no provision of the Commodity Exchange Act (CEA) may apply to, and the CFTC is prohibited from exercising regulatory authority with respect to, an “identified banking product” if (1) an appropriate banking agency certifies that the product has been commonly offered, entered into, or provided in the United States by any bank on or before December 5, 2000, and (2) the product was not prohibited by the CEA and was not in fact regulated by the CFTC as a contract of sale of a commodity for future delivery or an option on a commodity by the Commission under such section 206(a)(3) of the Gramm-Leach-Bliley Act. This is the definition of “commonly offered” banking product if: (1) an appropriate banking agency determines that the product was not prohibited by the CEA and was not subject to CFTC regulation, and the CFTC is still prohibited from exercising regulatory authority over the product unless the Commission obtains the concurrence of the Board of Governors of the Federal Reserve Board (Board). If the Board does not concur in the CFTC’s decision, the Board may exercise its concurrence under section 206(a)(3) of the Commodity Exchange Act of 1934, which was enacted by the United States Court of Appeals for the District of Columbia Circuit.

The CFTC is expected to be circumspect in applying the predominance test. Example, it does not necessarily follow that a hybrid instrument not satisfying the predominance test is inevitably a futures contract subject to CFTC regulation. The CFTC must not interpret normal or traditional banking practices and activities, or prudent actions taken by a bank to maintain safety and soundness, to be hybrid instruments that the CFTC may regulate. For example, a loan made by a bank is an identified banking product under section 206(a)(3) of the Gramm-Leach-Bliley Act. Some may argue that a new loan product offered after December 5, 2000, may be interpreted to be covered by the definition of a hybrid instrument if it has one or payments indexed to the value of, or provides for the delivery of, one or more commodities. However, there would be little justification for the CFTC to construe the pledging of a commodity as collateral for a loan, or that providing that a loan may be offered as a prospect or full satisfaction of a loan, to be representative of a futures contract over which the CFTC may exert jurisdiction. No such result is contemplated under this legislation.

Moreover, the fact that a loan may be renegotiated or sold, or that a loan or other identified banking product may not be held until maturity, is not a violation of the predominance test. These are merely examples of the reasonable interpretations that the CFTC may make in applying the predominance test for purposes of the statute.

The Commodity Futures Modernization Act of 2000 excludes from its coverage agreements, contracts or transactions in an excluded commodity entered into on an electronic trading facility provided that such agreements, contracts or transactions are entered into only by eligible contract participants on a principal-to-principal basis under section 206(a)(3) of the CFTC. In some cases, a party may enter into an agreement, contact or transaction on an electronic trading facility that mirrors another agreement, contract or transaction entered into at the same time with a customer. The risk of one transaction may be largely or completely offset by the other; and that may be the purpose for entering into both transactions. But the party entering into both transactions remains liable for each of its counterparties throughout the life of the transaction. That party is similarly exposed to the credit risk of each of its counterparties. The fact that a party...
has entered into back-to-back transactions as described above does not alter the principal-to-principal nature of each of the transactions and must not be construed to affect the eligibility of either transaction for the electronic trading facility exclusion. The amendment would require all Inspectors General to report to Congress within 60 days on how each department or agency collects and reviews personal information on its web site. The amendment is based on similar language offered by the Senate Appropriations Committee in the FY 2000 Appropriations Act that would have applied exclusively to the agencies funded by the Treasury-Postal Appropriations bill. Our final language was adopted by the Senate-House conferences in the bill providing appropriate and effective legislative Branch and Treasury-Postal Appropriations Act, and it was included in the Omnibus Appropriations Act. The Internet has brought great benefits to our society, but understandably, the public is becoming more and more concerned about the way personal information is collected and handled on the Internet. The Federal Government should set an example for how personal privacy is handled in cyberspace. But unfortunately, concerns have been raised that some Federal agencies may be engaging in information-gathering practices that could only further deepen the public’s distrust of government. We need to find out whether these concerns are real, and if they are, we need to decide what to do about it. Although the Clinton Administration established a privacy policy in June 1999 to guide the agencies, it is not clear whether the policy did much to protect privacy. In particular, the policy seemed to condone agencies’ use of “cookies”—small bits of software placed on users’ hard drives to collect personal information. The policy stated, “in the course of operating a web site, certain information may be collected automatically in logs or by cookies.” It also stated that “some agencies may be able to collect a great deal of information,” but went on to state that some agencies might make a policy decision to limit the information collected. The Paperwork Reduction Act, OMB is supposed to direct the agencies on privacy policy, but OMB’s original guidance seemed to give the agencies free rein to decide their own privacy policy for themselves. But OMB’s original guidance did require the agencies to post privacy policies making clear whether they were collecting information. Earlier this year, it was revealed that the White House Office of National Drug Control Policy entered into back-to-back transactions with Federal agencies as a Federal agency Web sites. The public has a right to know whether the Federal Government is respecting personal privacy. This amend-
That bipartisan agreement would have passed overwhelmingly in both the House and the Senate—which is why we were all just baffled when, less than 12 hours after we had signed our names to the bill, a tiny faction of the House Republican leadership decided to kill it.

As a result, some reductions had to be made, some of which were very disappointing. I hope that in the next Congress, a spirit of cooperation and civility will prevail and prevent these sorts of last-minute, partisan maneuvers.

That being said, I believe that the version of our bill that we have here today is a very, very good one. It maintains most of our hard fought gains and provides critical investments to improve health care, education, and labor conditions for all Americans.

I want to extend my sincere thanks and commendation to my long-time partner, Senator ARLEN SPECTER and his staff. We have had a great bipartisan partnership on this bill for a decade. Year after year, Senator SPECTER has done yeoman's work, and it is a pleasure to work with him. This is always a difficult bill to maneuver and this year has been our toughest.

I also want thank and commend our chairman, Senator STEVENS, and ranking member Senator BYRD for their great work. This bill would not be possible without their outstanding and steadfast efforts.

Finally, I want to thank our colleagues on the House side, Congressman OBEY, Congressman PORTER, and Chairman BILL YOUNG. I especially want to commend Congressman PORTER who is retiring this year.

Here are some of the reasons why I urge all of my colleagues to support this important bipartisan agreement.

- **Education funding:** $1.6 billion to lower class sizes, up from $1.3 billion last year. This will allow teachers to repair and modernize crumbling schools; should result in over $5 billion in school repairs, based on successful Iowa model; and increase to $3,750 for the maximum Pell grant—that's a record increase in the grants to make college more affordable; and $62 billion for Head Start: that's a $933 million increase from last year which will allow thousands of additional children to be served.

- **School care:** $850 million for after school care: nearly 50 percent increase.

- **Home heating:** $1.4 billion for LIHEAP to help low-income Americans heat their homes this winter: a $300 million increase.

- **Health care:** $20.3 billion for NIH funding: $2.5 billion increase, the largest increase ever; thousands of new research projects on Alzheimer's, cancer, childhood diabetes, HIV, Parkinson's disease, cerebral palsy, and others; $125 million for new program to assist family caregivers struggling to keep elderly loved ones in their homes—provide respite and other needed services.

- **Afterschool care:** $850 million for after school care: nearly 50 percent increase.

- **Education funding:** $1.6 billion to lower class sizes, up from $1.3 billion last year. This will allow teachers to repair and modernize crumbling schools; should result in over $5 billion in school repairs, based on successful Iowa model; and increase to $3,750 for the maximum Pell grant—that's a record increase in the grants to make college more affordable; and $62 billion for Head Start: that's a $933 million increase from last year which will allow thousands of additional children to be served.

- **School care:** $850 million for after school care: nearly 50 percent increase.

- **Home heating:** $1.4 billion for LIHEAP to help low-income Americans heat their homes this winter: a $300 million increase.

- **Health care:** $20.3 billion for NIH funding: $2.5 billion increase, the largest increase ever; thousands of new research projects on Alzheimer's, cancer, childhood diabetes, HIV, Parkinson's disease, cerebral palsy, and others; $125 million for new program to assist family caregivers struggling to keep elderly loved ones in their homes—provide respite and other needed services.

I am also especially excited about the funding in this bill for the Medical Errors Reduction Act of 2000 which Senator SPECTER and I introduced. Medical errors are estimated to be the 5th leading cause of death in this country. In fact, more people die from medical errors than from motor vehicle accidents (43,458), breast cancer (42,297), or AIDS (16,516). Our bill gives grants to states to establish reporting systems designed to reduce medical errors. It also calls for better research and public information on the issue of medical errors.

I'm also very proud of the funding in this bill for numerous programs that will give people with disabilities a real choice to live in their own communities near their families and friends.

Most notably, this bill includes $50 million for systems change grants to help states reform their long-term care systems and make it easier for people with disabilities and the elderly to live at home.

This is just the beginning of our work to help states meet their so-called Olmstead obligation to provide services and supports to people with disabilities in the most integrated setting possible.

This year is the 10th anniversary of the Americans with Disabilities Act, and these provisions are a great way to implement the ADA's ideals of independence and justice for all.

Finally, I would like to mention how pleased I am with the FAIR Act—the Medicare Fairness in Reimbursement Act—that is attached to the LHHS Appropriations Bill, I, Senator THOMAS, and several other Members of Congress introduced this bipartisan bill to provide Medicare providers relief from the excessive payment reductions resulting from the 1997 Balanced Budget Act. This bill will allow approximately 30 states, including Iowa, to benefit from fairer Medicare payments to states below the national average.

This bill also sets aside approximately $35 billion over 5 years for reimbursement improvements to hospitals, home health agencies, nursing facilities, rural health providers and Medicare managed care. It will help our struggling rural hospitals, nursing facilities and home health agencies to continue to provide quality care to seniors in Iowa and across the nation.

Finally, I would like to surprise enrolment rates for families and children in Medicaid and the Children's Health Insurance Program.

While I am disappointed that our original LHHS Appropriations compromise was derailed, this bill is still a major step forward. It provides important investments in the health, education and productivity of all Americans.

This bill would not have been possible without the tireless effort of my staff. They've worked late nights and long weekends, and I am incredibly grateful for their expertise and excellent advice. I would especially like to thank Ellen Murray, Lisa Bernhardt, Peter Reinecke, Katie Corrigan, Sabrina Corlette, and Bev Schroeder for their outstanding work.

In passing this bill, I am hopeful that we will move beyond the partisan bickering that stalled our negotiations for so long.

With this year's elections, the American people sent us a strong message. They gave us one of the closest Presidential elections in history along with an evenly divided Senate and a closely divided House.

Clearly, they are tired of the bickering and bitterness that have characterized our politics, and they want us to bridge our differences and work together for their best interests. It is now time for us to come together and heed their call.

Mr. ENZI. Mr. President, I rise today to discuss the passage of the FY 2001 Omnibus Appropriations bill. Had I been given the opportunity to cast a recorded vote on this legislation, I would have voted "no."

There were a lot of things slipped in without prior authorization for the spending. I hope in the next Congress we can work with a bipartisan approach to go through the process. Projects would go through a separate authorization process. All Members should have the same opportunity to review the projects in the bill and the public should know what is being funded.

There are a number of issues that would also like to see biennial budgeting so we have a chance to really evaluate how taxpayer money is being used.

We didn't even have a final funding total available to us before the vote. I know funding for labor and health and other related areas increased dramatically in this deal to nearly $13 billion more than last year's levels. These significant funding levels are not a one-time activity in the Congress—it has become an annual ritual. It's just too much. This is money that should be going to pay off the national debt. We must break the pattern of spending our children's future.

Some increases in the overall spending package were needed, including more support for education and nearly $36 billion in Medicare payments to healthcare providers. Wyoming rural hospitals and nursing homes will benefit from this effort. There are some good things in this bill, but looking at the whole picture, the bad outweighed the good.

I am also very displeased that budget negotiators left out of the package a previously passed amendment which would have prevented the Occupational Safety and Health Administration (OSHA) from going forward with a massive new repetitive stress injury rule. The ergonomics rule could leave injured workers' compensation systems不堪重负, and it would break the pattern of spending our children's future.

I am very pleased that budget negotiators left out of the package a previously passed amendment which would have prevented the Occupational Safety and Health Administration (OSHA) from going forward with a massive new repetitive stress injury rule. The ergonomics rule could leave injured workers' compensation systems不堪重负, and it would break the pattern of spending our children's future.
The amendment would give the agency time to go back and fix the terrible flaws with this rule that have been brought to light. This new regulation will affect the whole of work places in America. It carries serious consequences for those who work in them.

Senator from West Virginia, Senator...

Mr. BAUCUS. Although I am unable to vote for or against the omnibus legislation before the Senate today, I would like to comment on the process that brought us here. In an effort to improve the economy of my state and to facilitate trade between America and its East Asian trading partners, I have led a trade mission of Montanans to East Asia for the last several days, meeting with trade officials in Japan, China, and Korea.

Mr. President, I am extremely concerned about the process that has brought about this omnibus bill’s passage. I believe that the Senate finds itself in virtually the same position as it did the last two years with appropriations matters. As my colleagues will recall, in 1998 we voted on a giant omnibus appropriations bill that contained eight appropriations bills, plus numerous other authorizing legislation. It ran on for nearly 4,000 pages and was called a “gargantuan monstrosity” by the distinguished Senator from West Virginia, Senator BYRD.

Unfortunately, we did not learn our lesson in 1998. Last year Congress wrapped Medicare provider payments into appropriations for Commerce-Justice, Foreign Operations Appropriations, Interior and Labor-HHS, again passing it in omnibus fashion without time for senators to read through the bill and raise concerns about its contents.

I voted against the 1998 and 1999 omnibus bills because they did not contain good provisions for the country and my State of Montana. They did. I opposed these bills because I believed— as I do now—that writing such legislation behind closed doors among a small group of people dangerously disenfranchises most senators, House members, and the American people.

And here we are again, passing Labor-HHS along with Treasury-Postal and Legislative Appropriations—all in one bill, with the input of very few members of Congress. Despite statements in 1998 and 1999 that such a process would not happen again, we find ourselves in the same position as the last two years. Mr. President, we are already facing a population that is increasingly cynical of government and those who serve it, and the wrangling over the presidential election that just ended has not helped matters. People believe more and more that government works for and about the interests, but only after special interests. And the more we operate behind closed doors, without an open, public process, the more we feed that cynicism. That is not healthy for our democracy or our people, and it’s why I cannot support this omnibus bill.

That said, Mr. President, there is good news for Montana health care in this bill, provisions that I have fought for all year. I would like to reiterate my support for year-long efforts to restore funding to health care providers negatively impacted by the Balanced Budget Act, BBA, of 1997.

When the BBA was passed in 1997, it was hoped that the legislation would extend the life of Medicare’s trust fund and impose some much-needed fiscal discipline on the program. Indeed, just eight years ago, estimates indicated that Medicare’s hospital trust fund would run dry in 1999. But a strong economy and reductions in payments to Medicare providers through the BBA have extended the life of the Part A Trust Fund for probably a couple of decades. Unfortunately, access to quality health care may have been compromised in the process.

For example, the BBA included new prospective payment systems for Medicare providers of hospital, skilled nursing and home health care. While these payment systems are intended to introduce efficiency and ultimately increase the quality and availability of patient care, in some cases they may not make sense. I am concerned that PPSs may be ill-applied in the case of small provider at all. Together these three...
bill. That is exactly what has happened again this year, and I again voice my objections to the process.

MS. COLLINS. I rise in support of the Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act which is at the heart of the five-year Medicare shortfall problem. As the founder and Co-Chair of the Senate Diabetes Caucus, I have learned a great deal about this serious disease and the difficulties and heartbreak that it causes for so many Americans and their families as they await a cure.

As the founder and Co-Chair of the Senate Diabetes Caucus, I have learned a great deal about this serious disease and the difficulties and heartbreak that it causes for so many Americans and their families as they await a cure. We were all encouraged by the news earlier this year that twelve individuals from Canada appear to have been cured of their diabetes through an experimental treatment involving the transplantation of islet cells, and I believe that it is becoming increasingly clear that diabetes is a disease that can be cured, and will be cured in the near future, if sufficient funding is made available.

Last year, the Senate Permanent Subcommittee on Investigations, which I chair, held an oversight hearing to determine if the funding levels for diabetes research at the National Institutes of Health (NIH) are sufficient to achieve the health goals of the NIH. We heard testimony from the Diabetes Research Working Group (DRWG), an expert panel that studied the status of diabetes research at the NIH and across the country. The study revealed that diabetes research has been seriously underfunded. According to the DRWG, diabetes research represents only about 3 percent of the NIH research budget, which is clearly too small an investment for a disease that affects 16 million Americans and accounts for more than 10 percent of all health care dollars and nearly a quarter of all Medicare expenditures. Moreover, the DRWG report found that “many scientific opportunities are not being pursued due to insufficient funding,” and that “the current funding levels are far short of what is required to make progress on this complex and difficult problem.” According to the DRWG, the funding levels for diabetes at the NIH are roughly $300 million short of what is necessary to ensure that the promising scientific opportunities in diabetes research are realized.

The legislation we are considering today will help to close that gap and will make an enormous difference to the lives of Americans and their families as they await a cure. By extending and increasing the funding for these two important research programs, we are providing the additional resources necessary to take advantage of the unprecedented opportunities for medical advances that should lead to better treatments, a means of prevention, and eventually a cure for this devastating disease.

Finally, I am pleased that the bill we are considering today will provide a small measure of relief to our nation’s struggling home health agencies, and in particular to those agencies that serve patients in rural areas. I am
however, disappointed that it does not do more. I will therefore continue to push not just for a delay—as this measure proposes—but for a full repeal of the automatic 15 percent reduction in home health payments that is currently scheduled to go into effect on October 1, 2001.

The Medicare home health benefit has already been cut far more deeply and abruptly than any other benefit in the history of the Medicare program. An additional 15 percent cut in Medicare home health payments would ring the death knell for those low-cost agencies that are struggling to hang on and would further reduce our senior's access to critical home health services.

Moreover, the savings goals set for home health in the Balanced Budget Act of 1997 have not only been met, but far surpassed. The CBO projects that the post-BBA reductions in home health will be about $89 billion between fiscal years 1998 and 2002. This is over four times the $16 billion that Congress was expected to save when it passed the 1997 law. Further cuts clearly are not necessary and the 15 percent cut should be repealed. To simply delay the cut for an additional year is to leave this “sword of Damocles” hanging over the head of our nation's home health agencies.

I have also been disappointed that the process under which we are considering this critical piece of legislation the Act, which I introduced with my colleagues HYDE and CONYERS, and it is currently being considered is not adequate. The process under which we are considering the Act has sufficient information to properly focus on those transactions most worthy of scrutiny.

In exempting this class of transactions from Hart-Scott-Rodino process will significantly lessen regulatory burdens and expenses imposed on small businesses. The parties to these smaller transactions will no longer need to pay the $45,000 filing fee—or face the often even more onerous legal fees and other expenses typically incurred in preparing a Hart-Scott-Rodino filing—for mergers and acquisitions that usually don't pose any competitive concerns.

In decreasing the size of transactions covered by the Act, the parties to a merger or acquisition may not close their transaction until the expiration of a waiting period after making their Hart-Scott-Rodino Act filing. It also authorizes the government to subdivide the review process from four to two periods for certain smaller transactions so that the government has sufficient information to complete its merger analysis.

While this statute has a very laudable purpose, with the tremendous numbers of mergers and acquisitions taking place in recent years, some of its provisions are in need of revision. Most importantly, while inflation has caused the value of a dollar to drop by more than a half in the past 25 years, the monetary test that subjects a transaction to the provisions of the statute has not been revised since the law's enactment in 1976. As a result, many transactions that are of relatively small size and pose little anti-trust concerns are nevertheless swept into the ambit of the Hart-Scott-Rodino review process. This legislation updates this statute to better fit into today's economy by increasing the minimum size of transaction covered by the Hart-Scott-Rodino Act from $15 million to $50 million. This will both lessen the agencies' burden of reviewing small transactions unlikely to subject antitrust concerns are nevertheless swept into the ambit of the Hart-Scott-Rodino Act, so achieves its purpose.

Further, exempting small transactions from Hart-Scott-Rodino process will significantly lessen regulatory burdens and expenses imposed on small businesses. The parties to these smaller transactions will no longer need to pay the $45,000 filing fee—or face the often even more onerous legal fees and other expenses typically incurred in preparing a Hart-Scott-Rodino filing—for mergers and acquisitions that usually don't pose any competitive concerns.

In decreasing the size of transactions covered by the Act, the parties to a merger or acquisition may not close their transaction until the expiration of a waiting period after making their Hart-Scott-Rodino Act filing. It also authorizes the government to subdivide the review process from four to two periods for certain smaller transactions so that the government has sufficient information to complete its merger analysis.

While this statute has a very laudable purpose, with the tremendous numbers of mergers and acquisitions taking place in recent years, some of its provisions are in need of revision. Most importantly, while inflation has caused the value of a dollar to drop by more than a half in the past 25 years, the monetary test that subjects a transaction to the provisions of the statute has not been revised since the law's enactment in 1976. As a result, many transactions that are of relatively small size and pose little anti-trust concerns are nevertheless swept into the ambit of the Hart-Scott-Rodino review process. This legislation updates this statute to better fit into today's economy by increasing the minimum size of transaction covered by the Hart-Scott-Rodino Act from $15 million to $50 million. This will both lessen the agencies' burden of reviewing small transactions unlikely to subject antitrust concerns.

In exempting this class of transactions from Hart-Scott-Rodino Act review, however, it is important that we not cause the antitrust agencies to lose the funding they need to carry out their increasingly demanding mission of enforcing the nation's antitrust laws. This bill will reduce the number of Hart-Scott-Rodino filings and therefore reduce the revenues generated by these filings if the filing fees were kept at their present level. Consequently, in perfect world, we can't finance the Antitrust Division and the FTC on the backs of these filing fees. But because they are a fact of life, the antitrust agencies should not be penalized by these reforms by suffering such a reduction in revenues. In order to assure that this reform is revenue neutral, we have worked with the Appropriations Committee to ensure that this bill raises the filing fees for the largest transactions. Consequently, filing fees are increased for transactions valued at over $100,000,000, which makes sense because these transactions require more scrutiny.
the states to assist needy households with energy assistance. Since FY1999, the program has been funded at $1.1 billion, plus $300 million for weather emergencies. I am pleased to note that, through our efforts, the Labor-HHS-Conference Appropriations Act, 2000, includes $300 million for FY2001, with a contingency fund of $300 million for emergencies. To my great dismay, however, the $1.4 million provided to help the States budget for next winter—the winter of 2001—was cut from the final package.

We need to face the fact that our nation is budgeting by emergency when it comes to making sure that our low-income citizens, particularly the elderly, can keep warm in the winter. This past year, there were four different releases of the FY 2000 emergency funds, most of which were released by mid-February, 2000. Currently, there is only $155,650,000 remaining in the FY2000 emergency funds and I am aware that the White House is coming to a decision on how to dispense these much-needed funds. I have joined many of my colleagues at different times over the past year urging these releases along with the currently needed release.

I have also urged an increase in the regular funding for the States programs, along with forward funding for the next fiscal year so that the States can appropriately budget for each successive year so as to extend the benefits to as many eligible people in need as possible.

Currently, Mr. President, Maine’s LIHEAP program has borrowed from the State’s “rainy day fund” in the hopes that the State would ultimately get paid back. Today is December 15—two and a half months into the fiscal year—and they are still waiting. Because the Legislature had the foresight to lend out this money, the Community Action Agencies were able to get extraordinary amount of applications for energy needs are addressed as many energy needs are addressed as many as possible.

Like last winter, Maine’s LIHEAP program is currently receiving an extraordinary amount of applications for help. Anticipating a colder winter and higher prices this winter, the State has budgeted to accommodate more applications—they have already processed over 26,000—but to do this, they have had to reduce the benefit from $488 last year to $350 currently. They are hearing that, because of the high prices—as high as $1.63 per gallon—the $350 does not allow LIHEAP recipients to fill their oil tank even once as we move into the colder New England winter months ahead.

We have a critical problem facing the country in the upcoming winter months, Mr. President. It is said that misery loves company, and it is my sense that, given the skyrocketing natural gas prices being experienced by all parts of the country, the Northeast will have lots of company this winter as more and more constituents with low incomes, particularly the fixed-income elderly, worry about where the money will come from to pay their heating bills to keep warm. This is a very unhealthy situation.

I have spent this entire year appealing for more LIHEAP funding to provide assistance to the members of our society so they will have energy assistance when they need it most. I will continue to do so in the next Congress in the hopes that we will all step up to the plate and not only increase the LIHEAP program amount and forward fund the program so the states be fiscally responsible and accommodate as many people as possible with this vital benefit.

The ongoing problem continues to be one of supply and demand as natural gas and heating oil inventories remain historically low, and the increased costs caused by this imbalance will not right itself in time for the cold winter months. Maine and will to increase sharply. This situation prices the low-income households right out of the market and they find themselves making “Solomon choices” for heating or eating, or by cutting down on necessary and cost-

It is logical that when costs are doubled, those served by the LIHEAP program are decreased by the same amount. And, we should keep in mind that only around 13 percent of households that are eligible for the LIHEAP program actually even receive Federal assistance. Colder weather, higher costs and tighter budgets could have the effect of raising this percentage upward.

Because Maine received over $5.3 million in emergency LIHEAP funds this past winter, my State was able to increase the income limits to serve more eligible residents with their high energy needs. Maine and will to increase the income guidelines to 170 percent of the Federal Poverty Guidelines and assist over 50,400 households with a fuel assistance benefit averaging $488, almost twice last year’s $261.

Mr. President, I look forward to working with you on increased long-range funding that will allow the Community Action Agencies in Maine and other States’ LIHEAP programs to plan and budget in advance, so that as many energy needs are addressed as possible. I hope my colleagues will join me next year in efforts for increasing funds so that our States can budget for a safety net that can be extended to as many low-income citizens as possible—and to make sure they do not find themselves literally out in the cold.

Mr. KERRY. Mr. President, I rise today in support of provisions in the Consolidated Appropriations bill for the LIHEAP program that would transfer a Coast Guard lighthouse on Plum Island to the city of Newburyport, Massachusetts and land on Nantucket Island from the Coast Guard Loran station to the town of Nantucket, Massachusetts. I wish to thank the conferees for including these provisions in this bill.

Mr. President, the Plum Island lighthouse is a national treasure. This con­
the vast resources and time spent on regulation. We’ve got to be smarter.

We often debate the costs and benefits of on-budget programs, but we are just breaking ground on creating a system to scrutinize Federal regulation. This legislation — and the funding and information to help us answer some important questions: How much do regulatory programs cost each year? Are we spending the right amount, particularly compared to on-budget spending and programs? Are regulatory programs cost-effective, sensible, and fair? How do they relate to the larger goals of sensible priorities among different regulatory programs? As the Office of Management and Budget stated in its first “Report to Congress on the Costs and Benefits of Federal Regulations”:

Regulations (like other instruments of government policy) have enormous potential for both good and harm....The only way we know how to distinguish between the regulations that do good and those that cause harm is through careful assessment and evaluation of their benefits and costs. Such analysis can also be used to redesign harmful regulations so that they produce more net benefits. This legislation continues the efforts of my predecessors. Senator BILL ROTH proposed regulatory accounting provisions in a broader reform measure that he worked on when he chaired the Governmental Affairs Committee in 1995. In 1996, when TED STEVENS became our chairman, he passed a one-time regulatory accounting amendment on the Omnibus Appropriations Act. After I became the chairman of Governmental Affairs, I supported Senator STEVENS’ amendment when it passed again in 1997. In 1998, I sponsored an amendment to strengthen the Stevens provisions with the support of Senators LOTT, BREAUX, SHELBY, and ROBB, as well as a bipartisan coalition in the House. This year, I worked with Senators STEVENS and BREAUX to make this legislation permanent.

This legislation continues the requirement that OMB shall report to Congress on the costs and benefits of regulatory programs, which began with the Stevens amendment. This legislation also adds to previous initiatives in several respects. First, it will finally make regulatory accounting a permanent statutory requirement. Regulatory accounting will become a regular exercise to help ensure that regulatory programs are cost-effective, sensible, and fair. The costs and benefits of regulation can become a regular part of the annual debate between the Congress and the executive branch on the Federal budget. Second, this legislation will require OMB to provide a more detailed accounting of the regulatory system, including the incremental costs and benefits of particular programs and regulations, as well as an analysis of regulatory impacts on State, local, and tribal government, small businesses, wages, and economic growth. Finally, this legislation will help ensure that OMB will provide better information as time goes on. Requirements for OMB guidelines and independent peer review should continually improve future regulatory accounting reports.

The government has an obligation to think carefully and be accountable for requirements that impose costs on people and their freedom. This legislation should pull together to contribute to the success of responsible government programs that the public values, while enhancing the economic security and well-being of our families and communities.

Mr. President, I ask unanimous consent that a copy of the Regulatory Right-to-Know Act be printed in the RECORD.

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

SEC. 204. (a) IN GENERAL.—For calendar year 2002 and each year thereafter, the Director of the Office of Management and Budget shall prepare and submit to Congress, with the budget submitted under section 1105 of title 31, United States Code, an accounting statement and associated report containing—

(1) an estimate of the total annual costs and benefits (including quantifiable and non-quantifiable effects) of Federal rules and paperwork, to the extent feasible—

(A) in the aggregate;
(B) by agency and agency program; and
(C) by major rule;

(2) an analysis of impacts of Federal regulation on State, local, and tribal government, small business, wages, and economic growth; and

(3) recommendations for reform.

(b) NOTICE.—The Director of the Office of Management and Budget shall provide public notice and an opportunity to comment on the statement and report under subsection (a) before the statement and report are submitted to Congress.

(c) GUIDELINES.—To implement this section, the Director of the Office of Management and Budget shall issue guidelines to agencies to standardize—

(1) measures of costs and benefits; and
(2) the forms of accounting statements.

(d) PEER REVIEW.—The Director of the Office of Management and Budget shall provide for independent peer review of the guidelines and each accounting statement and associated report under this section. Such peer review shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

Mr. KERRY. Mr. President, I rise today in support of a provision in the Consolidated Appropriations bill for fiscal year 2001 that would transfer Coast Guard Station Scituate to the National Oceanic and Atmospheric Administration, NOAA. NOAA will use the facility to serve as the headquarters for the Gerry E. Studds Stellwagen Bank National Marine Sanctuary. Since the mid-90s the Coast Guard has shared the facility with both NOAA and the Massachusetts Environmental Police, MEP. Once the Coast Guard has relocated to a new facility, NOAA and the MEP will jointly use the facility to manage and study the marine sanctuary and to provide service for fishing and recreation. Water, I am happy to report that NOAA is teaming with the MEP to share resources and facilities to improve fisheries and sanctuary enforcement. It is my understanding that NOAA will be offering the same working and living spaces to the MEP that have been provided in the past by the U.S. Coast Guard. In addition the MEP will have the same working and living spaces as those provided to the Coast Guard. Furthermore it is my understanding that this agreement between the two agencies will mirror the current U.S. Coast Guard agreement with the MEP with respect to terms and conditions.

The Stellwagen Bank Sanctuary is located at the mouth of Massachusetts Bay. It was first described in the diary of Captain Henry Stellwagen, a hydrographer for the U.S. Navy as "an important discovery in the location of a fifteen fathom bank lying in a line between Cape Cod and Cape Ann." The wealth of sea life that moved below the surface of Captain Stellwagen’s vessel was only one of the many treasures of New England. The Endangered Species Act and the Marine Mammal Protection Act have been used to protect this and other species; but the oceans are large and enforcement is difficult. I applaud the cooperation shown by NOAA and the MEP to address this critical issue in the sanctuary.

As vice chairman of the Senate Banking Subcommittee on International Trade and Finance, I have conducted a series of hearings on the functioning of the IMF and World Bank. A great deal of attention has been paid recently to a complicated issue that has faced the IMF and international lending practices of the World Bank group and the IMF. The complexity increases when you factor in the United States to contribute to efforts to write off debt owed by heavily indebted poor countries (HIPCs).

As vice chairman of the Senate Banking Subcommittee on International Trade and Finance, I have conducted a series of hearings on the functioning of the IMF and World Bank. These hearings have only strengthened my belief that the evidence is clear—we should not grant
debts without demanding that the international lending institutions such as the World Bank and IMF change their current practices.

I supported Senate passage of the fiscal year 2003 foreign operations appropriations conference report with much reservation. The bill collectively provides about $435 million toward debt forgiveness for the HIPCs. Of this money, $210 million comes disguised as “emergency” spending.

Regrettably, this all goes without any link between relief and reform. The legislation calls for a couple of reports to Congress and a few policy suggestions that the U.S. ought to urge these institutions to adopt, but it has no teeth to force change. The lending institutions pay no consequences for failing to mend their ways... this means the consequences of inaction will be borne by, among others, American taxpayers and people in need.

Essentially, the IMF, World Bank, and other international lending institutions are supposed to improve economies of impoverished countries and the health and well-being of people throughout the world.

In these countries, a compassionate people; we share our bounty with many other countries. But many question the effectiveness of how the World Bank and the IMF perform their missions.

The World Bank and IMF lend money to certain countries to use for various purposes—improving infrastructure needs, feeding and immunizing children, and stabilizing the economy, to name a few. But these noble goals have been stymied by corruption, greed, and poor management. What has developed is sadly lacking in results and in much need of reform.

Some advocates of debt relief have tried to delink the issue of debt relief from the issue of reform. I agree with recent comments by President Bush, the World Bank, and the IMF that these lending institutions are at the “root” of the debt problem. And if we are to weed out the problem, we must pull it up by its roots. We all know that, if you don’t pull up weeds by their roots, they merely sprout up again. This serves nobody’s interest—least of all the people currently suffering.

We need transparency, accountability, and effectiveness. We need to know where the money is being spent, who is getting it, and how it is being spent. Fixing that country and achieving the goals of the World Bank and the IMF.

A General Accounting Office (GAO) report on the World Bank concluded “[management] controls are not yet strong enough to provide reasonable assurance that project funds are spent according to the Bank’s guidelines.”

Simply put, the World Bank can’t tell us with any reasonable level of certainty that funds are being spent efficiently and that they are intended to be spent. Other reports have questioned the IMF’s practices.

Senate Banking Committee Chairman Phil Gramm spoke eloquently about this issue recently on the Senate floor. I know he talked about the Ugandan situation at some length. And keep in mind that Uganda has been used as the “poster child” of success. It has qualified for debt relief under the original and enhanced HIPCs initiative.

In May, I wrote Treasury Secretary Lawrence Summers about the Ugandan Government’s multi-million dollar expenditure on a presidential Gulfstream jet. As I later learned, loan officers and others throughout this country sympathized with the plight facing impoverished Ugandans whose annual per capita income is roughly $330. People throughout the world deserve the chance to succeed and thrive. What troubled me was the Ugandan Government’s failure to place a high priority on reducing poverty and choosing to expend millions on a luxury aircraft, then essentially asking for and receiving millions in debt relief.

This situation deeply troubled me. I was even more troubled by Secretary Summers’ reply. Secretary Summers basically said the purchase of the plane was not out of the ordinary and he was satisfied that Uganda didn’t take money from relief programs to pay for it. As he stated, “The Ugandan authorities have committed to offset the cost of the aircraft against defense and other non-priority, non-wage expenditures.” But to me, if the Ugandan media can find money in its budget to pay for an extravagant jet, it should be able to find money to help its own people in poverty. I imagine $37 million would go a long way toward helping people in a country where the average per capita income is less than $350 a year.

As I have repeatedly noted, when the U.S. Federal Government helped bail out Chrysler, former chairman Lee Iacocca was required to sell the company jets.

And there is another problem—‘moral hazard.’ In simple terms, people must be made to bear the consequences of their decisions. If not, they have less incentive to act prudently. If a country knows the IMF will come in and bail them out after making bad decisions, there is little incentive for the country to change its decision-making process. Or, if the country knows it will receive IMF funds to buy money to prop up companies that should be allowed to fail. The moral hazard problem pervades this system. We might all like someone to step in and alleviate the negative impact of bad decisions we make, but this would not encourage us to act wisely. Furthermore, someone else bears these consequences. In the case of troubled countries and the international lending institutions, it is contributors such as U.S. taxpayers who bear the burden. And, honestly, the citizens of the country in question whose situation fails to improve.

So, while we are and should continue to be a compassionate nation, I also recognize the duty of Congress to set good public policy and represent the interests of hard-working Americans.

Chairman Gramm and I, along with others, only asked that we adopt a proposal that recognizes all of these goals. This was achievable if everyone had been willing to work together.

Unfortunately, the Treasury Department refused to engage in meaningful dialog and compromise with Congress on this issue.

What is even more amazing is that the Treasury Department fought for this spending when estimates suggest that the maximum amount that would be necessary for the U.S. to fund its obligations to the HIPCs Trust for this year and next is less than $100 million.

We should not be granting relief without reform.

I assure you that follow-up will be done. And I hope that next Congress to illustrate the continued need for Congress and the next administration to alter current U.S. policies and practices.

I completely agree with an editorial in the October 12 Wall Street Journal which stated that “Any debt write-off that doesn’t include radical reform of the international financial institutions... will renew the cycle of non-performance.”

Chairman Gramm and I, along with others, only asked that we adopt a proposal that recognizes all of these goals. This was achievable if everyone had been willing to work together.

Unfortunately, the Treasury Department refused to engage in meaningful dialog and compromise with Congress on this issue.

What is even more amazing is that the Treasury Department fought for this spending when estimates suggest that the maximum amount that would be necessary for the U.S. to fund its obligations to the HIPCs Trust for this year and next is less than $100 million.

We should not be granting relief without reform.
class size. They say that when class sizes are smaller, they see better student achievement, fewer discipline problems, more individual attention, better parent-teacher communication, and dramatic results for poor and minority students.

These are the kinds of things we need in our public schools. Our kids deserve this investment.

In Washington State, the funds included in this bill will provide over $25 million in state funds for the purpose of reducing class size. Currently, over 600 teachers have been hired with Federal class size reduction funds across the State to reduce class size. With the funds secured this year, Washington State will be able to hire approximately 130 new teachers to reduce class size.

This appropriations agreement also makes an important investment in school construction. Students across this country are going to school in inadequate facilities. The majority of students in this country attend schools that are over 40 years old. These have leaky roofs, inadequate heating and cooling, and are not the type of learning environment that goes hand in hand with excelling. The majority of our students need to be able to provide teachers the support they need, and make efforts to reach out and bring more highly qualified people into the teaching profession. This appropriations bill provides a $350 million increase over last year in our investment to improve teacher quality.

This bill provides more than a 30-percent increase for IDEA, the biggest increase in the program history. I'm sure there are members of this body who have not visited a school district and heard the struggles the district faces in funding special education services. This bill provides $1.35 billion more for IDEA than last year. We should not back down from this commitment to our schools.

The bill provides close to a 50-percent increase for after school programs. The funding is raised from $435 million to $851 million.

These are the much needed investment in child care. There is a 70-percent increase in child care funding, bringing the funding up to $2 billion. With these additional funds, nearly 150,000 children will receive child care subsidies.

An increase of over $1 billion in Head Start: These funds would allow an additional 70,000 children to participate in Head Start.

The bill invests in college opportunities for students. The $450 increase in the Pell Grant Program and the substantial increase for SEOG, LEAP, and Federal work-study will give more families the ability to send their children to college.

While I am extremely disappointed that this Congress failed to finish consideration of the Elementary and Secondary Education Act, I am glad we were able to make a commitment to kids through this appropriations bill. Investing in reducing class size, teaching quality, and child care are the kinds of investments we need in this country.

While these investments are not quite as high as the ones agreed to in October, I still believe we are moving the right direction in this bill by investing in the things that we know work. Kids, teachers and parents across this country deserve these investments.

And while I have focused my remarks on education, I should note that this bill contains vital investments in many key areas like health care. I am immensely proud of the increased investments we are making in health care reform. The States of Health and the Centers for Disease Control. These investments represent our strong commitment to finding cures to life threatening ailments like breast and prostate cancer, Parkinson's disease, and Alzheimer's disease.

This bill funds key health projects in Washington State like Children's Hospital and others.

This bill makes an essential investment in health care with $35 billion for Medicaid relief. These improvements are imperative for access to quality health care for people everywhere. I cannot emphasize enough the importance of these changes to hospitals, home health, skilled nursing facilities which serve the elderly. Ensuring this population has high quality health care is high priority, and I commend my colleagues for recognizing this pressing need.

As a member of the Labor-HHS-Education Subcommittee, I urge my colleagues to join in support for this bill.

Mr. INHOFE. Mr. President, I rise today to lodge my objection to H.R. 4577. I understand that there will not be a rollicking vote but if there were to be a rollicking vote I would vote "no."

Mr. WELLSTONE. Mr. President, I want to voice my strong objection to the process by which this legislation is being passed by the Senate. The Omnibus Appropriations conference report—and there have been several pieces of unrelated legislation—is being passed by the Senate tonight under a consent agreement that was entered suddenly by the Majority Leader without the normal notification process. We should have had a recorded vote. Since I first came to the Senate 9 years ago I have felt that it does the Senate no credit to pass such significant budgetary legislation—literally hundreds of billions of dollars—without a recorded vote. We have said as the ones agreed to in October, I still believe we are moving the right direction in this bill by investing in the things that we know work. Kids, teachers and parents across this country deserve these investments.

And while I have focused my remarks on education, I should note that this bill contains vital investments in many key areas like health care. I am immensely proud of the increased investments we are making in health care reform. The States of Health and the Centers for Disease Control. These investments represent our strong commitment to finding cures to life threatening ailments like breast and prostate cancer, Parkinson's disease, and Alzheimer's disease.

This bill funds key health projects in Washington State like Children's Hospital and others.

This bill makes an essential investment in health care with $35 billion for Medicaid relief. These improvements are imperative for access to quality health care for people everywhere. I cannot emphasize enough the importance of these changes to hospitals, home health, skilled nursing facilities which serve the elderly. Ensuring this population has high quality health care is high priority, and I commend my colleagues for recognizing this pressing need.

As a member of the Labor-HHS-Education Subcommittee, I urge my colleagues to join in support for this bill.

Mr. INHOFE. Mr. President, I rise today to lodge my objection to H.R. 4577. I understand that there will not be a rollicking vote but if there were to be a rollicking vote I would vote "no."

Mr. WELLSTONE. Mr. President, I want to voice my strong objection to the process by which this legislation is being passed by the Senate. The Omnibus Appropriations conference report—and there have been several pieces of unrelated legislation—is being passed by the Senate tonight under a consent agreement that was entered suddenly by the Majority Leader without the normal notification process. We should have had a recorded vote. Since I first came to the Senate 9 years ago I have felt that it does the Senate no credit to pass such significant budgetary legislation—literally hundreds of billions of dollars—without a recorded vote. We have said as the ones agreed to in October, I still believe we are moving the right direction in this bill by investing in the things that we know work. Kids, teachers and parents across this country deserve these investments.
Mr. MOYNIHAN. Mr. President, in 1972, the Senate gave its advice and consent to ratification of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, but subject to the passage of implementing legislation by Congress. The implementing legislation—the Convention on Cultural Property Implementation Act (CCPIA)—became law in 1983. I wrote this legislation in the Senate in cooperation with Senators Robert J. Dole and Spark M. Matsunaga. It is technically a revenue measure and came under the jurisdiction of the Senate Finance Committee of which I was then a senior member, later chairman. Earlier I had been Ambassador to India and to the United Nations and was much aware of the issues surrounding cultural property. As Ambassador in Delhi I was responsible for negotiating the return of the Shiva Nataraja. I also was serving at the time as chairman of the board of trustees of the Hirshhorn Museum and Sculpture Garden, and in that capacity I dealt at length with similar issues.

The CCPIA sets forth our national policy concerning the importation of cultural property. As part of the statute, we created the Cultural Property Advisory Committee (CPAC), an 11-member body appointed by the President to advise him concerning foreign government requests that import restrictions be placed on certain archaeological or ethnological materials. The statute specified that each member should represent one of four categories: museums (two members), archaeologists/anthropologists (three members), dealers (three members), and the public (two members). I was serving at the Senate Finance Committee in the Senate in cooperation with the House of Representatives; and most importantly, with the Clinton administration on this broad spending package.

I remain concerned that the CPAC is subject to the same political pressures and the same time constraints that confront all committees. However, I am pleased that we have finally reached agreement with our counterparts on the other side of the aisle here in the Senate; with our colleagues in the House of Representatives; and, most importantly, with the Clinton administration on this broad spending package.

In that spirit of constructive compromise, I will vote in favor of this bill. I urge my colleagues to do the same.

The CULTURAL PROPERTY PROCEDURAL REFORM ACT

Mr. MOYNIHAN. Mr. President, in 1972, the Senate gave its advice and consent to ratification of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, but subject to the passage of implementing legislation by Congress. The implementing legislation—the Convention on Cultural Property Implementation Act (CCPIA)—became law in 1983. I wrote this legislation in the Senate in cooperation with Senators Robert J. Dole and Spark M. Matsunaga. It is technically a revenue measure and came under the jurisdiction of the Senate Finance Committee of which I was then a senior member, later chairman. Earlier I had been Ambassador to India and to the United Nations and was much aware of the issues surrounding cultural property. As Ambassador in Delhi I was responsible for negotiating the return of the Shiva Nataraja. I also was serving at the time as chairman of the board of trustees of the Hirshhorn Museum and Sculpture Garden, and in that capacity I dealt at length with similar issues.

The CCPIA sets forth our national policy concerning the importation of cultural property. As part of the statute, we created the Cultural Property Advisory Committee (CPAC), an 11-member body appointed by the President to advise him concerning foreign government requests that import restrictions be placed on certain archaeological or ethnological materials. The statute specified that each member should represent one of four categories: museums (two members), archaeologists/anthropologists (three members), dealers (three members), and the public (two members). I was serving at the Senate Finance Committee in the Senate in cooperation with the House of Representatives; and most importantly, with the Clinton administration on this broad spending package.

In that spirit of constructive compromise, I will vote in favor of this bill. I urge my colleagues to do the same. I thank the Chair.

The CULTURAL PROPERTY PROCEDURAL REFORM ACT

It is reported that the White House is renegotiating the return of Shiva Nataraja. I also was serving at the time as chairman of the board of trustees of the Hirshhorn Museum and Sculpture Garden, and in that capacity I dealt at length with similar issues.

The CCPIA sets forth our national policy concerning the importation of cultural property. As part of the statute, we created the Cultural Property Advisory Committee (CPAC), an 11-member body appointed by the President to advise him concerning foreign government requests that import restrictions be placed on certain archaeological or ethnological materials. The statute specified that each member should represent one of four categories: museums (two members), archaeologists/anthropologists (three members), dealers (three members), and the public (two members). I was serving at the Senate Finance Committee in the Senate in cooperation with the House of Representatives; and most importantly, with the Clinton administration on this broad spending package.

In that spirit of constructive compromise, I will vote in favor of this bill. I urge my colleagues to do the same. I thank the Chair.
made consistent across all four categories and consistent with Senate report language stating that the members are to be "knowledgeable representatives of the private sector."

Further, discussions on the bill have revealed that the Executive Branch reports to the Congress on its actions under the 1983 act needs to be strengthened. Under current law, the CPAC and the State Department are to provide copies of their reports to the Congress, but these reports have not been transmitted to the Senate Finance Committee, the committee of jurisdiction in the Senate. Significantly, consultations have not occurred routinely on these matters since the original statute was enacted in 1983.

To implement the goals of the 1983 Act for open proceedings, the reporting requirements in the CCPIA should be made more consistent with the traditional consultation and layover provisions used by Congress to ensure adequate consultation. Thus, reports of the CPAC and State Department action should be sent to appropriate jurisdictional committees with a traditional layover period to permit consultation, as appropriate, between Congress and the Executive Branch. Consultative provisions can be developed that will not impair the executive branch's ability to proceed with import restrictions, after there is an opportunity for consultation, to the Congress. Such consultation should have the purpose that executive branch procedures and actions do not stray from Congress' intent in passing the 1983 act, and would thus help allay concerns of interested persons that the statutory criteria are not being met.

One concern that I have heard repeatedly is that the CPAC and the agencies to which it reports have simply disregarded the multinational response requirement in recent actions imports of cultural property. Central to our intention in drafting the CCPIA was the principle that the United States will act to bar the import of particular antiques, but only as part of a concerted international response to a specific, severe problem of pillage. The rationale for this requirement is that one cannot effectively deter a serious situation of pillage of cultural properties if the United States unilaterally closes its borders to the import of those properties, and they find their way to markets in London, Munich, Tokyo, or other art importing centers. Congress intended that the multinational response requirement be taken seriously—indeed its inclusion in the 1983 act was vital to our citizens and our cultural life. The United States has long encouraged free trade in artistic and cultural objects which has helped create a museum community in our Nation that has no equal. That policy of free interchange of cultural objects was narrowly modified in the 1983 act to respond to severe problems of pillage. A diversion from this posture, which the current administration of the law suggests, can deny the American public the opportunity to view, study, and appreciate cultural antiquities that reflect the multicultural heritage that is the essence of our nation.

I trust, and urge, that the next Congress will address these issues vigorously.

THE COMMODITY FUTURES MODERNIZATION ACT OF 2000

Mr. FITZGERALD. Mr. President, I rise in support of the Commodity Futures Modernization Act of 2000 ("CFMA"), the proposed legislation to reauthorize the Commodity Futures Trading Commission ("CFTC") and to amend the Commodity Exchange Act ("CEA"). This legislation is the Senate companion of H.R. 5660, which Congress yesterday introduced in the House of Representatives and which is part of the final appropriations measure. As an original co-sponsor of the CFMA, I am proud to join Chairmen GRAMM and LUGAR in recognizing the role of the United States markets and achieving this certainty by excluding these transactions from the CEA.

The provisions of the CFMA also address the problem that federal regulation has not adapted to the rapid growth of the financial markets and today serves as a substantial restriction on market competitiveness and modernization. In order for the United States to maintain the most efficient markets in the world, regulatory barriers to fair competition must be removed. The CFMA reduces the inefficiencies of the CEA by removing restrictions on innovative derivatives and by transforming the CFTC into an oversight agency with less front-line regulatory functions. The provisions for three kinds of trading facilities with varying levels of regulation provide needed flexibility vital to the continued competitiveness of the United States markets and achieves this certainty by excluding these transactions from the CEA.

The CFMA gives a substantial boost to Chicago's futures industry and the 200,000 jobs that depend on it. The Chicago futures exchanges will be given the opportunity to compete on a level playing field with the world markets. Moreover, current regulations will be removed and a new regulatory structure will be implemented that will give our nation's most important futures exchanges the ability to compete equally with world markets in product innovation and the ever-changing demands of the marketplace. Chicago's exchanges will now have the opportunity to offer single stock futures so that they can compete with global markets already trading those types of futures. This is important for Chicago's exchanges and U.S. investors. It goes without saying that this market is absolutely necessary for Chicago to remain the center for world futures trading.

I commend Chairman LUGAR on his efforts to act swiftly to modernize the CEA and to implement the recommendations of the President's Working Group on Financial Markets ("PWG"). The challenges involved in such an undertaking are enormous and need a fair and effective approach to this complex task. As Chairman LUGAR's thoughtful and comprehensive approach to this complex task. As Chairman of the Subcommittee on Research, Nutrition, and General Legislation, I have been actively involved in the evolution of the CFMA and am committed to working closely with Chairman LUGAR, Chairman GRAMM, and my other colleagues to ensure that the continued competitiveness of the United States derivatives markets remain strong, competitive, and viable.

The CFMA codifies the recommendations of the PWG to enhance legal certainty for over-the-counter ("OTC") derivatives by excluding from the CEA certain bilateral swaps on a principal-to-principal basis by eligible participants. The market for OTC derivatives has exploded over the past two decades into a multi-trillion dollar industry. These large and sophisticated markets play an important role in the global economy and legal certainty is a critical consideration for parties to OTC derivative contracts. Accordingly, the CFMA recognizes that legal certainty provides flexibility vital to the continued competitiveness of the United States markets and achieves this certainty by excluding these transactions from the CEA.

The provisions of the CFMA also address the problem that federal regulation has not adapted to the rapid growth of the financial markets and today serves as a substantial restriction on market competitiveness and modernization. In order for the United States to maintain the most efficient markets in the world, regulatory barriers to fair competition must be removed. The CFMA reduces the inefficiencies of the CEA by removing restrictions on innovative derivatives and by transforming the CFTC into an oversight agency with less front-line regulatory functions. The provisions for three kinds of trading facilities with varying levels of regulation provide needed flexibility vital to the continued competitiveness of the United States markets and achieves this certainty by excluding these transactions from the CEA.

The provisions of the CFMA also address the problem that federal regulation has not adapted to the rapid growth of the financial markets and today serves as a substantial restriction on market competitiveness and modernization. In order for the United States to maintain the most efficient markets in the world, regulatory barriers to fair competition must be removed. The CFMA reduces the inefficiencies of the CEA by removing restrictions on innovative derivatives and by transforming the CFTC into an oversight agency with less front-line regulatory functions. The provisions for three kinds of trading facilities with varying levels of regulation provide needed flexibility vital to the continued competitiveness of the United States markets and achieves this certainty by excluding these transactions from the CEA.

The provisions of the CFMA also address the problem that federal regulation has not adapted to the rapid growth of the financial markets and today serves as a substantial restriction on market competitiveness and modernization. In order for the United States to maintain the most efficient markets in the world, regulatory barriers to fair competition must be removed. The CFMA reduces the inefficiencies of the CEA by removing restrictions on innovative derivatives and by transforming the CFTC into an oversight agency with less front-line regulatory functions. The provisions for three kinds of trading facilities with varying levels of regulation provide needed flexibility vital to the continued competitiveness of the United States markets and achieves this certainty by excluding these transactions from the CEA.
The CFMA represents an arduous effort to remove burdensome regulatory structures and provide much needed legal certainty to the United States derivatives markets. This effort has produced comprehensive legislation that is designed to remove impediments to innovation and regulatory barriers to fair competition for the United States financial markets. The positive impact of this legislation on Chicago's futures markets cannot be overstated. The CFMA is vital to Chicago remaining the derivatives capital of the world and gives Chicago's futures exchanges the ability to lead the way in the potentially explosive single-stock futures market.

Restricting Cruise Ship Gambling

Mr. STEVENS. Mr. President, I would like to engage the Senator from Hawaii in a colloquy regarding a provision of interest to him, that would restrict cruise ships from gambling in the State of Hawaii. For the benefit of our colleagues, I would like to ask the Senator if he would explain the clear intent of this provision.

Mr. INOUYE. Mr. President, I would like to engage the Senator from Hawaii in a brief discussion with Chairman STEVENS on this matter. As he knows, on many occasions I have expressed to my colleagues in this Chamber my strong opposition to gambling in the Hawaiian Islands. Our State of Hawaii is one of only two states in the entire country that prohibits gambling of all kinds. When Federal laws, including the Gambling Devices Transportation Act, more commonly known as the Johnson Act, affect the ability of cruise ships to conduct operations, the need to relax over the past decade, I was involved in drafting those provisions to be sure that the longstanding Federal prohibition against the possession and operation of gambling devices be maintained with respect to the State of Hawaii. Unfortunately, I understand that a foreign cruise line seeks to exploit a loophole in Federal law and circumvent this long standing prohibition. This legislation closes this loophole. This recent announcement by a foreign cruise line—that is substantially owned by foreign gambling interests—to permanently base a large cruise ship with an extensive casino on board in Hawaii for year-round operation on cruises that will begin and end in Honolulu has prompted this amendment. This amendment ensures that there is no ambiguity in the intent of the Johnson Act's application to the State of Hawaii. By expressly preserving the act's original prohibition of the transportation, possession, repair, and use of any gambling devices aboard vessels that embark and disembark passengers in the State of Hawaii, as defined in 19 C.F.R. 4.80a(a).

I want to make clear to my colleagues that this provision would not affect any State other than Hawaii. Moreover, it would not prohibit current operations on board cruise ships that, for example, begin or end their cruises on the mainland or in foreign countries, even if they call at multiple ports in Hawaii, so long as the gambling facilities are closed when the vessel is out of Hawaii. If passengers do not begin and end their trip in Hawaii, passengers could either begin or end their trip in the State, but could not do both. A vessel that is operating in dedicated service in Hawaii, however, cannot escape the Johnson Act's broad prohibitions simply by calling at Christmas Island or some other similar foreign port.

I have made clear that I do not want gambling in Hawaii many time and in particular on the occasions that we have debated Johnson Act and gambling on cruise ships. I have been unwavering in my position that gambling on voyages beginning and ending in Hawaii will not be accepted practice. This provision should clarify any ambiguity in the law so as to what types of gambling operations on board vessels are allowed and not allowed in Hawaii. I can assure my colleagues that if gambling interests believe they can exploit and circumvent the spirit and intent of Federal laws prohibiting gambling in Hawaii, I will be back in this Chamber to attempt to make the necessary changes to continue our State's longstanding prohibition on such activities.

Mr. STEVENS. Mr. President, we all recognize the Senator's diligence in keeping the gambling industry out of Hawaii. Would I be correct then saying this provision would not have any impact on those cruise ships that begin or end their trip in a foreign port or on the mainland so long as they don't gamble while in Hawaii?

Mr. INOUYE. The Senator is correct.

Mr. STEVENS. I thank the Senator for his explanation.

Mr. INOUYE. I appreciate the opportunity to explain this matter for our colleagues.

Coal Waste Impoundment Study Clarification

Mr. BYRD. Mr. President, conference report language appeared to add H.R. 4577, the fiscal year 2001 Labor/HHS Appropriations bill to address concerns about the safety of coal waste impoundments. A study, which is to be completed by the National Academy of Sciences (NAS) in nine months, will be funded by monies included in the Mine Safety and Health Administration's (MSHA) Fiscal Year 2001 appropriations. Because MSHA has regulatory authority for coal waste impoundment protection, it is critical that MSHA officials will play an active role throughout the course of the study. The NAS study is intended to review the coal waste impoundments and report on viable methods and alternatives to prevent another dam failure like the one that occurred in Martin County, Kentucky, in October of this year.

Mr. President, I agree with the Senator from West Virginia for his leadership on this subject. It is also my understanding that relevant federal, state, industry, labor, citizen, and environmental parties should participate in this study so as to gain a broader range of views and recommendations on the current problem and future solutions in order to prevent such problems as he has described from occurring again.

Mr. INOUYE. I appreciate the opportunity to explain this matter for our colleagues.
will reflect this clarification and will result in an expeditious use of the funds.

Mr. STEVENS. I thank my colleague.

Mr. BURNS. Will the chairman yield for purposes of a colloquy?

Mr. GREGG. I yield to the Senator from Montana.

Mr. SPECTER. As you know, I understand that the Internet Corporation for Assigned Names and Numbers, ICANN, intends to request that the Department of Commerce transfer the Internet's authoritative root server to ICANN's control. The authoritative root server is the server which is the foundation of the Internet's domain name system and cannot function without it. Would the chairman agree that the Department of Commerce should retain control of the authoritative root server until the appropriate committees of Congress have reviewed the legality, appropriateness and implications of such a transfer?

Mr. GREGG. I agree with the Senator from Montana that Congress should be given the opportunity to exercise its oversight responsibility over this important issue.

Mr. HOLLINGS. Will the chairman yield to me on this issue?

Mr. GREGG. I yield to the Senator from South Carolina.

Mr. DURBIN. Mr. Chairman, I would like to join you in supporting the statements made by the Senator from Montana. As managers of the Commerce, Justice, State bill, you and I have the responsibility and expectation of providing agencies under our jurisdiction with congressional input and guidance. On an issue of this great importance—tracing the a-root server to ICANN—it is critical that we carefully look at the implications a decision like this would have.

Mr. MURRAY. Will the chairman yield to me on this issue?

Mr. GREGG. I yield to the Senator from Washington.

Mr. MURRAY. I share the concerns expressed by the Senators from Montana and South Carolina about the premature transfer of the authoritative root server to ICANN. Control of this root server includes the power to dramatically affect all aspects of Internet activity, including e-commerce and our national security. The Department of Commerce should not transfer the root server to ICANN until Congress has had the opportunity to review the wisdom of such a transfer.

Mr. GREGG. I agree with the views expressed by my ranking member, Senator Hollings, and the Senators from Washington and Montana on this matter.

Mr. DURBIN. Mr. President, I would like to commend the chairman of the Finance Committee for his bipartisan efforts which resulted in the passage of section 1425 of H.R. 4639, the Miscellaneous Tariff Act. This section is intended to address an unfortunate situation in the operation of antidumping duties on a number of entries of conveyor chain from Japan. At the time of these entries, the applicable antidumping duty cash deposit rate was 0 percent. As a result, no cash deposits were made on these entries by the U.S. importer. Through no fault of the U.S. Customs Service, the antidumping duties and interest subsequently imposed when these entries were liquidated as the Department of Commerce administrative review process now represents a severe and unanticipated hardship on the U.S. importer, Drives, Inc., based in Fulton, Illinois. This legislation is intended to address this situation by having the Customs Service re-liquidate the entries at the antidumping duty cash deposit rate in effect at the time of entry.

Mr. ROTH. The senior Senator from Illinois is correct and I thank him for his kind words. He is correct with regard to the purpose and intended effect of this section. My understanding is that the antidumping duty order covering these entries has recently been revoked. I also understand that the domestic industry association that was the complainant in the dumping proceedings is aware of this legislation and does not object.

Mr. DURBIN. That is correct. In accordance with the legislation, the identified entries will be re-liquidated with no antidumping duties assessed. Moreover, no interest charges which relate in any way to antidumping duties will be assessed. Since the deposit rate at the time of entry of all of the identified entries was 0 percent, this will have the effect of liquidating the entries at the cash deposit rate in effect at the time of entry.

Mr. ROTH. We should note for the record that during the drafting of this legislation, a few words were inadvertently left out, with the unintended consequence of the language being not as clear as we would have. It is our intent with this legislation that re-liquidation occur without tax consequences. This was the intent of the Congress when it reviewed and passed this section.

Mr. DURBIN. The senior Senator from Delaware is correct. There was a mistake made in drafting the language. Regardless, the intent of the original legislation, and the intent that can still be interpreted from the law as enacted, is to have the Customs Service re-liquidate the entries at the antidumping duty cash deposit rate in effect at the time of entry. I thank the Senator from Delaware for his guidance and appreciate working with him on a bipartisan basis.

Mr. ROTH. I thank the Senator from Illinois.

Mr. DeWINE. I notice my colleague from Ohio, Senator VoIovich, is on the floor as well as the majority leader. I think I speak for my colleague when I say we were extremely disappointed that our bill, S. 2955, was not able to be passed in this Congress. That bill is very important to asbestos victims and two of our State's largest employers.
As we all probably know, our nation is facing an asbestos litigation crisis. A crisis for which the federal government, in my opinion, shares responsibility. From World War II through the Vietnam war, the government mandated asbestos to insulate our naval fleet from secondary fires. This mandate is the cause of many tragic disabilities. Unfortunately, while the federal government would be one of the largest asbestos defendants due to this mandate, an aggressive and successful litigation strategy to exploit sovereign immunity has allowed them to evade any monetary culpability.

Since the federal government is not paying their fair share of the costs, the former asbestos manufacturers are burdened with asbestos claims. Of the approximately 30 original core defendants, over two dozen have gone bankrupt, in large part due to asbestos claims. The situation has reached the crisis stage. Good companies, providing good jobs, and providing payments to victims, are in significant peril. The recent bankruptcies of several former asbestos manufacturers have placed an even more overwhelming burden on the remaining defendants. Due to joint and several remaining defendant companies are now paying an even higher share of asbestos claims. The markets have taken note. Stock market values are declining, making it more and more difficult for these companies to receive the financing they need to survive. The very future of these companies, the very future of these jobs are at stake.

But, it is not just the companies who are suffering. Asbestos victims are also suffering greatly. They are not receiving the awards to which they are entitled. If something is not done to correct this situation, good companies will continue to go bankrupt, good jobs will continue to be lost, and asbestos victims will not receive any compensation.

We must act now to do this. I understand the majority leader understands and appreciates the urgency of this situation. I would ask that the bill that stands the majority leader understands would be one of the first bills produced would be one of the first bills considered when we return for the 107th Congress. I would ask that the bill that produced would be one of the first bills considered when we return for the 107th Congress.

Ms. COLLINS. Mr. President, as you know, natural disasters exact a tremendous toll on our nation. In just two decades (1975-1994), 24,000 individuals nationwide lost their lives to natural disasters. Approximately 300,000 were injured, and the resulting property damage reached a staggering $500 billion. Hurricanes are responsible for 80 percent of these $500 billion in damages. The continued rapid building of homes and commercial facilities along our coastlines increases the potential for even higher natural disaster costs in the future. Since Congress often responds to these disasters with emergency supplemental appropriations, it makes sense to also support the development of technologies and building techniques to mitigate damage resulting from hurricanes and other natural disasters.

Mr. GREGG. I agree with my distinguished colleague from Maine that we need to do what we can to mitigate the devastation caused each year by natural disasters. Exciting new building techniques and technologies hold promise in this regard.

Ms. COLLINS. They certainly do. And one of the most exciting technologies involve wood composites. The fact is, most natural disasters directly affect wood construction, which is used for 99 percent of houses constructed nationally. The University of Maine Advanced Engineered Wood Composites Center (AEWC) has developed new technologies to reinforce wood construction materials with fiberglass material. These fiberglass-reinforced wood composites are two to three times stronger, more impact resistant and more ductile than their unreinforced counterparts. Homes and buildings constructed with these advanced materials should greatly enhance occupant protection from hurricanes, earthquakes, tornadoic missiles, and other natural threats. In addition to their benefits in new construction, these technologies can be used to retrofit and strengthen existing wood buildings. The University of Maine and its industry partners require $4 million in fiscal year 2001 funds to complete material and wood panel testing on these technologies, and to start developing building code provisions to transition the new disaster resistant panels into residential and commercial construction.

I commend my good friends, Chairman GREGG and the subcommittee’s ranking member, Senator HOLLINGS, for their efforts thus far to allocate additional funds to the National Institute of Standards Science and Technical Research Services program. I am particularly pleased with the additional funds that have been allocated to the NIST Building and Fire Research Laboratory, which is ideally suited to develop improved building technologies resistant to natural disaster.

I would strongly encourage the NIST Building and Fire Research Lab to support development work on advanced wood composites, demonstrate the performance of reinforced-wood composites under simulated hurricane wind conditions, and introduce the new construction materials into national building codes and standards.

Mr. HOLLINGS. I thank my good friend and colleague, Senator COLLINS, for her kind remarks regarding this subcommittee’s work on FY ‘01 Commerce, Justice, and judiciary appropriations bill. I recognize the importance of investing in advanced building technologies that can resist damage from hurricanes. As you know, South Carolina has experienced several costly and disastrous hurricanes. Yet our coastal economy continues to expand and to serve as a commercial and recreation resource to our State and the Nation.

I agree with my colleague that development of fiberglass-reinforced wood composites is important, and I also encourage the National Institute of Standards and Technology to support the development and deployment of these materials. Improvements to wood building materials will result in direct benefits to the people of South Carolina and all other coastal communities in the United States.

Mr. GREGG. I thank my distinguished colleague from Maine as well and share her concerns about the impact of natural disasters on the lives of people and on the economy. In the past, government has worked effectively with the building industry to make homes and commercial buildings better and safer through building codes and standards, and by supporting improvements in building technology.

The subcommittee is very interested in the contributions that the NIST Building and Fire Research Laboratory can make to improve the quality of building products. Fiberglass-reinforced wood composites can greatly increase the safety of homes subjected to natural disasters. I agree that the National Institute of Standards should pursue with the University of Maine the development and demonstration of fiberglass-reinforced wood composites for improved building materials.

EXPANSION OF A SUCCESSFUL EXECUTIVE MBA PROGRAM

Mr. L. CHAFEE. Mr. President, I would like to clarify the intent of the conferees regarding a provision in the conference report accompanying H.R. 4576, FY01 Defense appropriations bill (H. Rept. 106-754). Within this legislation is $2 million for the expansion of a successful Executive MBA program at the NIST Building and Fire Research Laboratory, which I am particularly pleased with the additional funds that have been allocated to the NIST Building and Fire Research Laboratory, which is ideally suited to develop improved building technologies resistant to natural disaster.

I would strongly encourage the NIST Building and Fire Research Lab to support development work on advanced wood composites, demonstrate the performance of reinforced-wood composites under simulated hurricane wind conditions, and introduce the new construction materials into national building codes and standards.

Mr. HOLLINGS. I thank my good friend and colleague, Senator COLLINS, for her kind remarks regarding this subcommittee’s work on FY ‘01 Commerce, Justice, and judiciary appropriations bill. I recognize the importance of investing in advanced building technologies that can resist damage from hurricanes. As you know, South Carolina has experienced several costly and disastrous hurricanes. Yet our coastal economy continues to expand and to serve as a commercial and recreation resource to our State and the Nation.
will be used to expand the current student enrollment from 30 to 60 Navy personnel and to expand and upgrade Bryant's technical capabilities. Specifically, funds will be used to expand and upgrade Bryant's network bandwidth to gigabit speed, as well as fund technology developments that Bryant's new Bello Center for Information and Technology, allowing Executive MBA students better access to valuable information resources. This, in turn, will assist them in their studies at Bryant. The second expansion program will not only allow 30 more military/government personnel to earn an MBA at Bryant, but will link those students with expanded technical resources at Bryant. This linkage will allow Executive MBA students access to all information available within Bryant's resources and create the capability to interact with each other and with other students on and off campus.

Is this description what the conferees intended?

Mr. STEVENS. Yes, that is correct.

Mr. GRAHAM. Mr. President, I do not mean to be the skunk at the picnic party, but I believe there are some realities to be faced. Those realities are that the surplus of 1998 is not the benchmark. I do not believe we can assume that it will be repeated in the future.

I am afraid what we are doing tonight will not make a positive contribution. The fact is that at 7:08 p.m. on a Friday evening, we are taking up a piece of legislation which dwarfs the New York City telephone directory in size, a piece of legislation which not one single Member of this body or the House of Representatives has ever had an opportunity to read.

The fact that we are about to adopt this legislation without the normal debate and opportunity to understand what is in this bill is not a positive sign because, in my judgment, the kinds of bipartisan cooperation that we will require in the future are going to be based upon respect, understanding, and a due regard for our constituents who also deserve to be served better than we are doing this evening.

It also seems, to me, to be based on a level of trust and regard among the Members of this Congress that does not reflect that trust.

My fundamental concern about this appropriations bill, which will expend approximately $180 billion of our taxpayers’ money, is that it takes the wrong fundamental path.

Contrary to myth, the 21st century has not begun. The new century will actually commence at 12:01 a.m. on January 1, 2001. The first Congress of the new millennium, the 107th Congress, will convene on January 3. This historic Congress will find itself at the proverbial commencement of the century and a fork in the road. Two very different fiscal paths will lie in front of it.

The path we select will play a major role in shaping our country’s future in the 21st century. One path maintains the fiscal discipline that has marked the latter half of this decade. It has prevented the kind of fiscal profligacy that created the longest economic expansion in U.S. history. This expansion has created over 20 million jobs since 1993. It has reduced unemployment to a 30-year low of 3.9 percent in October of this year. During all of this, inflation has remained at its lowest core rate since 1965. Those are all achievements for which we can take considerable pride.

This first path views the projected budget surplus as a means to continue this economic growth and to continue to pay down the national debt.

This first path also recognizes that a portion of the surplus should be used to address some of the long-time intergenerational challenges which are confronting Social Security’s future and modernizing Medicaid. Social Security is in fine fettle today. Payroll tax revenues exceed the funds needed to pay current benefits by record amounts.

This path is not, however, will not last long. In just 15 years, payroll tax revenue will no longer be sufficient to pay benefits. We need to act now to strengthen the program’s finances so that today’s workers and tomorrow’s retirees will have the security of knowing that their Social Security benefits will also be paid.

Medicare faces a similar long-term funding shortfall, only it begins 5 years earlier, in 2010. In addition, Medicare faces its own challenges. That is its focus on sickness rather than wellness. Thus, Medicare needs to be fundamentally reformed to conform with modern medicine and the desires of its beneficiaries. That will require the inclusion in Medicare of a prescription drug benefit. Virtually every preventive program currently in use has prescription drugs as a substantial component of its treatment modality.

A portion of the surplus should be devoted to dealing with the deficiencies in Social Security and Medicare.

I just described the first path. There is a second path. That alternate path veers off to a far different destination.

That path focuses on short-term desires, the here and now, and foregoes fiscal discipline in favor of new spending programs and tax cuts. It views the surplus as a giant windfall to be doled out to favored constituencies as if Christmas lasted 365 days. In short, this is a path back to the past.

This path of the 106th Congress represents another step down the wrong path, the path to the past. The Senate is considering the final 2001 appropriations bill, a bill that combines the Department of Labor and HHS, the Departments of Treasury, Postal, and the legislative branch. This agreement also clears the Department of Commerce, Department of State, and Department of Justice bill for signature.

As I pointed out, combined bills totals nearly $182 billion. This bill follows the pattern established by most of the previous appropriations bills considered by the Senate. The total spending of these bills exceeds the standard established by the Senate in the budget resolution adopted in April of this year. Section 206 of the budget resolution proposed a cap on discretionary appropriation spending for the fiscal year 2001 at $600 billion. That level would have allowed discretionary spending to grow at a rate that was above inflation, a rate of approximately 3.5 percent. What do we have before the Senate at 7:15 in the evening of December 15? We have a bill which is three times larger than the one we have had more than twice that tolerated under the budget resolution.

I admit I support many of the programs funded in this bill, but we must exercise restraint. We must establish priorities. If a predecessor of this herculean effort was on the Senate floor on several occasions earlier this year to decry specific appropriations bills as they were being considered. The common complaint I have had with each of these bills has been that they have been crafting in a vacuum without a clearly defined blueprint to give Congress the full picture of the implications of its actions before it acts. It is as if a carpenter about to build a home would start to build the living room without any awareness of what the rest of the house was going to look like.

The budget resolution should have provided exactly such a blueprint. But it has failed to do so. A good part of the criticism it has fostered has been that it was developed without the full participation of all Members of the Senate. It was a partisan document, representing one point of view but not providing the context around which all Members of this body as reflective of the public of the United States could give their support. In addition, it was crafted with wholly unrealistic expectations of where we were headed.

Let me demonstrate in this chart that was on hand at 1965. Those are all achievements for which we can take considerable pride.
$100,000 house. But they build a $25,000 house which stretches their financial capability.

This year we had a resolution that said we spent $600 billion; with this legislation tonight, we will spend $634 billion. We spent our budget with $34 billion. This chart exposes the failure of our current budget process. Each year we pass a budget resolution which establishes limits, and each year we break the resolution.

The fiscal year 1999 budget resolution which was supposed to be a spending limit of $533 billion had a final tally of $583 billion. In the year 2000, the limit was supposed to be $540 billion and the final tally was $587 billion. As I indicated, this year was supposed to be $650 billion and we have concluded now at $634 billion.

The last 3 years highlight the dangers of considering spending bills without a credible budget, one that establishes reasonable parameters and results from the participation of both parties.

While that is my fundamental objection to this budget and why I will request to be counted as voting no when we take the final voice vote on this matter, my primary objection also involves changes to the Medicare program that will result in greater payments to providers. This bill increases payments to Medicare providers by $35 billion over the next 5 years, $85 billion over the next 10 years. My primary objection to these changes is that too much of the $35 billion for the first 5 years and $85 billion for the next decade is funneled into one aspect of the Medicare program—health maintenance organizations, HMOs. In my opinion, and more importantly, in the opinion of the experts, the HMOs do not need and cannot justify the level of additional appropriations which they are about to receive.

What I appreciate the modest improvements for beneficiaries which are included in this bill, the fact remains that HMOs, which enroll less than one out of six Medicare beneficiaries, will receive almost one-third of the overall funding. I am alarmed by increasing payments to HMOs because we are told by the experts that the payments are already too high. The General Accounting Office says under current law:

Medicare’s overly generous payment rates to HMOs exceed what Medicare would have paid had these individuals remained in the traditional fee-for-service program.

The General Accounting Office concluded that Medicare HMOs have never been a bargain for the taxpayers. Increasing HMO payments will not keep them from leaving the markets where they are most needed.

One of the several outrages in this area is the requests that were made that if we were going to provide this generous add-on payment to HMOs, one-third of the money for less than one-sixth of the Medicare beneficiaries, that they would have to commit they would not, as they have done in many areas in my State and virtually every other State, pack up leaving beneficiaries without coverage.

Or in other areas, as I recently experienced in the city of Jacksonville, HMOs have been driving down the benefits for beneficiaries. I worked in a pharmacy in Jacksonville earlier this year, most of the HMOs in that city that have now put a cap on the annual payments of prescription drugs, and that cap is $500. As anyone who knows, and any potential suitor, a $500 annual limit, particularly for an elderly population, is a very meager benefit. If you take this overly generous additional payment, you have to make some commitments to the beneficiaries relative to your willingness to stay and serve in the communities where you are currently providing services and to maintain your service benefit level. None of that is in this final bill. This is a checking written with no response, in terms of protection.

According to the testimony from Gail Wilensky, chair of the Medicare Payment Advisory Commission, she states that plan withdrawals—that is, withdrawals from HMOs:

have been disproportionately lower in counties where payment growth has been the most constrained.

What Ms. Wilensky is saying is that where you have constrained reimbursements to HMOs, you have less withdrawals than you would otherwise, as we proposed to be in this legislation, excessively generous.

It comes down to priorities. Should we spend billions on HMOs or try to help frail and low-income seniors, people with disabilities and children? The managed care industry and its advocates in Congress have thwarted every effort to reform the Medicare+Choice Program so that it does what it was designed to do—save money with reliable, effective health care services.

A prime example of this occurred almost a year ago in this Chamber. In 1997, under the Balanced Budget Act, we provided for two demonstration projects to provide for the outrageous idea that there be competitive bidding among HMOs, to let the marketplace—which we all laud as being the best distributor of resources—let the marketplace define what should an HMO be like. This is the same practice which is used in the private sector in its selection of HMOs and in some of the largest public employee HMO plans. Implementation of such a process had the potential of saving taxpayers and the Medicare program millions of dollars. We would have ensured that HMOs with the best bids were awarded contracts. It would have eliminated the discrimination against rural and smaller communities visiting the large communities which now get the largest HMO reimbursements.

Unfortunately for the American public, last year the managed care industry convinced their friends in Congress to beat back even these demonstration projects. In so doing, they assured that we would not have a competitive system, a system that based contracts on merit. In fact, they would not have to compete at all. In fact, there would be no basis by demonstration projects to provide for the potential benefits to competition.

This year the HMOs have launched a multimillion-dollar lobbying effort to pressure Congress to increase their payment rates, and they have been successful. The HMOs are claiming that their current rates are too low, yet these are the same HMOs that committed congressional homicide when they killed a proposal that would have allowed a more market-oriented system which would have resulted in higher reimbursement rates if the market indicated that was appropriate. This is the equivalent of a man shooting his mother and father and throwing himself on the mercy of the court because he is an orphan.

Worse yet, the bill fails to provide adequate accountability requirements for these plans. The House bill, when it was originally passed, required that any new funds be used for beneficiary improvements. In this final bill, this conference bill contains no such requirement.

To be honest, there are some high points in this bill, as few and far between as they might be. I was pleased to learn the bill being considered added new preventive benefits for Medicare beneficiaries.

I strongly believe Medicare must be reformed from a system based on illness to one based on maintaining the highest standard of health. I have introduced legislation to this effect. The benefits included were based on recommendations made by the experts in the field: the United States Preventive Services Task Force. Therefore, I was disappointed to find the bill fails to provide Medicare coverage for hypertension screening and smoking cessation counseling, which are the highest two priorities as identified by the United States Preventive Services Task Force in its “Guide to Clinical Preventive Services.”

This bill also provides access to nutrition therapy for people with renal disease and diabetes, but leaves out the largest group of individuals for whom the Institute of Medicine recommends nutrition therapy, people with cardiovascular disease. This is the recommendation of the Institute of Medicine, a recommendation which has been politically rejected.

I believe strongly that additions to the Medicare program must be based on scientific evidence and medical science, not on the power of a particular lobbying group or the bias of a single Member. It appears to me that instead of taking a rational, scientific approach to the presentation, the Members who constructed this Medicare add-back provision used a “disease of the month” philosophy, leaving those who
need help the most without relevant Medicare services.

When I asked why did the authors of this bill ignore the expert recommendations, why did they provide that seniors with cardiovascular disease receive only a single page of nutrition therapy, what was the answer? I was told that it was excluded because it was too expensive.

It does not take a Sherlock Holmes, or even a Dr. Watson, to understand what is happening. This bill provides $1.5 billion over 5 years for prevention services to our older citizens. It provides a whopping $11.1 billion for the HMO industry. Clearly, the money is there but the real goal is not to direct it to the greatest need. It is, rather, to herd seniors into HMOs as a means of avoiding the addition of a meaningful Medicare prescription drug benefit for our Nation’s seniors.

Whether you believe in the broad Governmentalization of the managed care industry or in providing benefits to seniors and children, we should all agree that taxpayers’ money should be spent responsibly. This legislation does not meet that test. Congress has the responsibility to make certain that the expenditures we offer are based on actual data rather than anecdotal evidence or speculation. How can we justify that over the next 10 years the managed care industry—Mr. President, I ask you and our Members to listen to this shocking fact—over the next 10 years the HMO industry will walk away with almost the same amount of funding increase as hospitals, home health care centers, skilled nursing facilities, community health centers, and the beneficiaries combined. That allocation makes no sense.

One of the most appalling omissions of this bill is the exclusion of a provision which would have given the States the option to replace another important program, Medicaid and children’s health insurance coverage, to make that coverage available to legal immigrant children and pregnant women.

Current census data shows us that last year nearly half of low-income immigrant children in America had no health coverage. Congressional Republicans and Democrats, Governors, and I am proud to say including Gov. Jeb Bush of the State of Florida, Christie Todd of New Jersey, Paul Celluci of Massachusetts, and the Clinton administration—have been advocating for the inclusion of this commonsense provision in this balanced budget add-back bill. But some in Congress have opposed the inclusion of a provision that would provide health care coverage for indigent immigrant women and children, arguing that the welfare reform law removed legal immigrants from the health rolls.

The reason, they said, was money. By limiting the number of people eligible for Medicaid and children’s health insurance, the Federal Government was able to save some dollars. This provision had nothing to do with the overall worthy goals of welfare reform, which were encouraging self-reliance, self-sufficiency, and discouraging single parenting. There is no evidence that legal immigrant children and pregnant women are driving the States to secure health benefits. In fact, in the last decade immigrants have been moving from high benefit States such as California and New York to low benefit States such as North Carolina and Virginia.

There is also no denying that the money to cover this population of approximately 200,000 persons is available if we choose to use it. The proof is covering children and pregnant women is not only humane, it is fiscally responsible. The Medicare “give back” package is aimed at keeping strapped hospitals solvent. These same struggling hospitals bear the brunt of providing uncompensated emergency room care for children without health insurance whose families cannot afford to pay. Taxpayers are eventually going to wind up paying the cost of citizen children born prematurely because their legal immigrant mothers could not get prenatal care.

This bill is disturbing for both what it has and what it does not have. As I said, it does not have a clear blueprint toward a path of sustained fiscal responsibility.

Mr. President, I ask unanimous consent that at the conclusion of my remarks an article written by Dr. Robert Reischauer entitled “Bye-Bye Surplus” be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit 1.)

Mr. GRAHAM. Dr. Reischauer outlines the four ingredients present in today’s political environment that are likely to lead to a feeding frenzy that will lay waste to the surplus that we have inherited. Those ingredients are: No. 1, the need for the next President to affirm his administration’s legitimacy; No. 2, even larger budget projections; and a compliant Congress, and finally a weakening economy.

Why should we worry about all this? Why should we at this stage, at 7:35 on a Friday evening, suddenly become exercised about the issue of fiscal discipline? Some budget observers believe that if Congress could be forced to limit its spending, even by as much as $1 trillion when the new budget estimates are revealed. If that is the case, the unified budget surplus for the next 10 years will rise to roughly $5.5 trillion.

Given these larger surplus projections, one may ask why Americans should be concerned with the deterioration of budget discipline. Americans should worry because Congress is frittering away the hard-won surplus with a plan for utilizing those surpluses, without addressing the long-term, major challenges facing Americans—Social Security, Medicare, and paying down a $5.5 trillion national debt. Americans should care because we are sleepwalking through the surplus. We are denying ourselves the chance to face major national challenges. We are leaving to our grandchildren the credit card bills that our generation has accumulated.

The Congressional Budget Office recently released its long-term budget outlook. The findings in that report are not encouraging, but they are not surprising. That may explain why the report garnered such little attention.

What were the Congressional Budget Office findings?

The Federal Government spending on health and retirement programs—Medicare, Medicaid, Social Security—will dominate the long-term budget outlook. Spending on major health and retirement programs will more than double, rising from 7.5 percent of gross domestic product today to 16.7 percent 40 years from now. Why? The retirement of the baby boom generation will drastically increase the number of Americans receiving retirement and health care benefits. The cost of providing health care is growing faster than the overall economy.

Saving most or all of the budget surpluses that CBO projects over the next 10 years—using them to pay down the debt—would have a positive impact on these projections and substantially delay the emergence of a serious fiscal imbalance.

There could be no more clear delineation of the long-term problem. Equally clear is the proffered outline of the short-term steps Congress can take to begin to address this problem: Save the surplus; pay down the debt.

Yet despite the obvious, Congress seems content to take the easier path and to fritter away the surplus. We have an obligation not to let this happen.

The ugly days of deficits taught Congress some very valuable lessons. One of those lessons was the need to prioritize. We all have expectations. We all are representing our constituents to the best of our ability. We all have a sense of our national responsibility. But the tool that forced us to do what was required was the one that said that for each additional dollar of spending, a dollar of spending had to be reduced or a dollar of taxes had to be raised. That is what discipline is about.

The surplus has eroded that discipline. We are failing the American public by not having honest, open debate about the tradeoffs that are necessary if we create programs, build projects, or cut taxes. Few Congresses in the history of this Nation have squandered their opportunities as much as the 106th. Few Congresses in the history of this Nation have had the opportunity of redemp- tion that awaits the 107th Congress.

Few Congresses will be judged more harshly for avoiding, trivializing, and ultimately failing to seize that opportunity.
For those reasons, I have asked that I be recorded as “no” on the final vote on the omnibus appropriations bill. I thank the Chair.

BYE-BYE, SURPLUS

By Robert D. Reischauer

A president has a mandate to pursue his campaign promises. A Congress hardened by four years of partisan combat, scarred by a bitter election and immobilized by the lack of a governing majority, fits the recipe for continued gridlock. Won’t legislatorial paralysis leave the growing budget surpluses safe from plunder for another two years?

Don’t bet on it. A torrent of legislation that squanders much of the projected surplus is much more likely than continued gridlock, because four key ingredients needed to cook up a fiscal feast of historic proportions will all be present next year.

First, there will be the new president’s desperate need to affirm his administration’s legitimacy. There’s no better way to do this than to quickly build a solid record of legislative accomplishment, one that convinces Americans that the era of partisan gridlock is over and the new occupant of the Oval Office deserves to be president of all the people, even if he didn’t win a convincing majority of the popular vote.

The second ingredient will be new and even larger projections of future surpluses. These will make the president’s legislative agenda look less ambitious and could reward a decade of fiscal fasting rather than a return to reckless budget profligacy. During the presidential campaign, the candidates debated how best to spend an estimated $2.2 trillion 10-year surplus among tax cuts, spending increases and debt reduction. The budget offices’ new projections, which will be released early next year, will almost certainly promise even fatter, juicier surpluses, surpluses that will boost the expectations of all the greedy supplicants.

Rather than being bound by gridlock, the 107th Congress will be poised for a feeding feast. Nervously eyeing the 2002 election, the 107th Congress will be determined to prove that it is the “Education Party.” In terms of education, the top priority of both candidates and an agreement that more should be spent. Education also deserves to be president of all the people. In the absence of a mandate, the president may have to wait another 70 years to celebrate such an accomplishment. But we, the nation’s foremost fiscal challenge—who will fund our public employees’ retirement—has not been addressed because that required difficult choices and political courage.

The PRESIDING OFFICER. Under the previous order, the conference report is agreed to.

Ms. COLLINS. Mr. President, the Appalachian National Scenic Trail is a treasure that thousands of Americans enjoy every year. From day hikers to skiers and hikers cannot share the footpath enjoy a remarkable wilderness experience.

The National Trails System Act of 1968 designated the Appalachian Trail as one of our nation’s first scenic trails and authorized the Secretary of Interior to protect the trail through the acquisition of land along the trail or by other means. Over the years, Congress has supported this important effort through appropriations that have enabled the National Park Service to acquire more than 3000 parcels of land, protecting ninety-nine percent of the trail for future generations.

Despite the success of the last thirty years, more work needs to be done to ensure that the trail is preserved in its entirety. The longest remaining unprotected segment of the Appalachian Trail crosses Saddleback Mountain, in the Rangeley region of western Maine. The 31 miles that traverse the Saddleback Mountain range is one of the trail’s highest stretches, offering hikers an alpine wilderness trek and extraordinary vistas. The mountain is also home to Saddleback Ski Area, which draws skiers from throughout New England as well as from across the nation.

In February 1999, the House Appropriations Committee recommended an estimated $2 million to acquire the land necessary to protect the Appalachian Trail as agreed to by both the Department and the owners of Saddleback Mountain. The language also directs the Secretary to convey the land to the State of Maine.

I would like to express my appreciation to Appropriations Committee Chairman STEVENS and Subcommittee Chairman SPECTER for working with Senator Snowe and I on this matter of great importance to our State. I would also like to thank Interior Subcommittee Chairman Gorton for including the Saddleback acquisition in the list of projects approved for Title VIII funds in the FY 2001 Interior Appropriations bill. Their support, along with the dedication of many others who have been involved in the negotiations, will ensure that skiers and hikers can share in the enjoyment of the natural beauty and wonders of Saddleback Mountain for generation to come.

CORRECTING THE ENROLLMENT OF H.R. 4577

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 162.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 162) to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577.

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, all without intervening action or debate.

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

The concurrent resolution (S. Con. Res. 162) was agreed to, as follows:
Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 4577), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1999, and for other purposes, shall make the following correction:

In section 113(a)(4), before the period at the end, insert the following: "except that the text of H.R. 5666, as so enacted, shall not include section 123 (relating to the enactment of H.R. 4004)'.

Mr. STEVENS. Mr. President, I regret deeply that last concurrent resolution, and at some time in the future I will explain it.

I am awaiting some other papers. For the time being, let me say this. I have stood on the Senate floor several times talking about the Steller sea lion problem. I personally thank Mr. John Podessta, the President's assistant, for talking to me for so long and working with our staff and myself for so long, into the early hours this morning and through the day, to bring about a resolution of the problem I have been discussing.

I cannot say we won this argument, but I can say we have reached a conclusion that will allow a substantial portion, approximately 90 percent, of the fishermen affected by this issue to return to fishing next January. These are people who live along a stretch of coastline and on islands, as I said, that are the same distance as from this city to the end of the Florida chain. They are people who live in very harsh circumstances and have one basic source of income, and that is fishing.

We have been able now to agree on a process by which the fishing season will commence on January 20. Incidentally, it has nothing to do with the inauguration; it just happens to be the first day of fishing season. We are delighted to find a way to resolve the conflict. It still means there is a long hard task ahead of not only this Secretary of Commerce and his personnel but the next Secretary of Commerce and personnel to carry out the agreement we have crafted and to see that it works.

I am pleased to say we have had a great many people who have assisted us. As I said earlier, the distinguished majority leader and minority leader worked closely with us, along with the staff of the Assistant to the President, and the Office of Management and Budget. I cannot leave out, and would not leave out, the distinguished chairman of the House Appropriations Committee, the Honorable BILL YOUNG, a Representative from Florida, who waited for this resolution.

I know it was a harsh task he had, and there are many Members in both the House and Senate who were inconvenienced by this delay. I can only thank them for their cooperation. As I have said before, not one Member of Congress argued with me about the delay. They all understood that we had a substantial problem.

It is not easy to represent a State and people who live closer to Tokyo than Washington, DC. These people really have but three spokesmen in Washington to hear the many that other States have. They rely on us to convey their wishes and to convey their dilemmas over potential Federal actions and to seek solutions.

I am delighted we have received the cooperation that led to a consensus that the Senate will adopt them and will start the resolution of this problem and bring it to a conclusion where we can abide by the Magnuson-Stevens Act that governs the fisheries off our shores and, at the same time, respect the findings that are made under the Endangered Species Act.

I thank Sylvia Matthews, Office of Management and Budget; Michael Delitch, Office of Management and Budget; Penny Dalton of NOAA; Mark Childress of Senator Daschle's office; Dave Hoppe of Senator Lott's office; and Lisa Sutherland and David Russell of my office for their hard work on the issue pertaining to Steller sea lions.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2000

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, the Senate adopts the substitute for the House-passed version of the bill, H.R. 46.

Mr. LEAHY. Mr. President, today we consider three bipartisan measures of concern. The Judiciary Committee, adopting a complete substitute, and sending it back to us.

I have worked with Senator HATCH, Senator STEVENS and others to perfect the final version of this bill. We have crafted bipartisan improvements to ensure that the Medal of Valor Board will work effectively and efficiently with the National Medal of Valor Office within the Department of Justice. Our legislation establishes both of these entities and it is essential that they work well together to design the Medal of Valor and to create the criteria and procedures for recommendations of nominees for the award. The men and women who will be honored by the Medal of Valor for their brave deeds deserve nothing less.

The information age is filled with unlimited potential for good, but it also creates a variety of new challenges for law enforcement. A recent survey by the FBI and the Computer Security Institute found that 62 percent of information security professionals reported computer security breaches in 1998.

On May 18, 1999, I was privileged to be on the floor of the Senate when the Senate took up a measure that had passed it unanimously. I took that occasion to commend Senator STEVENS and all who had worked so hard to move this measure in a timely way. That was over one year ago, during National Police Week last year. The measure was sent to the House where it lay dormant for the rest of last year and most of this one.

The President of the United States came to Capitol Hill to speak at the Law Enforcement Officers Memorial Service on May 15, 2000, and said on that occasion that the Congress should not act on the Medal of Valor, he was instructing the Attorney General to explore ways to award such recognition by Executive action.

I have worked with Senator HATCH, Senator STEVENS and others to perfect the final version of this bill. We have crafted bipartisan improvements to ensure that the Medal of Valor Board will work effectively and efficiently with the National Medal of Valor Office within the Department of Justice. Our legislation establishes both of these entities and it is essential that they work well together to design the Medal of Valor and to create the criteria and procedures for recommendations of nominees for the award. The men and women who will be honored by the Medal of Valor for their brave deeds deserve nothing less.

The information age is filled with unlimited potential for good, but it also creates a variety of new challenges for law enforcement. A recent survey by the FBI and the Computer Security Institute found that 62 percent of information security professionals reported computer security breaches in 1998.
information, sabotage, computer viruses, and stolen laptops. Computer crime has become a multi-billion dollar problem.

Many of us have worked on these issues for years. In 1984, we passed the Computer Fraud and Abuse Act, which was an effort to criminalize conduct when carried out by means of unauthorized access to a computer. In 1986, we passed the Electronic Communications Privacy Act (ECPA), which I was proud to sponsor, to protect communications pursuant to court orders. They established a firm groundwork for electronic commerce, an increasingly important sector of the nation’s economy.

Unfortunately, too many state and local law enforcement agencies are struggling to afford the high cost of enforcing their state computer crime statutes. Earlier this year, I released a survey on computer crime in Vermont. My office surveyed 54 law enforcement agencies in Vermont—43 police departments and 11 State’s attorney offices—on their experience investigating and prosecuting computer crimes. The survey found that more than half of these Vermont law enforcement agencies encounter computer crime, with many police departments and state’s attorney offices reporting 2 to 5 computer crimes per month.

Despite this documented need, far too many law enforcement agencies in Vermont cannot afford the cost of policing against computer crimes. Indeed, another survey of 35 state law enforcement agencies in the entire United States found that only 1 of 5 responding Vermont law enforcement agencies do not have funds dedicated for use in computer crime enforcement. My survey also found that few law enforcement officers in Vermont are properly trained in investigating computer crimes and analyzing cyber-evidence.

According to my survey, 83 percent of responding law enforcement agencies in Vermont do not employ officers properly trained in computer crime investigative techniques. Moreover, my survey found that 52 percent of the law enforcement agencies that handle one or more computer crimes per month cited their lack of training as a problem encountered during investigations. Without the necessary education, training and technical support, our law enforcement officers are and will continue to be hamstrung in their efforts to crack down on computer crimes.

I crafted the Computer Crime Enforcement Act, S. 1314, to address this problem. The bill would authorize a $25 million Department of Justice grant program to help states prevent and prosecute computer crime. Grants under our bipartisan bill may be used to provide education, training, and enforcement programs for local law enforcement officers and prosecutors in the rapidly growing field of computer criminal justice. Our legislation has been endorsed by the Information Technology Association of America and the Fraternal Order of Police. This is an important bipartisan effort to provide our state and local partners in crime-fighting with the resources they need to address computer crime.

The Cyber Crime Control and Law Enforcement Act of 2000 makes progress to ensure that we are properly dealing with the increase in computer crime. I thank and commend Senators HATCH and SCHUMER for working with me and other Members of the Judiciary Committee to address some of the serious concerns we had with the first iteration of their bill, S. 2448, as it was originally introduced.

Specifically, as introduced, S. 2448 would have over-federalized minor computer abuses. Currently, federal jurisdiction exists for a variety of computer crimes if, and only if, such criminal offenses result in at least $5,000 of damage or cause another specified injury, including the risk of medical treatment, physical injury to a person or a threat to public safety. S. 2448, as introduced, would have eliminated the $5,000 jurisdictional threshold and thereby criminalized a variety of minor computer abuses, regardless of whether any significant harm resulted.

For example, if an overly-curious college sophomore checks a professor’s unattended computer to see what grade she gave to a friend, there would be no criminal violation of either deleting a file or a message. Current Federal law does not make that conduct a crime. That conduct may be cause for discipline at the college, but not for the FBI to swoop in and investigate. Yet, under the original S. 2448, as introduced, this unauthorized access to the professor’s computer would have constituted a federal crime.

Another example is that of a teenage hacker, who plays a trick on a friend by modifying the friend’s vanity Web page. Under current law, no federal crime has occurred. Yet, under the original S. 2448, as introduced, this conduct would have constituted a federal crime.

As America Online correctly noted in a June 2000 letter, “eliminating the $5,000 threshold for both criminal and civil violations would risk criminalizing a wide range of essentially benign conduct and engendering needless litigation. . . .”

Similarly, the Internet Association commented in a June 2000 letter that “[c]omplete abolition of the limit will lead to needless federal prosecution of often trivial offenses that can be reached under state law. . . .”

Those provisions were overkill. Our federal laws do not need to reach each and every minor inadvertent and harmless computer abuse—after all, each of the 50 states has its own computer crime laws. Rather, our federal laws need to reach those offenses for which federal jurisdiction is appropriate.

Prior Congresses have declined to over-federalize computer offenses as originally proposed in S. 2448, as introduced, and sensibly determined that not all computer abuses warrant federal criminal sanctions. The Computer Crime Control and Law Enforcement Act was first enacted in 1994, the House Judiciary Committee reporting the bill stated:

The Federal jurisdictional threshold is that there must be $5,000 worth of benefit to the defendant or loss in order to concentrate Federal resources on the more substantial computer offenses that affect

Similarly, the Senate Judiciary Committee, under the chairmanship of Senator Thurmond, rejected suggestions in 1986 that “the Congress should enact a sweeping statute as broad as possible so that no computer crime is potentially uncovered.” (S. Rep. 99-432, at p. 4, September 3, 1986).

The Hatch-Leahy-Schumer substitute amendment to S. 2448, which was reported without opposition by the Judiciary Committee on October 5th, addressed those federalism concerns by retaining the $5,000 jurisdictional threshold in current law. That Committee-reported substitute amendment, with the additional refinements reflected in the Hatch-Leahy-Schumer Internet Security Act amendment to H.R. 46, which the Senate considers today, makes other improvements to the original bill and current law, as summarized below.

First, titles II, III, IV and V of the original bill, S. 2448, about which various problems had been raised, are eliminated. For example, title V of the original bill would have authorized the Attorney General to enter into Mutual Legal Assistance Treaties (MLAT) with foreign governments that would allow the Attorney General broad discretion to investigate lawful conduct in the U.S. at the request of foreign government, without regard to whether the conduct investigated violates any Federal computer crime law. In my view, that discretion was too broad and troubling.

Second, the amendment includes an authorization of appropriations of $5 million to the Computer Crime and Intellectual Property (CCIP) section within the Justice Department's Criminal Division and requires the Attorney General to make the head of CCIP a “Deputy Assistant Attorney General,” which is a critical first step in reorienting, in order to highlight the increasing importance and profile of this position. This authorized funding level is consistent with an amendment I sponsored and circulated to Members of the Judiciary Committee to improve S. 2448 and am pleased to see it incorporated into the Internet Security Act amendment to H.R. 46.

Third, the amendment modifies section 1030 of title 18, United States Code, in important ways, including providing for increased and enhanced penalties for violations of federal computer crime laws, clarifying the definitions of “loss” to ensure that the full costs to a hacking victim are taken into account and of “protected computer” to facilitate investigations of international computer crimes affecting the United States, and preserving the existing $5,000 threshold and other jurisdictional prerequisites for using a Federal Sentencing Guidelines (§ 2B1.1) offense guideline for any Federal crime that has occurred unless the conduct (1) causes loss to 1 or more persons during any 1-year period aggregating at least $5,000 in value, (2) impairs the medical care of another person, (3) causes physical injury to another person, (4) threatens public health or safety, or (5) causes damage affecting a computer system used by or for a government entity in furtherance of the commerce, national defense, or national security.

The amendment clarifies the precise elements of the offense the government must prove in order to establish a violation by moving these prerequisites from current definitions of “damage” to the description of the offense. In addition, the amendment creates a new category of felony violations where a hacker causes damage to a computer system used by or for a government entity in furtherance of the administration of justice, national defense, or national security.

Currently, the Computer Fraud and Abuse Act provides for federal criminal penalties for those who intentionally access a protected computer or cause an unauthorized transmission to a protected computer and cause damage. “Protected computer” is defined to include those that are “used in interstate or foreign commerce.” See 18 U.S.C. § 1030(c), and “damage” is defined to be any conduct that involves one of the factors listed in subsection (e)(8)(A) in the new definition of “economic damages” for violations of section 1030(a)(5) that do not also affect medical treatment, cause physical injury, threaten public health or safety or affect computer systems used in furtherance of the administration of justice, the national defense or national security.

Second, the amendment clarifies that civil actions under section 1030, and all claims for civil damages under section 1030(a)(5), are limited to conduct that involves one of the factors enumerated in new subsection (a)(5)(B), namely, the conduct (1) causes loss to 1 or more persons during any 1-year period aggregating at least $5,000 in value, (2) impairs the medical care of another person, (3) causes physical injury to another person, (4) threatens public health or safety, or (5) causes damage affecting a computer system used by or for a government entity in furtherance of the administration of justice, national defense, or national security. This clarification is consistent with judicial constructions of the statute, requiring proof of the $5,000 loss threshold as a prerequisite for civil suit, for example, under § 1030(a)(2)(C). See, e.g., America Online, Inc. v. LCGM, Inc., 46 F. Supp. 2d 444, 450 (E.D. Va. 1998) (court granted summary judgment on claim under § 1030(a)(2)(C) stating, “[p]laintiffs has failed to establish that they have incurred economic damages for violations of section 1030(a)(5)”)...
While proof of “loss” is required, this amendment preserves current law that civil enforcement of certain violations of section 1030 is available without requiring proof of “damage,” which is defined in the amendment to mean “any impairment to the integrity or availability of data, a program, a system, or information.” In fact, only subsection 1030(a)(5) requires proof of “damage”; civil enforcement of other subsections of this law may proceed without such proof. Thus, only the factors enumerated in new subsection (a)(5)(B), and not its introductory language referring to conduct described in subsection (a)(5)(A), constitute threshold requirements for civil suits for violations of section 1030 other than subsection 1030(a)(5).

Finally, the amendment adds a new sentence to subsection 1030(g) clarifying that civil actions may not be brought “for the negligent design or manufacture of computer hardware, computer software, or firmware.”

The Congress provided this civil remedy in the 1994 amendments to the Act, which I originally sponsored with Senator Gordon Humphrey, to enhance privacy in computer communication and the information stored on computers by encouraging institutions to improve computer security practices, deterring unauthorized persons from trespassing on computer systems, and supplementing resources of law enforcement in combating computer crime. [See The Computer Abuse Amendments Act of 1990: Hearing Before the Subcomm. on Technology and the Law of the Senate Comm. on the Judiciary, 101st Cong., 2nd Sess., S. Hrg. 101-1276, at pp. 69, 88, 92 (1990); see also Statement of Senator Humphrey, 136 Cong. Rec. S18235 (1990)] (“Given the Government’s limited capacity to pursue all computer crime cases, the existence of this limited civil action would make it more difficult for the government to enforce civil laws against those who commit computer crimes.”)

The “new civil remedy for those harmed by violations of the Computer Fraud and Abuse Act” was intended to “boost the deterrence of the statute by allowing aggrieved individuals to obtain relief.” [S. Rep. No. 101-544, 101st Cong., 2d Sess., p. 6-7 (1990); see also Statement of Senator Leahy, 136 Cong. Rec. S18234 (1990)]. We certainly and expressly did not want to “open the floodgates to frivolous litigation.” [Statement of Senator Leahy, 136 Cong. Rec. S4614 (1990)].

At the time the civil remedy provision was added to the Computer Fraud and Abuse Act, this Act contained no prohibitions on, and negligently causing damage to a computer through unauthorized access, reflected in current law, 18 U.S.C. § 1030(a)(5)(C). That prohibition was added only with subsequent amendments made in 1996, as part of the addition of the Identity Theft and Access to Financial Information Act. Nevertheless, the civil remedy has been interpreted in some cases to apply to the negligent manufacture of computer hardware or software. See, e.g., Shaw v. Toshiba America Information Systems, Inc., NEC, 91 F.Supp. 2d 926 (E.D. TX 1999) (court interpreted the term transmission to include sale of computers with a minor design defect).

The Hatch-Leahy-Schumer Internet Security Act amendment to subsection 1030(g) is intended to ensure that the civil remedy is a robust option for private enforcement actions, while limiting its applicability to negligence cases that are more appropriately governed by contractual warranties, state tort law and consumer protection laws. Fifth, sections 304 and 309 of the Hatch-Leahy-Schumer Internet Security Act amendment to H.R. 46 authorize criminal forfeiture of computers, equipment, and other personal property used to violate the Computer Fraud and Abuse Act, as well as real and personal property derived from the proceeds of computer crime. Property, both real and personal, which is derived from proceeds traceable to a violation of section 1030, is currently subject to both criminal and civil forfeiture. See 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2)(B). Thus, the amendment would create a rebuttable presumption of forfeiture applies and extend the application of forfeiture to property that is used or intended to be used to commit or to facilitate the commission of a computer crime. In addition, to deter and prevent piracy that, and counterfeiting of intellectual property, the section 309 of the amendment allows forfeiture of devices, such as replicators or other devices used to copy or produce computer programs to which counterfeit labels have been affixed.

The criminal forfeiture provision in section 304 specifically states that only the “interest of such person,” referring to the defendant who committed the computer crime, is subject to forfeiture. In contrast, civil forfeiture authorized by Sections 304 and 309 is made expressly subject to Section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, but subsection (d) of section 413 is expressly exempted from application to forfeiture of property used to violate 18, United States code. The Government’s argument that the proposal has been to discourage prosecution of federal criminal violations, and the ironic result of this “get tough” proposal has been to encourage private parties to seek forfeiture of property that might otherwise have gone forward. The amendment eliminates that mandatory minimum term of incarceration for misdemeanor and less serious felony computer crimes.

Sixth, unlike the version reported by the Judiciary Committee, the amendment does not require that prior delinquency adjudications of juveniles for violations of the Computer Fraud and Abuse Act be counted under the definition of “conviction” for purposes of enhanced penalties. This is an improve-
encryption as part of a sophisticated and intricate scheme to conceal criminal activity and make the offense, or its extent, difficult to detect, may warrant a guideline enhancement either under existing guidelines or a new guideline.

Ninth, the Hatch-Leahy-Schumer Internet Security Act amendment to H.R. 46 would eliminate certain statutory restrictions on the authority of the United States Secret Service ("Secret Service"). Under current law, the Secret Service is authorized to investigate offenses under six designated subsections of 18 U.S.C. § 1030, subject to agreement between the Secretary of the Treasury and the Attorney General: subsections (a)(2)(A) (illegally accessing a computer and obtaining financial information); (a)(2)(B) (illegally accessing a computer and obtaining information from a department or agency of the United States); (a)(3) (illegally accessing a non-public computer or agency of the United States either exclusively used by the United States or used by the United States and the conduct affects that use by or for the United States); (a)(4) (accessing a protected computer with the intent to extort); (a)(5) (knowingly causing the transmission of a program, information, code or command and thereby obtaining a thing of value, unless the object of the fraud and the thing obtained consists only of the use of the computer and the value of such use is not more than $5,000 in a 1-year period); and (a)(6) (trafficking in a password with intent to deprive).

Under current law, the Secret Service is not authorized to investigate offenses under subsection (a)(3) (illegally accessing a computer and obtaining information relating to national security with reason to believe the information could be used to the injury of the United States or to the advantage of a foreign nation and willfully retaining or transmitting that information and obtaining a thing of value, unless the object of the fraud and the thing obtained consists only of the use of the computer and the value of such use is not more than $5,000 in a 1-year period); (a)(5) (knowingly causing the transmission of a program, information, code or command and thereby intentionally and without authorization causing damage to a protected computer; and illegally accessing a protected computer and causing damage recklessly or otherwise); and (a)(6) (trafficking in a password with intent to deprive).

The Internet Security Act removes these limitations on the authority of the Secret Service and authorizes the Secret Service to investigate all offenses under Section 1030 relating to its jurisdiction under 18 U.S.C. § 3056 and subject to agreement between the Secretary of the Treasury and the Attorney General. This provision also makes clear that the FBI retains primary authority to investigate interstate offenses under subsection 1030(a)(1).

Prior to 1996 amendments to the Computer Fraud and Abuse Act, the Secret Service was authorized to investigate all violations of Section 1030. According to the 1996 Committee Reports of the 104th Congress, 2nd Session, the 1996 amendments attempted to concentrate the Secret Service's jurisdiction on certain subsections considered to be within the Secret Service's traditional jurisdiction and not grant authority in matters with a national security nexus. According to the Administration, which first proposed the amendments, the computer crime restrictions in connection with transmittal of its comprehensive crime bill, the "21st Century Law Enforcement and Public Safety Act," however, these specific enumerations of investigative authority "have the potential to complicate investigations and impede interagency cooperation." (See Section-by-section Analysis, SEC. 3082, for "21st Century Law Enforcement and Public Safety Act").

The current restrictions, for example, risk hindering the Secret Service from investigating "hacking" into White House computers or investigating threats against the President that may be delivered by such a "hacker," and fully fulfilling its mission to protect financial institutions and the nation's financial infrastructure. The provision thus modifies existing law to restore the Secret Service's authority to investigate violations of Section 1030, leaving it to the Departments of Treasury and Justice to determine between them how to allocate workload and particular cases. This arrangement is consistent with other jurisdictional grants of authority to the Secret Service. See, e.g., 18 U.S.C. §§ 1029(d), 3056(b)(3).

Tenth, section 307 of the Hatch-Leahy-Schumer Internet Security Act amendment would provide an additional defense to civil actions relating to preserving records in response to government requests. Current law authorizes civil actions and criminal liabilities under certain circumstances. 18 U.S.C. §§ 2701, et seq. A provision of that statutory scheme makes clear that it is a complete defense to civil and criminal liability if the person or entity interfering with or attempting to disclose a communication does so in good faith without a court order or, in the event of a renewal of the governmental request pursuant to Section 2703(f), as another basis for a complete defense. Section 307 modifies current law by addressing this omission and expressly providing that a person or entity who acts in good faith reliance on a governmental request pursuant to Section 2703(f) also has a complete defense to civil and criminal liability.

Finally, the bill authorizes construction and operation of a National Cyber Crime Technical Support Center and 10 regional computer forensic labs that will provide education, training, and forensic examination capabilities for State and local law enforcement officials charged with investigating computer crimes. The section authorizes a total of $60 million for FY 2001, of which $20 million shall be available solely for the 10 regional labs and would complement the state computer crime grant bill, S. 1314, with which this bill is offered.
Committee be discharged from further consideration of S. 3276 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3276) to make technical corrections to the College Scholarship Fraud Prevention Act of 2000 and certain amendments made by that Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. STEVENS. I commend the current occupant of the chair who introduced this measure.

Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 3276) was read the third time and passed, as follows:

S. 3276

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

SECTION 1. TECHNICAL CORRECTIONS TO THE COLLEGE SCHOLARSHIP FRAUD PREVENTION ACT OF 2000.

(a) SENTENCING ENHANCEMENT GUIDELINES.—Section 3 of the College Scholarship Fraud Prevention Act of 2000 (Public Law 106-420) is amended—

(1) by striking "obtaining or providing of" and inserting "the obtaining of, the offering of"; and

(2) by striking "base offense level for misrepresentation" and inserting "enhanced penalties provided for in the Federal sentencing guidelines for an offense involving fraud or misrepresentation".

(b) LIMITATION ON EXEMPT PROPERTY.—Section 522(c)(4) of title 11, United States Code, as added by section 4 of the College Scholarship Fraud Prevention Act of 2000, is amended—

(1) by striking "in the obtaining or providing of" and inserting "or misrepresentation in the providing of, the offering of assistance in obtaining, or the furnishing of information to a consumer on"; and

(2) by striking "(20 U.S.C. 1001)".

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on November 25, 2000.

(2) APPLICATION OF SECTION 522(c)(4) OF TITLE 11, UNITED STATES CODE.—Section 522(c)(4) of title 11, United States Code, as added by section 4 of the College Scholarship Fraud Prevention Act of 2000 and as amended by subsection (b) of this section, shall apply only with respect to cases commenced under title 11, United States Code, on or after November 1, 2000.

S11891

CONGRESSIONAL RECORD — SENATE

December 15, 2000

TRIBUTE TO SECRETARY OF DEFENSE BILL COHEN

Mr. WARNER. Mr. President, I rise today to pay tribute to Secretary of Defense Bill Cohen and Mrs. Janet Langhart Cohen. As Secretary of Defense for almost four years, Bill Cohen has led the Defense Department and the military services with leadership and a strong commitment to our men and women in uniform.

In contemporary political history, persons of a political party other than the party of the Administration, have offered to serve this Nation. It takes a special courage; Bill Cohen has that courage. He has earned—with distinction—a place in history.

Bill Cohen and I were first elected to the Senate in 1978. We served together on the Armed Services Committee from 1979 until Bill retired from the Senate in 1996. Throughout his service with the Senate, he was recognized as a leader.

A prodigious student of history, diplomacy, foreign policy and national security, he was recognized as one of the most able and productive members of the Armed Services Committee. He worked hard to develop and maintain a bipartisan consensus on national security policy. For Bill Cohen, partisan politics were not an impediment.

Bill Cohen also had the good fortune of being the son of parents he loved and admired. That gave him inner strength. In December 1996, he was nominated to be Secretary of Defense and was promptly confirmed by the Senate.

When Bill Cohen accepted the nomination, he understood the extraordinary challenges that lay ahead. He understood that he would be responsible for a department and for military services that had undergone, and were undergoing, the most significant reduction in force and personnel and equipment in almost thirty years.

The problems associated with these reductions were compounded by increased operational commitments. Comparing the period between the end of the Vietnam War and the beginning of Operation Desert Storm to the period between Operation Desert Storm to today, these commitments have increased by over 400 percent. And there would be no foreseeable end to our extended commitments in many parts of the world.

It was at such a critical crossroad in the history of the U.S. Armed Forces that a leader with a strong sense of purpose and keen intellect was needed at the helm of the Department of Defense. That leader was Bill Cohen. We, in this chamber, knew very well the profound depth of his intellect and leadership through his oratory, his writings, his poems and, yes, his occasional “doodles” on the notepad. Like Colonel Joshua Chamberlain, a Union Army soldier and son of Maine, that Cohen revered, he likewise accepted the daunting challenge with which he was presented.

Upon taking the helm at the Department of Defense, Bill Cohen quickly identified those key areas that required his immediate attention. Shortly after his confirmation hearing, Secretary Cohen stated that he would dedicate his time in office to working on the quality of life for military personnel and their families and to addressing continuing shortfalls in readiness and modernization of the Armed Forces.

So began his four years of labor to lead the largest agency in the Federal Government—one of the largest organizations in the world. But this was a labor of love for the new secretary. Bill Cohen recently described his tenure as “the most demanding, exhilarating experience” he has ever had—work he would do “forever.”
Sharing this experience with Bill Cohen is his wife, Janet Langhart Cohen. She has been equally enthusiastic in her role supporting him—and military personnel throughout the world—as a “First Lady of the Pentagon.”

Janet Langhart Cohen’s tireless and selfless work for our men and women in uniform, and their families, has been remarkable. She has been committed to making sure that the American people’s taxes and minds are fully joined with those who are wearing the uniform. Thanks to Janet Langhart Cohen, soldiers, sailors, airmen and Marines have come to know how much they are appreciated by their fellow Americans.

To this end, Janet Langhart Cohen called on the USO—and their volunteer entertainers—to bring the message from the homefront to our forward deployed. After her husband was recognized that the USO helped those in the military who are far from home—giving in to laughter rather than give way to loneliness and despair. With the USO, Janet Langhart Cohen reinvigorated the spirit of our warriors.

Understanding the important relationship between the men and women of the Armed Forces and the USO, Janet Langhart Cohen led the effort to build a lasting exhibit to the USO in the Pentagon. Thanks to her, the tribute was unveiled just a few short weeks ago. To many, she is now also recognized as the “First Lady of the USO.” Together, Bill and Janet have been a dynamic team who have tackled many of the problems facing military families today. They have also circled the globe together to demonstrate their combined conviction and support for our men and women in uniform wherever they are deployed. Only recently, Bill and Janet completed their third trip to Kosovo since the June 1999 end of the air campaign.

In our brief years, Secretary Cohen, through tireless work, study, and travel, has developed his already formidable understanding of global, economic and national security issues. And as had been the case during his 24 years of service in the Congress, Secretary Cohen’s conviction for supporting the troops continued without question.

Anyone who has been privileged to serve in the Department of Defense, especially as the “Top Gun,” knows there is no more difficult a job in the Executive Branch of our government. Bill Cohen earned his place in history, alongside the best, and the men and women in uniform render a respectful “hand salute.”

VICTIMS OF GUN VIOLENCE

Mrs. BOXER. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

December 15, 1999

Jerome Anderson, 26, Washington, DC; Danta Dandridge, 17, Washington, DC; Diane Gibbs, 39, Atlanta, GA; Jimmy Gibbs, 21, Atlanta, GA; Kasmas Hall, 18, Miami-Dade County, FL; Byron Johnson, 21, Pittsburgh, PA; Antoine Omar, 19, Boston, MA; Glenn Roundtree, 29, Chicago, IL; Oscar Segura Nieto-Lopez, 32, St. Paul, MN; Ricky Truss, 27, Detroit, MI; William Wilder, 39, New Orleans, LA; Venis Woods, 29, Philadelphia, PA; and unidentified Male, 24, Newark, NJ.

We cannot allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

TRIBUTE TO CONGRESSMAN JULIAN DIXON

Mr. SHELBY. Mr. President, I rise in tribute to a friend and colleague, Julian Dixon, who passed away last week. Julian Dixon honorably represented the 39th District of California for more than 22 years. Julian and I were members of the Congressional Freshman Class of 1978. It was my pleasure to serve with him for more than two decades.

Everyone in the Senate knew him and I know no member of the House or Senate who did not like him, as well as respect him. His life exemplified public service and his actions were always motivated by truth, justice and compassion—traits which we battle heroin and other opiates.

During his tenure in office, Congressman Dixon accomplished many things. He was always magnanimous in victory and gracious in defeat and accepted difficult assignments, such as the Chairmanship of the House Ethics Committee in 1989. It is a responsibility that few members seek and only the most selfless accept. Congressman Dixon did so, and the House of Representatives' is a better place for his service.

From 1957 to 1960, he served as an enlisted man in the United States Army, rising to the rank of sergeant. This experience made him a life long advocate for the men in uniform in the Armed Forces. He understood their hardships and needs as well as any member of the Congress. The military services have lost a good friend.

At the conclusion of the Cold War, the defense industry has faced a difficult transition to new markets. His efforts saved innumerable small businesses from going under and now many are thriving because of his foresight and stewardship. Most recently he was the very able Ranking Member of the House Permanent Select Committee on Intelligence. He was a voice of reason and restraint in an arena that often lends itself to hyperbole and grandstanding. Julian served his country well in this capacity.

Congressman Dixon was known for his intelligence, political savvy and strong character. While Julian surely had much to accomplish, he truly made a difference while he walked among us. He was a family man and a man of the people. He will be missed. Our prayers are with his family, friends and people he served so well.

DRUG ADDICTION TREATMENT ACT OF 2000

Mr. LEVIN. Mr. President, I rise today with my colleague, Senator HATCH, Chairman of the Judiciary Committee, to comment on a provision of the recently enacted omnibus children's health legislation (H.R. 4365; Public Law 106-310) that established a number of excellent children's health programs. The bill also included important new legislation, the Drug Addiction Treatment Act [DATA], which I authored along with Senator HATCH, working with our colleagues Senators BIDEN and MOYNIHAN. It will make a revolutionary difference in the way in which we battle heroin and other opiates.

Mr. HATCH. Mr. President, my colleague from Michigan is correct. Additionally, as my colleagues are aware, the bill reauthorized the operation of the Substance Abuse and Mental Health Services Administration, and established and reinforced penalties for illegal manufacture, sale, and possession of certain illicit drugs.

Mr. LEVIN. Mr. President, when implemented, the DATA bill, as we call it, will change significantly the way in which we battle heroin and other opiates.

Mr. HATCH. Mr. President, as Senator HATCH has emphasized, the DATA bill includes a provision similar to one applicable for many years to both the Medicaid and Medicare programs, which makes clear that basic decisions about the way medicine is practiced are to be made by physicians and patients, not by the federal government.

Mr. LEVIN. In other words, it is our intent that with respect to the amendments to the Controlled Substances Act of 1970.
Act made by the provisions incorporated in H.R. 4365, decisions by qualified physicians about the appropriate means to treat their patients and to prescribe and dispense medications are not a proper matter for government regulation of medicine.

While the bill clearly provides authority for the Department of Health and Human Services to issue regulations to expand the pool of qualified physicians, it is not the intention of our legislation that those regulations extend to the practice of medicine.

Mr. HATCH. I certainly agree with that. Indeed, such an interpretation is expressly prohibited by the language: “Nothing in such regulations or practice guidelines may authorize any federal official or employee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided.”

Mr. LEVIN. This clarification is important, both for the qualified physicians who participate in or approve this new approach to addiction treatment and for patients for whom a new treatment option may present a life-changing possibility. I know my colleague from Utah agrees that we want this legislation. An unauthorized and ill-advised attempt to regulate the practice of medicine, including the practice of prescribing anti-addiction medication, would make it unworkable.

Mr. HATCH. I do agree wholeheartedly. I feel compelled to add, however, that as the Chairman of the Committee of jurisdiction, it was important to me to make certain that the bill in no way impedes the Drug Enforcement Administration [DEA] from vigorously enforcing the Controlled Substances Act. Specifically, the DATA legislation is not intended to prevent the DEA from its historic role of prosecuting physicians for dispensing controlled substances without a legitimate medical purpose.

Mr. LEVIN. I agree with my colleague. I believe we successfully balanced both interests in the DATA bill. It is important legislation and I am pleased to have had the support of the Chairman of the Judiciary Committee and Senators BIDEN and MOYNIHAN as we successfully moved this bipartisan legislation to enactment.

Mr. SNOE. Mr. President, I rise in support of the passage of H.R. 1653, which includes the Pribilof Islands Transition Act and the Coral Reef Conservation Act of 2000. This bill contains a number of ocean, coastal, and fisheries related titles that will result in major conservation gains for our nation’s marine resources at a time when we are placing enormous demands on them. The bill not only attempts to provide additional environmental protections through a number of state and local programs, but also tools for better management. Title I of this bill is the Pribilof Islands Transition Act. The Alaskan Pribilof Islands in the Bering Sea were a former reserve for harvesting fur seals. The Commerce Department, acting through the National Oceanic and Atmospheric Administration (NOAA), has been involved in municipal and social services on the islands since 1910. However, as these programs were completed, they found themselves administering these programs. However, despite the $20 million in funds the Pribilof Islands received to replace future annual Federal appropriations, the Pribilof Islanders claim that the terms of the transition processes were not met and the withdrawal failed.

This title authorizes $28 million over five years to again attempt to achieve the orderly withdrawal of NOAA from the civil administration of the Pribilof Islands. Additionally, it authorizes $10 million a year for five years for NOAA to complete its environmental cleanup and landfill closure obligations prior to the final transfer of federal property to the six local entities. The Pribilof Islands have historically been a very expensive program to the American taxpayers. Congress expects that this title will provide a final termination of NOAA’s municipal and social service responsibilities on the islands and a transition to an entity of responsibility to taxpayers funding of those services.

Title II of this bill is the Coral Reef Conservation Act of 2000. It is based on legislation that I first introduced over three years ago and S. 725, a bill that I introduced last year in the 106th Congress along with Senator MCCAIN, the Chairman of the Commerce Committee.

Over the last decade, the United States has been leading a focused effort to conserve and manage coral reef ecosystems. The plight of coral reefs, both in the United States and internationally, gained much attention in 1997, the International Year of the Reef. One very successful program undertaken by the event involved grants to local groups to build grassroots support for coral reef conservation, management, and educational programs. Since that time, NOAA has steadily improved coral reef management programs utilizing the full range of existing statutory authorities including the Coastal Zone Management Act, the National Marine Sanctuaries Act, the Magnuson-Stevens Fishery Conservation and Management Act, the Endangered Species Act. These complementary authorities provide the framework for comprehensive coral reef conservation and management. Working in partnership with the States and other agencies, NOAA has demonstrated its unique ability among the federal agencies to effectively manage these valuable resources.

This title will augment the tools already available and provide an additional incentive to assist NOAA as it moves forward with coral reef ecosystem management plans. It requires the creation of a national coral reef action strategy. Of particular note is the use of marine protected areas to serve as replenishment zones. The U.S. Coral Reef Task Force has called for setting aside 20 percent of coral reefs in each region of the United States that contains reefs as marine protected areas. Hawaii and the U.S. islands that have coral reefs have significant cultural ties to these reefs. It is imperative that any new marine protected areas are developed in close cooperation with the people of these islands.

The national program will also incorporate such important topics as mapping, research, monitoring, and assessment; international and regional management; outreach and education; and restoration. According to NOAA, the Northwest Hawaiian Islands and the Northwestern Hawaiian Islands Coral Reef Reserve will provide protection for the majority of reefs within our borders, it will not provide protection for our most heavily degraded reefs. NOAA must work collaboratively with our island partners to implement meaningful coral reef management strategies that target the full range of pressing issues.

The title also creates a new coral reef conservation fund, which will provide grants to states, governmental authorities, educational institutions, and non-governmental organizations. This is intended to foster locally based coral reef conservation and management. Creation of a coral reef conservation fund is also authorized. This fund would allow the Administration to enter into agreements with nonprofit organizations to support partnerships between the public and private sectors to further the conservation of coral reefs and help raise the matching funds required as part of the new grants program.

This title authorizes a total of $16 million a year for fiscal years 2001 through 2004 to be split equally between the local coral reef conservation program and national coral reef activities. It is our expectation that this money will be utilized in such a way that it builds upon partnerships with the U.S. islands.
recognized Neil's commitment to civic participation when he appointed him to serve on the first Federal Elections Commission.

Throughout this year's election, people of differing political allegiances and members of the different parties acknowledged the resilient nature of our nation's institutions. Our health as a democracy is due, in large part, to the dedication and efforts of individuals like Neil Staebler. Neil Staebler was one of the true lions of Michigan politics. I am sure that my Senate colleagues will join me in honoring the memory of Neil Staebler, and in wishing his wife Burnette and their family well in the years ahead.

THE MILLENNIUM HOLIDAY TREE

Mr. ALLARD. Mr. President, the wonderful tree currently gracing the West Lawn of this Capitol is from Colorado. I have had the pleasure of working towards getting this tree to DC for 2½ years, and I wanted to share with my colleagues a little about my home state's gift to the nation.

The Millennium Holiday Tree is a gift from the entire state of Colorado to our nation. It is a celebration of all that is Colorado: natural beauty, many cultures, cities and rural communities, and our rich history. The Colorado tree will be shining through early January 2003. The Millennium Holiday Tree is a native Colorado Blue Spruce which stands 65' tall and was projected to be 77 years old at the time of cutting. It was shown on the Pike National Forest near the community of Woodland Park. The tree was selected from this area because it is in the shadow of Pikes Peak, often referred to as "America's Mountain".

The Colorado State Forest Service is growing seedlings from the "grandma" tree. Seedlings from the Millennium Holiday Tree will be replanted at the cutting site. The Governor and Francis Owens were among the first to receive a 2½ year Tree seedling. The support of this project. Hundreds of seedlings will also be planted in memorial forests around the state as part of Holiday Tree celebrations.

Colorado school children made over 4,000 ornaments for the tree. They each depict the theme: "Valuing the Past—Looking to the Future". Each county had the opportunity to supply 100 ornaments for the Millennium Holiday Tree and the companion trees.

Through the many community events, we celebrated the richness of Colorado. Each reflected the wide range of cultural and historical influences present in our communities—Native American, Hispanic, African-American, and others. Local celebrations were encouraged in each of Colorado's 64 counties and at each of the 10 stops along the Tree route. Santa Fe Trail communities marked the start and finish of the celebrations too, including one in St. Louis at a National Park Service historic site. After the cutting ceremony on November 20th, the tree was
moved indoors where the limbs were drawn up and secured for the long journey. A 65-foot trailer, designed to look like a historic Conestoga pioneer wagon, hauled the tree. Organizers used an experimental shrink wrap method to keep the tree fresh and secure from damage. The tree traveled a caravanserai-style to our nation’s Capitol following the Santa Fe Trail, a historic trade route through Colorado, Kansas and Missouri. My friend and our colleague from Colorado, Senator Ben Nighthorse Campbell, actually drove the tree carrying truck all the way out here. He told me he had a great time, and I believe him.

Sixty four smaller companion trees, one from each county, traveled with the Millennium Holiday Tree and were placed in various government offices throughout DC.

This entire project was made possible through generous financial and in-kind support from the many sponsors. Volunteers, donations, and sponsorships made it all possible. Surplussurprises from this project will be set aside for a rural endowment fund. The year 2000 will be the 31st year a tree has been provided by the U.S. Forest Service and it is fitting that we are able to especially thank Dr. Raitano and Bill Nelson for their incredible work on this. They “parented” the project for years and it is due to their efforts it all turned out so well.

"SHALL ISSUE" LEGISLATION IN MICHIGAN

Mr. LEVIN. Mr. President, late Wednesday night, the Michigan Legislature passed a bill that, if signed, will have a negative impact on public safety in my home state. The legislature passed the “shall issue” bill which would require that local licensing authorities “shall” or must issue a concealed handgun license to any individual who passes a background check and a safety course. Notably, the legislature waited until after the election to pass the legislation.

The current law in our state now gives local gun boards discretion to issue concealed gun licenses where a need is shown. Current law allows local gun boards—each made up of a local sheriff, a county prosecutor and a designee of the State police—to determine who should be allowed to carry a concealed handgun. The legislation before the state legislature would take discretion away from local law enforcement and allow virtually any applicant to carry a concealed handgun.

In May of 1999, when the State Legislature last took up this bill, a coalition of law enforcement groups led the fight against it. Law enforcement soundly rejects the proliferation of concealed weapons in our communities and have warned that this legislation will move Michigan in a dangerous direction.

The Michigan Law Enforcement Coalition issued the following statement about the bill:

Current law authorizes a local gun board made up of local law enforcement officials to issue CCW [Carry Concealed Weapons] licenses to those citizens who show a demonstrated need to carry a weapon on the premises. A shall issue bill is one that would automatically issue a concealed weapon license to any individual who passes a background check and a safety course, without regard to any other criteria.

The Michigan Law Enforcement Coalition opposes any legislation which strips local boards in charge of these often life and death decisions of making these important judgments.

Too often, however, even law enforcement officials and citizens who should have a permit have been refused one because of routine arguments as to the threat the individual presents. The presence of a gun can make any situation more dangerous. A gun can turn routine arguments into episodes of serious injury or death. During stressful times reasonable people do unreasonable things. The shouting match over a parking space or the fist fight at a sporting event can escalate into a shoot-out when guns are more accessible.

Already nearly one-third of all murders committed are the result of an argument according to the FBI’s Uniform Crime Report.

The Michigan Association of Chiefs of Police urges the Michigan Legislature to refrain from allowing the proliferation of concealed weapons without adequate safeguards by county licensing authorities. An armed society is a frightened and dangerous society.

Law enforcement groups were joined in their opposition to this bill by religious leaders, child advocates, and community leaders. Groups such as the Michigan Catholic Conference, Michigan PTA, Michigan Municipal League, Michigan’s Children, Michigan Library Association, Michigan Association of Elementary and Middle School Principals, Michigan Association of Non- public Schools-Parent Network, Michigan Parenting Gun Prevention, Michigan Association of Theatre Owners, and National Conference for Community and Justice are unified against the “shall issue” standard.

Mr. President, I am disappointed that the Michigan Legislature passed this bill. I believe “shall issue” is wrong for Michigan and I have urged the Governor to veto the bill. I ask unanimous consent to have printed in the RECORD the letter I sent to the Governor.

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


Hon. John Engler
Governor of the State of Michigan
Lansing, MI

Dear Governor Engler: I am writing to urge you to veto the “shall issue” legislation which recently passed the Michigan Legislature.

The “shall issue” legislation would make us less safe according to those best in a position to know. That’s why it is opposed by a broad coalition of law enforcement groups, such as the Michigan Association of Chiefs of Police and the Michigan Police Legislative Coalition (which includes the Michigan State Police Troopers Association, the Michigan State Police Command Officers Association, the Michigan Association of Police Lieutenants and Sergeants Association, Detroit Police Lieutenants and Sergeants Association, Detroit Police Officers Association, Warren Police Officers Association, and Farmington Hills Police Officers Association).

Law enforcement officers, who undergo an initial 72 hours of firearms training as well as annual re-training, have warned that allowing thousands more private citizens to carry concealed handguns would pose significant threats to public safety. It is unrealistic to expect citizens with a fraction of the training to demonstrate the same precautions and the same judgment as police officers. There is no justification for making the already difficult and dangerous job of an officer even more difficult and dangerous by increasing the number of concealed handguns on the streets.

I am also concerned that an increase in concealed weapon licenses will effectively expand an exception in the Brady background check system. The “Brady Law” provides that licensed gun dealers are not required to initiate a background check if the purchaser presents a state-issued license to carry a firearm which was issued within five years. This would mean that a person could walk into a gun store after they have received concealed carry licenses would be able to purchase additional guns with no background checks unless and until their licenses are revoked.

Although the ‘shall issue’ legislation allows the State to suspend or revoke a license if the license holder has committed a potentially disqualifying crime, the experiences of other states with such laws show that revocation doesn’t happen instantly or always successfully. Some states with the ‘shall issue’ law have acknowledged the unreasonably issuing hundreds of licenses to applicants with prior convictions. Once those persons manage to slip through the screening process for concealed gun licenses that one time, they are then able to buy guns without further background checks for five years.

Earlier this year, all eyes turned to Michigan after the tragic shooting death of Kayla Rolland. Now, nearly ten months later, the people of Michigan want all of us to work toward increasing the access to firearms in their schools and community places, not increasing the proliferation of guns in our neighborhoods and on our streets. The people of Michigan reject the notion that they will be unable to protect public safety. As you know, the Inspector General is charged with investigating waste, fraud, abuse and corruption. As such, it is a position of critical importance that we should have filled before adjourning for the year to ensure accountability and effectiveness of the DOJ.

Mr. Fine has been dealing with corruption ever since the Harvard-Boston
College basketball game on December 16, 1978, in which he scored 19 points and had 14 assists—perhaps his best performance in college—only to discover later that this particular game was part of a notorious point-shaving scandal. This first-hand experience drove him in his later quest to weed out corruption at the Department of Justice.

More seriously, though, Mr. Fine has served in a variety of professional roles and always in an exemplary fashion. He is currently the Director of the Special Investigations and Review Unit in the Department of Justice’s Office of the Inspector General, where he has supervised a variety of sensitive internal investigations, including the FBI’s handling of the Aldrich Ames case. He also worked as an Assistant U.S. Attorney for the District of Columbia, where he prosecuted more than 35 criminal jury trials. His academic credentials are stellar as well. He is a Rhodes Scholar and has graduated magna cum laude from Harvard Law School. Finally, though this is a political appointment, Mr. Fine is non-partisan—exactly the type of appointee that a Republican President might very well consider keeping on. He worked as an Assistant U.S. Attorney during the Reagan and Bush administrations, and has never been involved in a political campaign.

As this session of Congress comes to a close, a position as important as the Inspector General should have been filled. I’m only sorry that an individual as outstanding as Mr. Fine was not confirmed.

COMMODITY FUTURES MODERNIZATION ACT OF 2000

Mr. HARKIN. Mr. President, I want to thank and commend Chairman Lugar for all of his hard work and leadership in bringing the Commodity Futures Modernization Act to the floor, agreeing upon a compromise measure passed later today. I am pleased to have had the opportunity to work with Chairman Lugar on this important legislation and to cosponsor it.

This bill will bring much-needed modernization, legal certainty, clarification and reform to the regulation of futures, options and over-the-counter financial derivatives. At the same time, it provides the necessary regulatory framework for the agricultural futures and options markets and improves protections for investors and the public interest with regard to futures, options and derivatives.

The legislation carries out the recommendations of the President’s Working Group on Financial Markets. Members and staff of the Working Group, especially the Department of the Treasury, the Commodity Futures Trading Commission and the Securities and Exchange Commission were instrumental in helping to craft the bill. And it is significant that this final version of the bill is strongly supported by all members of President’s Working Group on Financial Markets. I ask unanimous consent that a letter from the Working Group be printed in the Record at the conclusion of this statement.

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

(See Exhibit 1.)

Mr. HARKIN. After many years of effort, this legislation resolves a number of very difficult issues regarding the regulation of futures and options issues that have caused a great many headaches as well as disparities in the markets over the years. I am pleased that we have been able to arrive at solutions that clear away regulatory impediments to market development, while maintaining and strengthening investor protections and addressing margin and tax issues in order to avoid giving any market an inappropriate competitive advantage over others involved in related transactions.

Clearly, modernizing the regulatory scheme for futures and derivatives must be balanced with maintaining and strengthening protections for individual investors and the public interest. The principal amendment to the Commodity Exchange Act is Section 4b, which the Commodity Futures Trading Commission has consistently relied upon to combat fraudulent conduct, such as by bucket shops and boiler rooms. This section authorizes transactions directly with their customers, even though such conduct does not involve a traditional broker-client relationship.

Reliance on section 4b in such circumstances has been supported in federal courts that have examined the issue, and is fully consistent with the understanding of Congress and with past amendments to Section 4b, which confirmed the applicability of Section 4b to fraudulent actions by parties that enter transactions directly with customers or retain Section 4b in this bill that the provision not be limited to fiduciary, broker-client or other agency-like relationships. Section 4b provides the Commission with broad authority to police fraudulent conduct within its jurisdiction, whether occurring in boiler rooms or bucket shops, or in the e-commerce and other markets that will develop under this new statutory framework.

I would like to discuss my views regarding the substantial regulatory changes for electronic markets in derivatives relating to non-agricultural commodities. Essentially, those commodities are energy and metals. With particular regard to transactions that have increased in related transactions.

While I still have certain reservations about the energy and metals markets, I recognize the need for compromise, particularly in considering the overall importance and positive features of this legislation. This bill’s language and Congressional intent is clear that the Commodity Futures Trading Commission retains a substantial role in ensuring the honesty, integrity and transparency of these markets. For exempt commodities that are traded on a trading facility, this bill clearly specifies that if the Commission determines that the facility performs a significant cash market price discovery function, the Commission will be able to ensure that price, trading volume and any other appropriate data is disseminated as determined by the Commission. This bill also clearly continues in full effect the Commission’s anti-fraud and anti-manipulation authority with regard to exempt transactions in energy and metals derivatives.

I also want to mention and express appreciation for the cooperation of Ranking Member SARBANES of the Banking Committee in completing this bill. With respect to Title IV of the bill clarifies what is already the current state of the law. The Commodity Futures Trading Commission does not regulate traditional banking products: deposit accounts, savings accounts, certificates of deposit, banker’s acceptances, letters of credit, loans, credit card accounts and loan participations.

The language of Title IV of this bill is very clear and very tightly worded. It requires that to qualify for the exception a bank must provide a certification from its regulator that the identified bank product was commonly offered by that bank prior to December 5, 2000. The product must have been actively bought, sold, purchased or offered—and not just be a customized deal that the bank may have done for a handful of clients. The product cannot be one that was either prohibited by the Commodity Exchange Act or regulated by the Commodity Futures Trading Commission. In other words—a bank cannot pull a bank out of regulation by using this provision.

For new products, Title IV is also abundantly clear: the Commodity Exchange Act does not apply to new bank products that are not included to the value of a commodity. Again, the plain language is clear and the intent of Congress is clear that no bank may use this exclusion to remove products from proper regulation under the Commodity Exchange Act.
indicating that they are primarily an identified banking product and not a contract, agreement or transaction appropriately regulated by the CFTC. While the statute provides a mechanism for resolving disputes about the application of the Subcommittee on Risk Management, Research and Specialty Crops, as well as all staff involved for their outstanding work in making this important legislation a reality.

EXHIBIT 1

DEPOSIT INSURANCE LEVEL

INCREASING THE FEDERAL DEPOSIT INSURANCE LEVEL

Mr. JOHNSON. Mr. President, I rise today to briefly discuss S. 2589, the Meeting America’s Investment Needs in Small Towns Act, or the MAIN Street Act as I call it. Not only is Main Street the acronym formed by this title, but it goes to the heart of why this legislation is necessary.

As we move into the new economy, money is flowing from our small towns and communities to the larger financial markets. While each individual investment decision may make sense, the cumulative effect is a wealth drain from rural America. Money invested in Wall Street wiz-ARDS can work wonders with a portfolio, but they don’t fund a new hardware store down the street. They don’t go the extra mile to help a struggling farmer whose family they have served for years. And they don’t sponsor the local softball team.

By increasing the federally insured deposit level, we can help community banks and thrifts compete for scarce deposits. My legislation will account for the erosion to FDIC-insured levels from 1980. It will index these levels into the future, protecting against further erosions.

Under current calculations, the immediate impact would be to almost double the insured funds, from $100,000 to approximately $157,000. The long range impact of this legislation would be to make locally based financial institutions for its deposit base on the ground in their communities, help stem the dwindling deposit base many areas face, and lead to new investments in our communities.

Congress last addressed the issue of a deposit insurance increase in 1980. At that time, we increased the insured level from $40,000 to $100,000. Congress has not adjusted that level since 1980. In real terms, inflation has eroded almost half of that protection.

Every bank or thrift has known that the FDIC insure deposits up to $100,000. For many people, that notice symbolizes that the financial might of the United States government stands behind their banking institution. We didn’t need the FDIC until the 1930s, and created the FDIC to protect and strengthen our financial system.

In rural communities across America, local banks serve as the hub of the town. Every business in town relies on the bank for funding. The banker knows the town, and the town knows the banker. In many ways, each knows it disappears without the other.

Individuals in these towns like to know what will happen to their money. They like the idea that their funds are secure in their home town. And, they like the fact that their money can be leveraged into other investments that will improve their communities. The more deposits a bank has, the more leverage it can make. These loans are made locally, and serve as an investment in local communities.

The MAIN Street Act will help preserve these banks and communities. It will bring greater liquidity to community banks and promote growth and development. I look forward to working with the FDIC and other banking leaders as we seek to update our banking insurance protections to allow small banks to compete with other investment opportunities available. I ask unanimous consent to have printed in the RECORD an article by Bill Seidman which further outlines some of the issues in our surrounding federal deposit insurance.

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

$200,000 OF FDIC INSURANCE? THE BATTLE HAS JUST BEGUN

The battle is on—in one corner there’s the proverbial David in the person of the FDIC Chairman Donna Tanoue, and in the other corner, the FDIC’s competitors. The Senate Banking Committee Chairman Phil Gramm, Treasury Secretary Lawrence Summers, and Federal Reserve Board Chairman Alan Greenspan.

Technically the conflict is over the FDIC’s Deposit Insurance Option Paper (published in August), which suggested (some said foolishly) that deposit insurance coverage should be increased from $100,000 to $200,000 per depositor. As the paper pointed out, such an increase would compensate for the last 20 years or so of inflation since the insurance level was set at $100,000. The new ceiling might also help to meet an increasingly difficult problem for banks—obtaining sufficient deposits to meet growing loan demand. Core deposits as a source of funding for communities has rapidly declined and largely are being replaced by loans from the Federal Home Loan Banking System.

Once this idea was floated, Senator Gramm, and ever-perfect free marketer, reacted with a resounding “No way—not on my watch!” At a recent Senate committee hearing, he laid on an unrelated sustained support for his position from the secretary of the Treasury and the Fed chairman. Treasury said it doesn’t agree with the proposal because it increases risk taking and possible government liability; Greenspan said “no” because he feels it’s a subsidy for the rich, (I guess he’d be in favor of anything that anyone has over $100,000 is really rich.)

Do these opinions nix the possibility for a change in the deposit insurance ceiling? I believe so. This bill will require congressional hearings and much research, because it relates to “too big to fail” policies and overall financial reform. Here are some of the important points to be weighed in this debate.

Increasing deposit insurance brings more financial risk to government—possible, but unlikely, since the bank insurance fund has never cost the Treasury a penny (the thrift insurance fund is the one that went broke). Even Chairman Tanoue and Fed Governor Meyer have pointed out that the greatest risk to the fund is likely to be the failure of a large complex bank. Moreover, the risk is even greater to the FDIC fund when it supports a huge home loan bank financing institution (another quasi-governmental agency such as Fannie Mae or Freddie Mac)—where any trouble means big trouble.

It distorts the operations of the free market. So being labeled a “moral hazard,” the idea being that FDIC depositors won’t have to worry about the condition of the bank. Of course, the so-called free market isn’t that way, what with the Federal Reserve’s discount window and the Treasury’s bailout of Mexico and half of Asia through the IMF. In fact, the government seldom acts to protect the FDIC when it supports a huge home loan bank financing institution (another quasi-governmental agency such as Fannie Mae or Freddie Mac)—where any trouble means big trouble.

Now that I’ve laid out the opposing views, here are several good reasons for approving the FDIC deposit guarantee increase:

1. Historically, governments have protected all bank depositors when very large banks are in trouble. It’s thus possible to guarantee unlimited insurance for those institutions (e.g., Japan, Korea, Saudi, Thailand, Australia).

2. It will level the competitive playing field—Historically, governments have protected all bank depositors when very large banks are in trouble, thus providing a guarantee of unlimited insurance for those institutions (e.g., Japan, Korea, Saudi, Thailand, Australia).
and the U.S.). Therefore, at the very least, the increase to $200,000 tends to give community banks a better chance to maintain their deposit base against a too-big-to-fail competitor.

The increase will reduce the risk that smaller banks and the communities they serve will stagnate due to the banks’ inability to attract a reasonable number of deposits. It could also reduce future FDIC insurance payments if these weak banks fail in the next recession. (Incidentally, an FDIC study shows that if the insurance level had been at $200,000 during the problems of the ’90s and ’00s, it would not have materially increased FDIC insurance costs.)

The increase will help to maintain a banking system that is decentralized and diverse—This type of system helps the economy, boosts productivity, and promotes entrepreneurship—important factors in our present prosperity.

It provides a savings incentive—As more baby boomers retire with savings in excess of $100,000, the increased FDIC insurance coverage will provide a convenient and conservative savings option and will encourage savings, which all economists agree would be good for the U.S. economy.

You may have guessed by now that I’m rooting for the corner with little David (Chairman Tanoue) in this important policy showdown and the battle is far from over. Why? I’ll simply use the litmus test that applies to all other proposed reforms: It’s good for the U.S. economy.

RECOGNITION OF SERVICE TO THE STATE OF MICHIGAN

Mr. ABRAHAM. Mr. President, as I leave the service of the Senate, I would like to take a moment and recognize the dedicated staff of this office over these last six years. Pay in a Congressional office is not great, Mr. President, the hours are incredibly long, and often times the work they do goes unheralded. But still these staffers dedicate their time and effort to helping the people of Michigan and advancing their interests.

I would like to take this opportunity, on behalf of the people of the State of Michigan, to thank them all for their dedicated service.

Mr. President, at this point I would like to enter into the RECORD a list of those people that have served on my staff, both here in Washington and back in Michigan, as a way of thanking them.

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

STAFF OF SENATOR SPENCER ABRAHAM, 1994-2000

Mohammed Abouharb, Staff Assistant; Stuart Anderson, Director of Immigration Policy and Research; Gregory Andrews, Regional Director; Anthony Antone, Deputy Chief of Staff; Sandra Baxter, Assistant to the Staff Director; Beverly Betel, Staff Assistant; Rachael Bohlander, Legislative Assistant.

David Borough, Computer Specialist; Michael Brown, Staff Assistant; Kyla Bullock, Office Manager; Carrie Cabelka, Staff Assistant; Cheryll Campbell, Regional Director; Robert H. Carey, Jr., Legislative Director; David Chilman, Chief of Staff; Joseph Cella, Regional Director; Cesar V. Conda, Administrative Assistant/Legislative Director; Adam Condo, Systems Administrator; Jon Cool, Staff Assistant; Ann H. Coulter, Judiciary Counsel; Majida Dandy, Executive Assistant; Anthony Daunt, Staff Assistant; Joe Davis, Director of Communications; Nina De Lorenzo, Press Secretary; Larry D. Dickerson, Chief of Staff/Michigan Operations; Susan Duran, Executive Assistant to the Chief of Staff; Sharon Eisenman, Senior Caseworker.

Paul Erhardt, Special Assistant; Tom Frazier, Regional Director; Bruce Frohnen, Speech Writer; Renee Gauthier, Caseworker; Jessica Gavora, Special Advisor; David Glancy, Staff Assistant; Thomas Glegola, Special Assistant.

Todd Gustafson, Regional Director; Alex Hageli, Staff Assistant; Mary Harden, Staff Assistant; Michael Ivahnenko, Deputy Chief of Staff; Paul Henry, Staff Assistant; Joanna Herman, Special Assistant; Melissa Hess, Staff Assistant.

Stephen Hessler, Deputy Press Secretary; Kate Hinton, Deputy Chief of Staff; David Hoard, Special Assistant; Kevin Holmes, Special Assistant; Kely Hoskin, Caseworker; Michael Ivahnenko, Special Assistant; Randa Fahmy Hudome, Counselor.

F. Chase Hutto, Judiciary Counsel; Michael Ivahnenko, Staff Assistant; Eunice Jaffres, Regional Director; Kawi Kali, Staff Assistant; Raymond M. Kethledge, Judiciary Counsel; Elizabeth Kessler, General Counsel; Kevin Kolvear, Senior Legislative Assistant.

Jack Koller, Systems Administrator; Kerry Kraklau, Systems Administrator; Peter Kulick, Caseworker; Kristin L. Melo, Staff Assistant; Patricia Mellone, Regional Director; Brandon L. LaPerriere, Legislative Assistant; Stuart Larkins, Staff Assistant.

Matthew Latimer, Special Assistant; Joseph P. McMonigle, Administrative Assistant/General Counsel; Eileen McNulty, West Michigan Director; Meg Mehan, Special Assistant; Renee Myers, Regional Director; Jennifer Miller, Staff Assistant; Denise Mills, Staff Assistant.

Maureen Mitchell, Staff Assistant; Sara Molejski, Regional Director; Jessica Morris, Deputy Press Secretary; Margaret Murphy, Press Secretary; Tom Nank, Southeast Michigan Director; Richard Ohm, Regional Director; Director of Scheduling; Shawn Neville, Northern West Michigan Regional Director.

Na-Rae Ohm, Special Assistant; Lee Liberatore, Special Counsel; Kathryn Packer, Director of External Affairs; Chris Pavelich, Regional Director; John Petz, Northeast Michigan Director; James L. Pitts, Chief of Staff; Conley Pools, Staff Assistant.

Dan Senor, Director of Communications; Mary Shiner, Regional Director; Anthony Shumsky, Regional Director; Alícia Sikkena, Special Assistant; Lillian Simon, Staff Assistant; Lillian Smith, Director of Scheduling; Anthony Spearman-Leach, Regional Director.

Robert Steinbock, Mail Room Manager; Anne Stevens, Special Assistant; Matthew Suhr, Special Assistant; Julie Teer, Press Secretary; Amanda Trivax, Staff Assistant; Meaghan Vagelos, Special Assistant; Shawn Vasell, Staff Assistant.

Olivia Joyce Visperas, Staff Assistant; Sue Wadell, Legal Advisor; Seth Waxman, Case Manager; Joseph Waters, Special Assistant; Jennifer Wells, Caseworker; La Tonya Welsey, Special Assistant; Tyler White, Special Assistant; Patricia Wierzbicki, Regional Director; Greg Willhauk, Legislative Counsel; Billie Kops Wimmer, State Director.

Mr. ABRAHAM. Mr. President, I thank my colleagues for this opportunity, and I yield the floor.

BENEFITS IMPROVEMENT AND PROTECTION ACT

Mr. BAUCUS. Among the most pressing issues facing American senior citizens and persons with disabilities is the need for coverage of prescription drugs under Medicare. While we in Congress continue to work to reach consensus on a Medicare prescription drug benefit, I applaud the bipartisan efforts of my colleagues to restore and preserve Medicare coverage for certain injectable drugs and biologicals that are crucial to seniors and persons with debilitating chronic illnesses. To this end the Act contains a tremendously important provision which amends Section 1861(s)(2) of the Social Security Act relating to coverage under Medicare Part B of certain drugs and biologicals administered incident to a physician’s professional service. Because this provision is expected to be passed without any accompanying Committee Report language, and due to its importance to thousands of citizens, I rise to explain this statutory language.

The Medicare Carrier Manual specifies that a drug or biological is covered under this provision if it is “usually” not self-administered. Under this standard, Medicare for many years covered drugs and biologicals administered by physicians in their offices and in other outpatient settings.

In August 1997, however, the Health Care Financing Administration issued a memorandum that had the effect of eliminating coverage for certain products that could be self-administered. The result of this policy change resulted in thousands of patients who until that time had had coverage for drugs or biologicals for their illnesses, including intramuscular treatments for multiple sclerosis, being denied coverage for these same drugs and biologicals. At a time when the Congress and the Administration are seeking to expand Medicare prescription drug coverage, this HCFA policy has led to a reduction in coverage of many treatments.

The Act’s language clarifies the Medicare reimbursement policy to ensure that HCFA and its contractors will reimburse physicians and hospitals for injectable drugs and biologicals for illnesses such as multiple sclerosis and various types of cancer as they had been reimbursed prior to the 1997 memorandum. The new statutory language contained in the Act requires coverage of “drugs and biologicals which are not usually self-administered by the patient,” thus restoring the coverage policy that was in effect prior to the August 1997 HCFA memorandum. In carrying out this provision, HCFA...
should not narrowly define the word "usually." Nor should HCFA make unsupported determinations that a drug or biological is usually self-administered. In addition, HCFA should assume, as it did for many years, that Medicare patients do not usually administer injections or infusions to themselves, while oral medications usually are self-administered. HCFA should also continue to take into account the circumstances under which the drug or biological is being administered in emergencies should be covered even though self-administration is the usual method of administration, in a non-emergency situation.

I believe that to implement Congressional intent on this provision, HCFA must promptly issue a memorandum to inform its contractors (e.g., carriers and intermediaries) of the change in the law.

I commend the efforts of the bipartisan sponsors of this provision for correctly clarifying the intent of the Medicare reimbursement coverage policy for injectable drugs and biologicals. This issue is of vital importance to thousands of our citizens that are afflicted with debilitating illnesses such as multiple sclerosis. As Congress and the nation continue to engage in a discussion on expanding prescription drug coverage under Medicare, this is an important step to provide our seniors and persons with disabilities with the life-saving drugs and biologicals that they deserve. I look forward to continue working with the Administration and HCFA to ensure that our seniors and persons with disabilities receive coverage for injectable drugs and biologicals.

FAREWELL TO MANUS COONEY

Mr. HATCH. Mr. President, I would like to take this moment to offer my public thanks and appreciation to the Judiciary Committee's chief counsel and staff director, Manus Cooney, for all his dedicated work over the last 7 years he has served on my staff, and for his exemplary 12-year career in the Senate.

Manus has been my right hand. I want to state that for the RECORD so that 10 years from now his daughters—Caillen, Claire, and Tara—will know why their father was hardly ever home for dinner. Let me say to them that without his tremendous efforts, we could not have accomplished half as much for our country.

Let me also say to my colleagues that I know Manus was tenacious. Senators and staff alike always took it seriously when Manus was on a mission. Believe me, I got as many orders and assignments as you did.

Serious, though, it was amazing to me how Manus always kept the faith. I believe in what we were doing and never gave up.

I am going to miss him. He will be leaving my office at the end of the year for a new, exciting opportunity to develop corporate strategy and to head Napster’s new Washington office. He is the right guy for this job. He has the energy and the know-how to help Congress understand and connect with the complex and rapidly changing high-tech world. Manus is the kind of person who does not face the challenges of an unknown future with dread, but rather with enthusiasm.

So, as we close out this extraordinary 106th Congress, I hope my colleagues will join me in expressing appreciation to Manus for his loyalty and his tremendous contribution to the Senate and to public service. I wish him all the best in the future.

THE INTERNATIONAL CRIMINAL COURT

Mr. LEAHY. Mr. President, I rise today to voice my strong support for the International Criminal Court, ICC. Like all Senators, indeed like all Americans, I understand the need to safeguard innocent human life in wartime, at the same time that we ensure that the rights and privileges of those personnel are protected. The Rome Treaty establishing the International Criminal Court will achieve both those goals, and I urge President Clinton to sign the Treaty before the December 31 deadline.

The Treaty was approved overwhelmingly two years ago by a vote of 120 to 7. Since then, 117 nations have signed the Treaty—including every one of our NATO allies except Turkey, all of the European Union members, and Russia. Regrettably, the U.S. joined a handful of human rights violators like Libya and Iraq in voting against it. Only one of our democratic allies voted with us, and it is quite possible that we will end up as the only democratic country that is not a party to the Court.

During the last century, an estimated 170 million civilians were the victims of war crimes, crimes against humanity, and military atrocities. Despite this appalling carnage, the response from the international community has been, at best, sporadic, and at worst, nonexistent.

While there was progress immediately following World War II at Nuremberg and Tokyo, the Cold War saw the international community largely abdicate its responsibility and fail to bring to justice those responsible for unspeakable crimes from Cambodia to Uganda to El Salvador.

In the 1990s, there was renewed progress. The U.N. Security Council established a tribunal at The Hague to prosecute genocide and other atrocities committed in the former Yugoslavia. A second tribunal was formed in response to the horrific massacre of more than 800,000 people in Rwanda.

In addition, individual nations have increasingly taken action against those who have committed these crimes.

Spain pursued General Pinheiro, and he may yet be prosecuted in Chile. The Spanish Government has requested Mexico to extradite Ricardo Miguel Cavallo, a former Argentine naval officer who served under the military junta, on charges that include the torture of Spanish citizens.

The legitimate concern about prosecution, of American soldiers by the Court, while not trivial, arises from a misunderstanding of the Court's role.

December 15, 2000

CONGRESSIONAL RECORD—SENATE

S11899
The U.S. has been successful in obtaining important safeguards to prevent political prosecutions:

First, the ICC is neither designed nor intended to supplant independent and effective judicial systems such as the U.S. system. Under the principle of "complementarity," the Court can act only when national courts are either unwilling or unable to prosecute.

Second, the Court would only prosecute the most atrocious international crimes, such as genocide and crimes against humanity. The U.S. was instrumental in defining the elements of these crimes and in establishing high thresholds to ensure that the Court would deal with only the most egregious offenses.

Third, the Court incorporates the rigorous criteria put forth by the United States for the selection of judges, ensuring that these jurists will be independent and among the most qualified in the world. Further, the Rome Treaty provides standards for the selection of the prosecutor and deputy prosecutor, who can be removed by a vote of the majority of states parties.

Finally, the Court provides for several checks against spurious complaints and frivolous prosecutions. Before an investigation can occur, the prosecution must get approval from a three-judge pre-trial chamber, which is then subject to appeal. Moreover, the U.N. Security Council can vote to suspend an investigation or prosecution for up to one year, on a renewable basis, giving the Security Council a collective veto over the Court.

Because of these safeguards, our democratic allies—Canada, England, France, Ireland—with thousands of troops deployed overseas in international peacekeeping and humanitarian missions, have signed the Treaty.

The Pentagon has, from day one, argued that the United States should not sign the Treaty unless we are guaranteed that no United States soldier will ever come before the Court. In other words, "we will sign the Treaty, as long as it does not apply to us." That is a totally untenable position, which not surprisingly has not received a shred of support from other governments, including our allies and friends.

There is no doubt that further negotiations in the ICC, but it is unrealistic to expect to single out one's own citizens for immunity, in every circumstance, from the jurisdiction of an international court. If that were possible, what would prevent other nations from demanding similar treatment? The Court's effectiveness would be undermined.

Moreover, as the United States—which has refused to sign the treaty banning landmines, or to ratify the conventions governing the conduct of a military in wartime. Signing the Rome Treaty would be the clearest indication possible that we are proud of this record, and are working every day to uphold it.

Mr. President, I too am troubled by the precedent of exercising jurisdiction over non-party nationals. While this is a key component of the Treaty which prevents rogue nations from shielding war criminals from the Court's jurisdiction by refusing to become a party, it could also invite mischief in the future. What if, for example, a dozen states were to join in a treaty that asserts jurisdiction over non-parties for the explicit purpose of targeting the citizens of a particular ally? Would they not almost certainly not become recognized parts of international law and convention? While it is essential that we do everything possible to protect the rights of American citizens, we also want an effective Court. Indeed, there are almost certainly to be circumstances when we would support ICC jurisdiction over non-party nationals.

Critics argue that the United States should "block" the ICC. They are misinformed. That is not an option. The requisite 60 countries are going to ratify the Treaty, and the Court will have jurisdiction over citizens of non-parties, whether or not the U.S. signs.

The real issue is whether we sign the Treaty and enable the U.S. to continue to play a crucial role in shaping the ICC, ensuring that it serves its intended purpose of prosecuting the most heinous crimes—not the U.S. Air Force pilot who mistakenly bombs the wrong target, a tragic but inevitable consequence of war. It is instructive, for those who raise the specter of political retribution, that the Tribunal for the Former Yugoslavia—which, like the ICC, the U.S. had a key role in shaping—declared its inability to investigate allegations of war crimes resulting from NATO bombing of Serbia. We will be in a far better position to protect the rights of American citizens if the Court must answer to the U.S. for its actions.

We can sign the Treaty and make clear that if the Court strays from its intended purpose, we will take what steps are needed, from refusing to ratify to withdrawing from the Treaty. I sincerely doubt, however, that will be necessary. The Court's ability to function is its legitimacy. As others have said, "the politicization of the Court would quickly end its relevance."

We all know that it is simply not possible to be part of an international regime and get absolutely everything one wants. Nay sayers can always invent implausible scenarios that pose some risk. The key question is: do the benefits of signing the Rome Treaty and ensuring our presence behind it, outweigh the risks? I believe the answer is clearly yes.

Mr. President, the Treaty provides an adequate balance of strength and discipline to warrant the United States. On the one hand, the Court is strong enough to bring war criminals to justice and provide a deterrent against future atrocities. On the other, there are important checks in place to minimize the risks of sham prosecutions of American troops. Yet, without the active participation and support of the United States—the oldest and most powerful democracy on Earth committed to the rule of law—the Court will never realize its potential.

I agreed with President Clinton when he stated that, "nations all around the world who value freedom and tolerance [should] establish a permanent international court to prosecute, with the support of the United Nations Security Council, serious violations of humanitarian law."

Those words reminded me of the President's speech at the United Nations six years ago, when he called for an international treaty to ban anti-personnel landmines. Two years later, when many of our allies and friends were negotiating such a treaty, the Administration, bowing to the Pentagon, chose to sit on the sidelines. They assumed, wrongly, that without U.S. support the process would run out of steam, and they even tried, at times, to undermine it.

Only in the final days, when the Administration finally realized the mine threat was going to exist or without the U.S., did they make several "non-negotiable" demands. Essentially, they said "okay, we will sign the treaty, as long as it does not apply to our landmines." Predictably, that was rejected. Today, 138 nations have signed that treaty and 101 have ratified, including every NATO member except the United States and Turkey, and every Western Hemisphere nation except the United States and Cuba. We would have learned from that experience. The fact is that the United States can no longer singlehandedly determine whether an international treaty comes into force. If we do not sign the Rome Treaty, there is a strong possibility that the Court, its prosecutors and judges will develop from the beginning an unsympathetic view towards the United States and its official personnel. That is especially so if we end up using that treaty as an excuse. Do we want a Court that views itself in opposition to the United States? Or do we want a Court whose prosecutors and judges are selected
with the influence of the United States, and a Court that must answer to the United States, as its most significant state party, for its actions? The answer should be obvious to anyone.

Mr. President, it is unacceptable that the world’s oldest democracy—the nation whose Bill of Rights was a model for the Universal Declaration of Human Rights, the nation that called for the creation of a permanent, international criminal court and did so much to make it a reality, has shrunk its national criminal court and did so for the creation of a permanent, international criminal court whose Bill of Rights was a model for the world’s oldest democracy—The United States.

Significant state party, for its actions?

December 15, 2000

CONGRESSIONAL RECORD — SENATE
S11901

TRIBUTE TO BOY SCOUTS AND GIRL SCOUTS

Mr. L. CHAFEE. Mr. President, it is with great pleasure that I today pay tribute to the accomplishments of the Girl Scouts and Boy Scouts of Rhode Island. These fine organizations include an admirable group of young men and women who have distinguished themselves as leaders in their communities.

Since the beginning of this century, the Girl Scouts and Boy Scouts of America have provided the thousands of youngsters each year with the opportunity to make friends, explore new ideas, and develop leadership skills, along with a sense of determination, self-reliance, and teamwork.

These awards are presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love for community service. The Silver and Gold Awards represent the highest awards attainable by junior and high school Girl Scouts. Becoming an Eagle Scout is an extraordinary award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills.

I ask my colleagues to join me in congratulating the recipients of these awards. Their activities are indeed worthy of praise. Their leadership ben-efits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, Scout leaders and countless others who have given generously of their time and energy in support of Scouting.

It is with great pride that I submit a list of the young men and women of Rhode Island who have earned this award.

Mr. President, I ask that the list be printed the RECORD.

The list of follows:

GIRLS SCOUT SILVER AWARD RECIPIENTS

Barrington, RI: Sarah E. Oberg, Alison Orlandi, Shannon J. Johnston, Sarah Tompkins.

Charlestown, RI: Hillary Gordon, Chepachet, RI: Margaret Pepper, Rebecca Thuber, Jennifer Tucker.

Coventry, RI: Mandy L. Ponder, Cranston, RI: Laura R. Gauvin, Tara Tomaselii, Lindsay Wood, Susan Papino, Sarah Watterson.


Glendale, RI: Emily Beauchemin.

Harrisville, RI: Kristin Bowser, Hopi, RI: Meaghan McKenna.

Hope Valley, RI: Jennifer Gregory, Nichole Piacenza.

Kingston, RI: Elizabeth Tarasevich.

Mapleville, RI: Tia Sylvestre, Jessica Wilcox.


Newport, RI: Anne Huppert, Pascaug, RI: Sarah Gauthreau, Heather Hopkins, Jennifer Robillard.

Pawtucket, RI: Stephanie Bobola, Emma Locke, Brittainy Smith, Allison Arden, Felicia Facenda, Melissa Perez, Jessica Theroux.


Wakefield, RI: Lauren Behie, Emily Franco, Kate Danna, Jesica Piemonte.

Warwick, RI: Jordan Lock, Amanda Miller, Jessica Ogarek, Nicole Patrocello, Michelle Poirier, Danielle Dufresne, Sarah Pennington.

West Warwick, RI: Kaylin Kurkoski, Alyssa Lavalle, Capria Palmer, Stephanie Danforth.


GIRLS SCOUT GOLD AWARD RECIPIENTS

Cranston, RI: Bethany Lavigne, Sarah Lavigne.

East Greenwich, RI: Elissa Carter, Rosanna Longenbaker.

Harrisville, RI: Carissa Lai.

Middletown, RI: Merideth Bonvenuto.

North Providence, RI: Bonnie Bryden, Alison Kolc, Bethany Bader, Laura Di Tommaso.

Pawtucket, RI: Alyssa M. Nunes, Nicole D. Gendron.

Warwick, RI: Amanda Cadden, Jenee Fairbairn, Sara Berman, Dawn Armitage, Kristen Giza, Kristin Marseglia, Justine Evans, Carolyn Beagan.

West Warwick, RI: Jennifer L. Malaby.

West Kingston, RI: Audra L. Criscione.

Westerly, RI: Heather Norman, Karen McGarth.

EAGLE SCOUT RECIPIENTS

Ashaway, RI: Steven Derby, Paul Dumas.

Barrington, RI: Chris Browning, Vincent Crossley, Chris Dewhirst Jr., David Drew, John Dunn, J. Jr., Daniel Fitzpatrick, Chris Gemp, Chris Josephson, Patrick Kiely, Brian Mullery, Anthony Principe, Evan Read, Adam Resmini, Timothy Ryan, Robert Speaker.

Blackstone, RI: Daniel Aleksandrwidcz.


Bristol, RI: Chris Cameron, Jason DeRobbio, Thomas DuBios, Matthew Frates, John Maisano IV, Timothy Pray.

Charlestown, RI: Christopher Hyer, Jonathan Lyons, David Piermattei, J. Jr., Thomas Schiprit.

Chepachet, RI: Eric Ahnurd, Donald Gorrie, J. Jr., Benjamin Mau.

Clayville, RI: Geoffrey Lemieux.

Coventry, RI: John Ahern, Nicholas Brown, Michael Camera, J. MacDonald.

Cranston, RI: Eran Darrow, Baccari Thomas Fogg, Erik Fearing, Peter Gogol, Gregory Johnson, Daniel Kittredge, Donald McNally, Gregory Norigian, Matthew Papino, Michael Parent, Ernest Rheuma, Mark Scott II, Marc Sherman, J. onathan Tipton.

Cumberland, RI: Michael DiMeo, Michael Doherty, Timothy Fabri, Gregory Hindle, Thomas Parrillo, J. Twohey, J. Olunte, J. Wigmall, Christopher Young.

East Greenwich, RI: Matthew Kazlauskas, Thomas Carbone, J. Jr., Stuart Fields, Steven Folks.


Greene, RI: Steven Autieri, Ryan Hall.

Greenville, RI: Thomas Bowater, Benjamin Folsom, J. jarrin Mareeau, Joseph Stockley.

Harrisville, RI: J. is J. ack, Matthew Kuchar ski.

Hope Valley, RI: Eben Conopask, J. Duell, Nicholas Habeker, Lucas Marland.

jamestown, RI: Thomas Kelly, Joshua Shea.

J. ohnston, RI: Jason Cantwell, Geoffrey Garzone, Christopher Lowery, Anthony Pezza, Michael Wilusz.

Kingston, RI: Robert Dettman, Travis Morrel.


Manville, RI: Peter Rennaud.

Middletown, RI: John Gereeey, Andrew Gruenewald, Jay Parker, J. Alexander Schwarzenberg, Matthew Sullivan, David Tungett.

Newport, RI: J. jason Kowrach, J. y Ross.

North Kingston, RI: Christopher Nannig, David Piehler, J. jason Simeone.

North Providence, RI: Adam Andolfi, Michael Chatwin, J. Jr., Matthew Konicki.


North Smithfield, RI: Keith Gilmore.

Pawtucket, RI: Brittney Oriandrea, Peter Blair, Nicholas Cetola, Eric Frati, Christopher Gojcz, Benjamin Sweigart, Alejandro Tobon.


Providence, RI: Ashley Onceal, Matthew Dohran, J. onathan greater癫, Matthew Lynch, J. John Riley, Matthew Salisbury, Andrew Sawtelle, Stephen Winiarski.

Riverside, RI: Andrew Hurd, William Lange Philip Olson, Chris Rumford, J. Jesse Crichton, Chris Jamison.

Smithfield, RI: Charles Ashworth, Brian Tothewy, Gerard Laveriette, J. Jr.


Warren, RI: J. onathan Faris, William Kemp IV.

Warwick, RI: Christopher Baker, Richard Agajanian III, Kenneth Arpin, Trevor Byrne-Sooth, James Carolino III, Robert Chace III, J. jason Christensen, Michael Dean, Timothy Goodwin, Michael Havican, Eric Hayes, Gregory Hughes, Aaron Hughes, Peter Izi, Thomas Kelley, Daniel Linden, Jeffrey Machado, Robert MacNaught, J. jason Mendonsa.

Westerly, RI: J. onathan Martin, Seth Merkel.

West Greenwich, RI: J. effrey Bowen.

West Kingston, RI: J. jason McCaughley.


Wood River Junction, RI: Timothy Brasseau, Scott Moore.

Woonsocket, RI: Michael Minot Matthew Piette, Matthew Soucy, Gary Turner.

Wyoming, RI: J. ston Lee.
PERMANENT RESIDENCY FOR LIBERIANS

Mr. REED. Mr. President, I rise tonight to express my deep disappointment that this final package does not include a provision that allows Liberian nationals living in this country to adjust to permanent residency.

As I have told this body many times, approximately 10,000 Liberians fled to the United States beginning in 1989 when their country became engulfed in a civil war. In 1991, Attorney General Barr granted Liberians Temporary Protected Status (TPS) and renewed it in 1992. Under the Clinton administration, Attorney General Reno continued to renew TPS for Liberians on an annual basis until last year when she granted Deferred Enforced Departure. DED was renewed again this year.

While Liberians can now legally live in the United States for another year, it does not change the fact that they have lived in limbo for almost a decade. They have lived in a "protected status" longer than any other group in the history of this country. These individuals have paid the price. From the beginning, they have always lived in this country legally. They opened businesses, bought homes, had American-born children, and contributed to our communities. Yet, they are unable to enjoy the basic rights and privileges of U.S. citizenship. These people deserve better.

For several years, I have been working to see that the Liberians receive the justice they deserve. In March 1999, I introduced S. 656, the Liberian Refugee Immigration Fairness Act which would allow Liberian nationals who have received TPS to adjust to permanent residency. For almost two years, I have been unable to convince my colleagues to hold a hearing, debate this issue on the floor, or pass the bill. I did everything I could to garner support for this legislation. I spoke on the floor; I wrote "Dear Colleagues," I gathered cosponsors on both sides of the aisle, I spoke personally with the leadership of both parties and the White House. Despite these efforts, the plight of the Liberians has not been recognized, and their status has not been resolved.

The situation facing the Liberians is not a novel issue for Congress. In the time that the Liberians have lived in this country, several other immigrant groups, including 52,000 Chinese, 4,996 Poles, 200,000 El Salvadorans, 50,000 Guatemalans and 150,000 Nicaraguans, who lived in the U.S. under temporary protective status for far less time have been allowed to adjust to permanent status. Just last month we passed a bill adjusting the status of 4,000 Syrian Jews. There are those who have argued that it is time to stop passing "nation specific" immigration fixes and to implement one that is comprehensive and fair. I fully agree. But until we reach that point and are ready to pass such legislation, I do not believe that we can, in good conscience, arbitrarily deny certain groups a remedy for the unintended and unjust consequences of our immigration law.

I also would like to state that I believe that we have a special obligation to all of the special immigrant beneficiaries the U.S. has with that country. Congress should honor the special relationship that has always existed between the United States and Liberia.

In 1822, groups of freed slaves from the U.S. began to settle on the coast of Liberia. In 1847, these settlers established the republic of Liberia, the first independent country in Africa. Liberians modeled their constitution after the U.S. and named their capital Monrovia after President James Monroe.

Mr. President, many of the Liberian nationals in this country can trace their ancestry to American slaves. We owe them more than we are giving them tonight.

When Liberians arrived in this country, they expected to stay only a short time and to return home once it was safe. But one year turned into many and they began to rebuild their lives. They are now part of our community. They deserve the same benefits that we have given so many others—the rights of citizenship. It is my hope that we can address this grievous situation early in the 107th Congress. We need to right a wrong.

RONALD MACDONALD HOUSE CHARITIES' NEW CHILD HEALTH PROGRAM

Mrs. HUTCHISON. Mr. President, I rise to recognize the Houston arrival of a Ronald McDonald Care Mobile—a state-of-the-art pediatric medical mobile healthcare unit. It is one of the first in an innovative partnership of the Ronald McDonald House Charities, known and respected worldwide for its dedication to improving children's health.

In cooperation with its local affiliates and local hospitals or health systems, RMHC has begun rolling out these Ronald McDonald Care Mobiles to bring free medical and dental services to children in underserved communities. The Houston Ronald McDonald Care Mobile will be operated and staffed by the Harris County Hospital District. It will travel, on a regular schedule, to schools, churches, apartment complexes and other neighborhood sites where need is greatest. This RMHC partnership will significantly strengthen the District's capacity to serve the county's disadvantaged children and their families.

The Ronald McDonald Care Mobiles are a far cry from the usual converted vans and school buses. They are specially-designed pediatricians' offices on wheels. They include an examination room, a laboratory, reception and medical records areas and, in some cases, a hearing screening booth and dental hygiene room. The units are also staffed to deliver first-rate care. Staffing will vary according to local needs but is likely to include a pediatrician, a pediatric nurse, and a manager. There may also be a social worker, a mental health worker, an asthma specialist and/or medical residents, nursing students, and interns in training.

The Ronald McDonald Care Mobiles will go directly into underserved communities. They will provide primary care, vision screenings and medical screenings; diagnosis, treatment, referral, and followup for serious medical and dental conditions; and health education for children and their families. Staff will also help eligible families obtain government-assisted health insurance and will partner with communities to address critical local childhood health needs.

Our children are our nation's most precious resource. I am proud to honor the Ronald McDonald House Charities for bringing vital health care to the underserved so that they may learn and play and grow up strong. This truly is giving back to the community at its finest.

PROTECTING THE RIGHTS OF IMMIGRANT WORKERS

Mr. KENNEDY. Mr. President, fourteen years ago, Congress passed the Immigration Reform and Control Act of 1986, IRCA. That Act has had undeniably profound effects on the nation—both positive and negative. IRCA set in motion the current legalization program, which has brought millions of individuals out of the shadows of illegal immigrant status and onto a path of temporary status, permanent status and, ultimately, United States citizenship. At the same time, IRCA authorized employer sanctions which, in addition to not deterring illegal immigration, have led to a false document industry and caused discrimination against Latino, Asian, other immigrant workers, and even United States citizens, who by their accent or appearance are wrongly perceived as being here illegally.

Many of us supported the provision in IRCA which created an office to address cases of discrimination resulting from employer sanctions. Since then, the Department of Justice Office of Special Counsel for Immigration Related Unfair Employment Practices, OSC, has enforced the anti-discrimination provisions and provided relief to workers who have faced immigration-related job discrimination.

One of the innovative accomplishments of OSC has been to develop effective partnerships with local and national community organizations and local government civil rights agencies. A Memoranda of Understanding enables the civil rights agencies who are supposed to work together to do just that. As a result, all agencies are better equipped to prevent and eradicate discrimination.

Recently, the Massachusetts Commission Against Discrimination joined
with the OSC to educate employers, workers and the general public in the state and to work together to address discrimination. The Boston Globe praised the work of the Office of Special Counsel and urged increases in its staff and budget in order for it to keep up with the growing number of newcomers and employers. In the words of the editorial, "This would help immigrants and the economy—a winning move for the United States."

I ask unanimous consent for the Boston City Council resolution, "Protecting Immigrants," to be printed in the RECORD.

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

[From the Boston Sunday Globe, Oct. 19, 2000]

PROTECTING IMMIGRANTS

Working immigrants are like high-octane fuel for the economy. Given the nation's shortage of workers, hiring immigrants is a great way to fill jobs, whether in high-tech or in low-paying industries.

But immigrants can face serious job discrimination. Some don't know their rights. Others are afraid to complain. That's why federal agencies must improve enforcement of fair work practices.

One tool is in place, but it needs to grow. In 1986, eager to crack down on illegal immigration, Congress passed the Immigration Reform and Control Act. The law threatened employers with fines unless they verified that new hires were legally eligible to work.

Congress knew that turning employers into immigration cops could lead to more discrimination. So the act also created the Office of Special Counsel for Immigration Related Unfair Employment Practices.

Today, the Office for the Special Counsel fights discrimination based on national origin and citizenship status. It cracks down on "document discrimination"—seeking for more proof of work status than is legally required—and on rarer cases of employer retaliation. The office also mediates disputes and trains employers and human service providers.

This work goes on in states with large immigrant populations, like New York and California, Arkansas, Oregon and Nebraska, where immigrant populations are growing. In the last two years, the office has reached settlements with SmithKline Beecham, local company, the Atlanta Journal Constitution newspaper, and Iowa Beef Packers, a meat packing and processing company in South Dakota.

Last year, the special counsel's office awarded $45,000 to the Massachusetts Immigrant and Refugee Advocacy Coalition, a grant used statewide to education immigrants and their families about their rights. The office has held forums. The office recently formed a valuable alliance with the Massachusetts Commission Against Discrimination. Since the office has no local branches, it is building a nationwide web of local contacts whom immigrants can turn to for federal help.

Unfortunately as national immigration rates soar, the Office for the Special Counsel is having trouble keeping up. Its activities are limited by a small staff and a budget of just under $6 million. Doubling the budget would enable the Office to reach more buyers across the country. It could take more preventive measures, helping employers before laws are violated, instead of punishing them after they have.

This would help immigrants and the economy—a winning move for the United States.
the worst forms of child labor. The U.S. Labor Department is planning to file its first comprehensive report to Congress on whether countries that enjoy preferential access to our markets are fulfilling their obligations de facto until they are ratified under ILO Convention #182. And they've dispatched fact-finding teams around the world to investigate.

Their findings will be submitted to an inter-agency review process chaired by the Office of the U.S. Trade Representative. Later this year, this process will decide which beneficiary countries should retain their trade privileges and which should not.

Last year, this Congress approved a $30 million U.S. contribution to ILO's International Program to Eliminate Child Labor (IPEC) for Fiscal Year 2000. This made our country the single largest contributor to IPEC. And if and when we finally approve our LhHS Appropriations Bill—our contribution will increase to $45 million in Fiscal Year 2001. This is yet another reason for us to wrap up that legislation before we adjourn.

This is the good news, Mr. President. But we've got a long way to go in our battle to eliminate abusive child labor and open up a bright future for more than 250 million child laborers around the world.

Our first, and perhaps most important step, is to heed ILO Convention #182 in our own country. We have to develop a national action plan to eliminate the worst forms of child labor in our own backyard, no matter what its nature or the circumstances in which it is carried out is likely to harm the health, safety or morals of children.

Mr. President, who among us can deny that there are children working under such circumstances in our own country?

In order to be a credible leader in the world struggle against abusive child labor, we've got to do more to eliminate ILO Convention #182 here in America.

Fortunately, the Child Labor Coalition has recently convened meetings of non-governmental organizations to begin fashioning recommendations for the U.S. national action plan required by ILO Convention #182.

Hopefully, President Clinton will be moved to act on some of these recommendations when they are presented to White House officials today. He has already demonstrated his commitment to this cause.

Mr. President, who has done more than all of his predecessors combined to fight abusive child labor.

I conclude my remarks by describing one glaring example of abusive child labor in our own backyard that cries out for immediate legislative redress.

Right now, as many as 800,000 migrant child laborers toil in the fields of large-scale commercial agriculture picking the produce we eat every day. They are working at younger ages, for longer hours, exposed to more hazardous conditions than minors working in non-agricultural jobs.

Their plight has prompted me to introduce the Children's Act for Responsible Employment (S. 3100—The CARE Act) which I will push hard to enact next year.

This legislation will end our current double standard in employment. It will extend to minors working in large-scale commercial agriculture—corporate farms, if you will—the same rights and legal protections as those working in non-agricultural jobs. It will also: Toughen civil and criminal penalties for child labor violators; protect children under 16 from working in peddling or door-to-door sales; strengthen the authority of the U.S. Secretary of Labor to deal with “hot goods” made by children and shipped in interstate commerce; improve coordination and reporting among federal, state, and local governments on injuries and deaths of minors on the job; improve collaboration between the U.S. Labor and Agriculture Departments to enforce federal child labor laws; and preserve exemptions for minors working on family farms as well as those selling door-to-door as volunteers for non-profit organizations like the Girl Scouts of America.

So today, we should all celebrate that day one year ago when we took the high road and ratified ILO Convention #182. But we cannot rest on our laurels. In the next Congress, we've got to re-dedicate ourselves to restoring the childhoods of millions of child laborers and lifting them up from the cruel hands that they and their impoverished families have been dealt.

AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. ALLARD. Mr. President, on December 7, 2000, the Senate approved H.R. 5640, the American Homeownership and Economic Opportunity Act of 2000. Senate companion to this legislation, Title IV of H.R. 5640 included several technical corrections to the Homeowners Protection Act of 1998. These technical corrections have no specific effective date attached to them. In my view, it is the expectation of Congress that lenders impacted by those technical corrections should have a reasonable period of time to make systems changes and conform administrative processing to the new law. This flexibility is important because the Homeowners Protection Act of 1998 does not authorize a Federal agency to provide implementing regulations.

ADDITIONAL STATEMENTS

REMEMBERING ALAN EMORY

• Mr. MOYNIHAN. Mr. President, Alan Emory, who for nearly half a century covered Washington for the Watertown Daily Times, passed away on November 27. Known for years as “the Dean” of the New York press corps, he was an indefatigable and prolific writer who often penned up to six stories a day in addition to a twice-weekly column. Even after retiring as bureau chief in 1998, he pursued stories with the same integrity and determination that first brought him to Washington in 1951. This past July, he broke the news that the Health Care Financing Administration intended to cut Medicare reimbursement for outpatient cancer care. Shortly thereafter, in a great part because of Alan’s reporting, the plan was abandoned.

He was a dear friend, and he will be missed. I ask that the obituary from the Associated Press be printed in the record.

The material follows:

ALAN EMORY, LONGTIME WASHINGTON CORRESPONDENT FOR WATERTOWN TIMES, DIES

Washington—Alan Emory, Washington correspondent for the Watertown (N.Y.) Daily Times for 49 years, died Monday after a battle with pancreatic cancer. He was 78.

Emory covered 10 presidential administrations—from Harry Truman to Bill Clinton—during his tenure in Washington. He began his career with the Times in 1947 in Watertown and also worked in the paper’s Albany, N.Y., bureau before coming to Washington in 1951.

He specialized in Canadian border issues, founding a group of reporters from northern states that met regularly with Canadian officials. He also covered more than 1,500 White House press conferences, traveling to Russia, China, Canada and South America.

A former president of Washington’s famed Gridiron Club, Emory penned many of the songs and skits that were performed in the club’s annual spoof of the Washington political scene.

In 1966, he was elected to the Standing Committee of Correspondents of Congressional Press Galleries. He was elected to the Hall of Fame of the Washington chapter of the Society of Professional Journalists in 1979.

Emory graduated from Harvard University and received a master’s degree from Columbia University’s School of Journalism. He spent almost three years in the U.S. Army.

Emory was diagnosed with pancreatic cancer in 2000. He continued political writing, sometimes also writing about his struggles with the health care system.

Sen. Charles Schumer, D-N.Y., called Emory “a giant.”

“He practiced journalism the way it should be practiced with integrity and honesty,” Schumer said Monday. “Whether you liked the story he was writing or not, you always knew it was going to be fair and honest.”

Emory died at his home in Falls Church, Va.

He is survived by his wife, Nancy Carol Goodman.

PASSING OF JAMES RUSSELL WIGGINS

• Ms. SNOWE. Mr. President, I rise today to pay tribute to a beloved adopted son of Maine, James Russell Wiggins, whose life brought tremendous pride to our State, devoted to the profession of journalism, and joy to all those fortunate to have known him.

For all of us, a great many people pass through our lives. Few clearly and
James Russell Wiggins was instantly recognizable as such a person, and I was blessed to have found him nearly 23 years ago. While his heart has ceased to beat after nearly 97 extraordinary years, his spirit continues to enkindle the hearts of all those whose lives he touched with warmth, his enthusiasm, and his generosity.

Russ Wiggins cast his light most broadly and brightly through the medium of the printed word, and perhaps most prominently in his 20-year career with The Washington Post. Difficult as it may be to believe today, there was a time when the Post was not widely held in high regard, even in its own hometown. That the Post is internationally recognized today is a testament not only to Russ' unparalleled skill, but to the public's right to the best possible information and integral to the health of our democracy.

Eventually reaching the position of editor, Russ Wiggins' stamp remains on every page of the Post. Russ, the Ellsworth American photographer, wrote a special piece eulogizing Russ and thanking him for his lifetime of dedication to the public good . . . (he) set for his staff an unmatched standard of personal decency and integrity."

Just a few weeks shy of his 65th birthday, and his planned retirement from the Post, Russ Wiggins was tapped by President Johnson to serve from the Post, Russ Wiggins was appointed as editor of The Washington Post. After Russ Wiggins’ passing, he “brought to the Washington Post a passion for newspapering and an unrelenting dedication to the public good . . . (he) set for his staff an unmatched standard of personal decency and integrity.”

"During his time with the Ellsworth American, he was able to bring out not just the news of Ellsworth and Hancock County, but also to convey the sensibilities and nature of a special region. Perhaps it is the fact that Russ saw and experienced so much of the world, that he continually showed that the rural coastal setting of Downeast Maine could be transformed. Whatever the reason, those of us in Maine are especially fortunate that he let us see the dynamic world through his eyes."

Throughout it all, James Russell Wiggins was comfortable in any company, not because he changed his stripes to suit the occasion, but because the essence of the man was always his generosity of spirit—and it was apparent for all to see. He shared what he saw not to elevate his own standing, but rather to elevate the standing of others. He voiced his opinions not to hear himself talk, but rather to advance the level of debate. He searched for the truth not in service to his own ends, but rather in service to humanity.

With his life having touched so many deeply, it is no surprise that his death has done the same. Columns were written by those with whom he had worked, of the executive committee of The Washington Post, wrote a special piece eulogizing Russ and thanking him for his service. And letters to the editor expressed the sense of loss we all have felt in the wake of this giant's passing. So it is with a heavy but grateful heart that I pay whatever humble tribute I might to this great man whom I was privileged to know. How fortunate it is that he will live on and how deeply we will miss him in our lives. I ask that a number of articles that have appeared in the newspapers regarding Russ Wiggins be printed in the RECORD.

The articles follow.

[From the Washington Post, Nov. 20, 2000]

THE EVOCATION OF EXCELLENCE

By Katherine Graham

Russ Wiggins, good steward, farseeing guide of The Post for 21 years, Russ Wiggins' death yesterday leaves a large hole, so great was his embracing personality and a life lived vigorously until five months ago, when his brave heart started to weaken and then gave out. I am forever grateful to Russ because he quite literally created The Post we know today. The Pentagon Papers and Watergate received so much attention that most people don't realize what Russ accomplished.

When my father purchased The Post in 1933, it was the fifth newspaper in a five-newspaper town. He decided to change The Post and make it viable because he believed Washington deserved a top-quality morning newspaper. However, it was difficult to get people in town to do the work. Some people assumed would fail. My father had found a good, old-fashioned, blood-and-guts editor, who began to make some progress. But clearly more was needed.

When my husband, Phil Graham, became publisher after the war, he and my father tried to find a serious editor and leader for the Post. They heard of Russ Wiggins, who had been editor of the paper in St. Paul, Minn., where he'd made quite an impression. When some people accused its owner-publishers of being dependent on Russ, the man had walked into the newsroom and summarily fired Russ.

My father ad Phil asked Russ to come to The Post, but he elected instead to go to the New York Times as assistant to the publisher. A year later they went back and persuaded Russ to change his mind. He arrived in 1947 and stayed for 21 years.

Russ immediately made several changes that had a significant impact on the quality and integrity of the Post. He eliminated taking favors—free tickets for sports reporters, free admissions to theaters for critics and parking tickets fixed by police reporters for people all over the building. This sounds elementary, but in those days it was done everywhere.

One of Russ' most heroic accomplishments was to lead the way in civil rights. He stopped the use of irrelevant racial descriptions. He printed the first picture of an African American bride. He started hiring minority reporters. This took courage in those days.

Despite the paper's precarious financial situation, Russ and Phil dug in and began to assemble a fine staff—drawn by Russ's won professional standards and hard work. He set the example. He worked seven days a week, and did so not only out of necessity, but rarely took vacations.

Over the years, Russ stood up to many threats to the paper, and he and Phil overcame many obstacles. One was my mother, whose correct but inflammatory political passions encouraged charges of red-baiting. As we grew more successful, Russ bought a national and international reputation.

His ambition for the paper, Russ told me, "was unachievable. But how do you lift an
institution except with unachievable ideals? If your ideals are so low you can achieve them, you ought to adjust them," he said.

When my husband became mentally ill with manic depression, Russ had to withdraw and stand Phil's destructive impulses. When Phil died, Russ held the staff together and encouraged my coming to work. Then he had to teach us how to understand and deal with the news policy, which didn't happen overnight. Russ was very patient.

One of the first major issues we confronted was the Vietnam war. Russ was a thoughtful and sensitive hawk; he believed the country's reputation was at stake if we abandoned our allies. At one point, President Johnson's editorials were worth two divisions. Russ was never personally hostile about issues. This enabled us to get through this difficult period.

At all times, Russ was a voracious and learned reader. He often would throw books at all of us, tell us we had to read them, and check in a day or two to see if we had finished. Just a few years ago, Russ informed me in a letter that he had just completed Soviet Ambassador Anatoly Dobrynin's autobiography, Volume 4 of Richard Gibbon's "Decline and Fall of the Roman Empire" and also had read the 35,000-word Unabomber manifesto. It was repetitious, Russ commented.

Russ set a deadline for himself to retire at 65. A few months before, President Johnson nominated him as ambassador to the United Nations. Russ insisted on leaving without much ceremony.

Then Russ did the most admirable thing of all: He went to Ellsworth, Maine, where he had vacationed, bought the paper there and built it up into one of the most distinguished small papers in the country. He wrote a poem for it every week. And he never lost his creative spirit. To point out the deficiencies of the post office, for instance, he mailed a letter to Ellsworth from a neighboring town and had two oxen pull a cart that beat the letter.

Even after he'd left The Post, Russ remained one of our most interested readers and staunchest supporters. Shortly after the Janet Cooke story erupted, Russ came to a meeting of the American Society of Newspaper Editors, where we were being drubbed right and left. With his usual wry humor, Russ said about the stories of the American press: Every editor I saw assured me this couldn't have happened at his paper.

Russ lived his entire life according to the highest intellectual and moral standards, with great humor and compassion for others, and with panache. He was thoughtful—I would even say brilliant. The words he evokes are 'excellence' and 'integrity.' He had fun and he gave it to others. He was a teacher and a friend to the very end.

[From the Washington Post, Nov. 20, 2000]  
JAMES RUSSELL WIGGINS

Almost the minute he took over as managing editor of this newspaper in 1947, James Russell Wiggins jolted the city room staff with his dedication to the integrity and integrity of the paper. No more freebies, he decreed, not even movie passes for copy aides. No more fixing of tickets at police headquarters. These were not the concerns of a fledgling paper; Russ Wiggins, who died yesterday at the age of 96, was a vigorous and engaged editor who cared deeply about ethical standards, old-fashioned the importance of a free and independent press. During his 21-year stewardship here, his enthusiasm for the competitive pursuit of information was girded on fairness.

Today the news and editorial departments at The Post are independently managed. In Mr. Wiggins' day, though, both fell under his exacting command; he took care to maintain a sharp delineation. "The ideal newspaperman," he told the staff, "is a man who never forgets that he is a reporter—a movie and a shaker. . . . Nothing could be more alarming or dismaying to me . . . than to encounter repeatedly the suggestion that the editor is the last word, that he determines what the views of the newspaper are." The reporter ought to have the commitment "of the honest witness, the fair narrator," he said.

A largely self-educated, extraordinarily well-read man who never went to college, Mr. Wiggins kept reporters and editorial writers alike on their toes—quizzing them on findings, recommending books and suggesting further questions or research. Cartoonist Herblock remembers showing sketches to Mr. Wiggins, who might argue about the views and then say, "God knows, I tried to reason with you"—and let them go. Mr. Wiggins' own editorial views, often churned out in bunches on a given day, were no fence-sitters. He railed against the evils of gambling, the dangers of a large national debt, restrictions on the press and the slowness of mail service.

Mr. Wiggins left the Post more than three decades ago. But that's not to say he retired. As publisher of the Ellsworth American in Ellsworth, Maine, Mr. Wiggins worked, read and wrote on; and he kept up correspondence with this newspaper, exchanging ideas, complimenting—occasionally criticizing—and reprimanding us for views we'd stand by.

We paid attention, too. To the end, Russ Wiggins was extraordinarily important to this newspaper.

TRIBUTE TO MICHAEL H. DETTMER

Mr. LEVIN. Mr. President, I wish to pay tribute to a fine public servant, Michael H. Dettmer, on his retirement.

Since January of 1994, Mike has served diligently as the United States Attorney for the Western District of Michigan. During his seven-year tenure, his office obtained more than 2700 convictions, and lead numerous crime fighting initiatives in the District involving Federal law enforcement's support, leadership and participation.

Among his impressive accomplishments are the task forces and partnerships he helped create and foster to combat drugs and violent crime. A few of those specialized partnerships are the Methcathineon Task Force, the Benton Harbor Violent Crime Task Force, the Health Care Fraud Task Force, the Western Michigan Environmental Task Force and Project Exile.

Mike is also to be credited for reinvigorating the Law Enforcement Coordinating Committee/Victim-Witness unit of the U.S. Attorney's Office. Since he assumed responsibility and established an elementary school in the Grand Rapids public school system, participated in the D.A.R.E (Drug Abuse Resistance Education) and D.E.F.Y (Drug Education For Youth) programs, and sponsored more than 80 training programs covering the whole area of law enforcement. In addition, under Mike's leadership, four additional sites to the Weed and Seed Program have been created, making the Western District of Michigan's program one of the largest initiatives among any Federal District in the United States.

In recognition of his efforts, in 1998, Mike was honored by the Department of Justice's Program for Excellence in Assistance Attorneys General Laura Robinson for his work in the area of crime prevention and reduction. In addition, in the year 2000, Mike was honored by the national Executive Office of Weed and Seed with its "Creating Healthy Communities" Award for the City of Benton Harbor with the presentation of its "Key to the City" Award.

Of course, his many achievements could not have been attained without the love and support of his wife of more than 30 years, Teckla, and their children, Anna and Bryn. Mr. President, I know that the members of the Senate will join me in congratulating Mike on a job well-done and thanking him for his service to the people of Michigan.
December 15, 2000

CONGRESSIONAL RECORD — SENATE

S11907

AMBASSADOR DAVID HERMELIN

Mr. ABRAHAM. Mr. President, today I rise to deliver the eulogy of an outstanding leader, a philanthropist who knew no limits, and a distinguished public servant whose integrity and decency made him a role-model to all who knew him. A few weeks ago, we in the State of Michigan mourned the passing of Ambassador David Hermelin. I suppose it is a little presumptuous to suggest that only the State of Michigan beams with pride in our association with Ambassador Hermelin, for obviously—and the world around, the political leaders he counseled, and the communities to which he dedicated his life, literally span the globe.

Against that backdrop, I will submit for the RECORD excerpts of eulogies—as they were reported in the Detroit Jewish News—by Rabbi Irwin Groner of Congregation Shaarey Zedek in Michigan, Brian Hermelin, Jon Gundersen, deputy chief of the American Embassy in Norway, and U.S. Agriculture Secretary Daniel Glickman.

But before I submit these eulogies, I would just like to take a moment to reflect on the first time I really had a chance to get to know Ambassador Hermelin and the impact he had on me. Secretary Clinton had nominated him to serve as our nation’s top diplomatic representative in Norway. As protocol dictates, David contacted his U.S. Senators to seek our support. And while David Hermelin and I did not have the luxury of being face-to-face on the domestic political issues of the day, we agreed to meet to discuss his confirmation process.

While I had heard many things about David before that meeting—about all the charitable causes he had led, about his close relationships with top government leaders in the United States and Israel, about his successful business career—I never could have expected to be drawn to the orbit of David’s warmth, energy, kindness and wisdom, in the way that I was.

From the moment we met that afternoon in my office, we forged a friendship, that developed further during our interactions through his Senate confirmation process, when I was proud to testify on his behalf and urge my Republican colleagues on the Foreign Relations Committee to waste no time in ushering this fine man’s nomination through the Senate.

And our friendship even deepened further over time. For even though he and I came from opposite sides of the political aisle, I found myself seeking his advice and counsel from time to time.

Sometimes it was his thought provoking generalizations in the Middle East, or the insights he had gained being an active participant in U.S. foreign policy as Ambassador to Norway. Other times it was his advocacy for both the Detroit and American Jewish communities, on his tireless philanthropic efforts in Michigan. Whatever the topic, no matter when we met, it was impossible not to benefit in some way from David Hermelin’s wisdom, or his contagious energy and passion for life.

I feel blessed that I knew David Hermelin for the short time that I did. I cannot begin to even imagine the scope and depth of impact he had on the people closest to him. So my heartfelt sympathies and condolences go out to his dedicated and compassionate wife, Doreen, and his devoted, caring, and decent children, grandchildren, nieces, and nephews, many of whom I have had the pleasure of getting to know in Madison.

In closing, Mr. President, I would like to refer to the description of James Madison, another great American, by one of his biographers, in which Madison was summed up this way when you called on him, ‘he was always home.’ Well, I think that’s how David Hermelin could be described as well by everyone he touched. No matter who it was that called on his help and on his leadership—the Jewish community, numerous charitable causes, the State of Michigan, the United States Government, the people of Norway, the State of Israel and most importantly, his family—whenever you called on David Hermelin, he always took your call, and he was always ready to lend a hand.

I am better for having known David Hermelin. He was not only an outstanding leader and generous giver in every way possible, but also the kind of individual everyone would want as a neighbor. He will be deeply missed.

I ask that the above mentioned excerpts be printed in the RECORD.

The following excerpts are from excerpts of eulogies from the Detroit Jewish News:

David Hermelin was remembered by more than 2,500 people whose lives he touched at his Nov. 24 funeral. It was held in Southfield at Congregation Shaarey Zedek—the synagogue he had served as president. Afterwards, some 130 cars formed a procession for the interment at Clover Hill Park Cemetery in Birmingham.

Mr. Hermelin, of Bingham Farms, died of brain cancer Nov. 22, 2000 at age 63.

Delivering the eulogies was his friend of 41 years, Shaarey Zedek Rabbi Irwin Groner. Also speaking were Jon Gundersen, deputy chief of the American Embassy in Oslo, Norway, where Mr. Hermelin served as ambassador; U.S. Agriculture Secretary Daniel Glickman; and Mr. Hermelin’s son, Brian.

Speaking first, Gundersen said he has just conveyed to Mr. Hermelin’s wife, Doreen, messages from the royal family of Norway, from the U.S. Secretary of State Madeleine Albright, from the Norwegian ambassador to the United States, from the Norwegian prime minister, and from the foreign minister.

“I’ve just arrived from Norway, and it seems the entire nation sends to David and Doreen their greatest condolences,” Gundersen said.

“David and Doreen represented the very best of America and what we stand for. Faith, honesty, openness, tolerance, love. David, your embassy family and indeed an entire nation will miss you. You will be in our hearts forever.”

Glickman, like President Bill Clinton, has known the Hermelins for many years. He shared a letter the president sent to Mrs. Hermelin, which read, in part:

“David loved life. A person made sure that everyone around him shared that love. I will always cherish his friendship and support for...”
and remember with gratitude his exceptional service as our ambassador to Norway. “He left the world a better place than he found it. And no one could ask for a finer legacy.”

“Hillary and I are keeping you and your family in our thoughts and prayers.”

Brian Hermelin then gave an emotional, personal tribute.

“The thing about us that made us feel the most special was that he was our dad,” Brian said. “I just being able to be with him at the intimates, with the way he allowed the full bright glow of one of God’s brightest lights to shine on us and provided a comfort and security which is irreplaceable.”

Brian added, “I’m not sure how much fun it was to be alive. And he was sure if you were with him, you would know how much fun life could be, too.”

“We took such pride in his accomplishments with him,” Brian said. “We were all equally amazed at how far and how much he accomplished because we know how he saw himself, just a regular kid from Pasadena [Avenue in Detroit]. He made it all seem so within our reach—the accomplishments, the friends, the admiration, the fun. Just go out there that the respect, the do-nothing attitude and you can have it all, too.”

Rabbi Groner mourned his friend, whose influence was felt from the sanctuary of the synagogue to the far reaches of the world stage.

“When a true leader goes, can he be replaced?” the rabbi asked. “Woe is the army without a general, the stage. 'When a true leader goes, can he be replaced? Is he irreplaceable?' the rabbi asked. ‘Woe is the stage without its hero, the ever present, can-do attitude and you can have it all, too.’

Rabbi Groner mourned his friend, whose influence was felt from the sanctuary of the synagogue to the far reaches of the world stage.

“When David came into a room, his luminous presence was immediately felt,” Rabbi Groner said. “He was so vital, so filled with energy, so magnetic that he seemed indestructible.

“Once you came to know David, your life changed. You laughed more, you felt more, you cared more, you gave more.”

“To have known David was to have warmed your hands at the central fire of life. ‘For David Hermelin, service, benevolence, mitzvot was the very essence of his life,’ said the rabbi.

“David gave us a great and blessed gift. He taught us how to dream a glorious dream.”

Mr. Hermelin is survived by his wife, Do- reen; son and daughter-in-law Brian and Jennifer Hermelin; daughters and sons-in-law Marcie and Karen Hermelin, Borman and Mark Borman, Julie Hermelin Frank and Mitchell Frank, Francine Hermelin Levite and Adam Levite; and grandchildren Matthew, Alex, Jason and Olivia Orley, Max and Israel Hermelin, Aria Levite and Madeline Borman.

Also surviving are sisters and brother-in-law William Weinberg, Lois Shiffman and Terran and Roger Leemis; brothers-in-law and sisters-in-law Eugene and Suzanne Curtis, Reggie and Dr. Robert Fisher and Mitchie Curtis; and mother-in-law Anna Curtis.

CAROL BROWNER TRIBUTE

Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to Carol Browner, the longest-serving Administrator in the history of the U.S. Environmental Protection Agency and one of the friends I have been most honored to work. I can think of no finer role model for young women, or young men, considering a career in government today than Carol Browner.

Since she came to the EPA seven years ago, she has set a gold standard for public service and for protection of the public’s health. A dedicated advocate for the environment, she has never neglected her responsibility to protect all human life, and all that our children’s children will inherit from us.

Carol Browner has been a tireless advocate for the environment and made significant contributions in every area that EPA touches. As just one example, Administrator Browner set up a children’s office at the EPA for the first time, signaling her commitment to strengthening the ties between the environment and children’s health.

Under Administrator Browner’s control, the EPA began to take children into account when developing air and water safety standards, such as the Safe Drinking Water Act. The Food Quality Protection Act was the first law that made health of children, rather than the benchmark for evaluating safety. These two acts are monuments to Carol Browner’s dedication to the environment and to children.

To better protect our nation’s surface waters, Administrator Browner was a principal architect of the Clinton Administration’s Clean Water Action Plan. One component of this program was to increase the public’s knowledge about the potential health threats from swimming in contaminated wa- ter at our nation’s beaches. Under her leadership, EPA established a publicly-accessible Internet site containing information about water quality and beach closings across the nation. Administrator Browner and I worked closely together to strengthen the water quality standards for our nation’s coastal recreational waters, and to assist states in setting up beach monitoring and notification programs. Our efforts helped to revitalize the enforcement of Public Law 105-294, also known as the “Beach Bill.”

Through the Clean Water Action Plan, Administrator Browner demonstrated her ability to take on the challenges and to do what was right for the environment. Under her leadership, EPA adopted policies to reduce polluted runoff from farm lands and from aging urban wastewater systems, and helped obtain the funding to implement these policies.

As a proponent of corporate responsibility and the citizen’s “right to know,” an area of particular interest to me, Administrator Browner, the law and EPA’s implementation of it, effected a 50 percent drop in the rate of industrial emissions, without creating any new regulatory mandates. As another example, Administrator Browner fought to limit the industrial pollution generated by coal fire plants in Mid- western states subject to air pollution in New Jersey. Under Admin- istrator Browner and President Clinton, the EPA has both vigorously enforced environmental laws and reached out to industry to find creative new in- centives and environmental results. This is the kind of leadership that Democrats and Republicans can both rally around.

Perhaps most importantly to my heart, during Administrator Browner’s nearly eight-year tenure, the Superfund Program has completed three times the number of waste site cleanups than in its previous twelve years. She helped keep Superfund strong, and held fast to the belief that justice and the environment are best served when polluters pay to clean up the messes they create, even while she strove to improve the program and accelerate clean-ups.

I was honored to share the stage with Administrator Browner recently at Pepe Field in Boonton, New Jersey, which was Superfund’s 750th clean-up. What was once a malodorous eyesore is now a thriving community park. Pepe Field is but one of many Superfund success stories under Administrator Browner’s leadership.

With her oversight of the Brownfields program, Carol Browner has demonstrated the vital ties between a healthy environment and a healthy economy. Revitalizing these sites created more than 8,300 construction jobs. And once the work was done, another 22,000 jobs were either created or retained.

Much of this economic revitalization happened in communities in need, where per capita incomes averaged just over $10,000 a year, versus a national average of almost $14,500. This program brings both environmental and economic justice to these neighborhoods. Communities once on the verge of despair are back on the road to revitalization, thanks to Carol Browner.

Carol Browner is one of the best friends this nation’s environment has ever had. As I prepare to leave the Senate, I will remember her for many things, but most of all for her optimism, her commitment, and her integrity. I thank her for her work and salute her accomplishments.

FIFTIETH ANNIVERSARY OF THE ABILENE PHILHARMONIC ORCHESTRA

Mrs. HUTCHISON. Mr. President, I would like to take this opportunity to note the very important anniversary of the city of Abilene, Texas. On December 2 of this year, the Abilene Philharmonic Orchestra celebrated its 50th anniversary. This is one of Abilene’s oldest performing arts organizations. This great symphony orchestra enriches the cultural life of this city in a unique way. It has drawn top quality musicians to this wonderful city. Abilene is now a city where talented musicians can also teach and perform. When the orchestra’s 50th anniversary concerts were held in the old Abilene High School with audiences of less than 100 people. Now, the Abilene Philharmonic Orchestra performs in the Abilene
Civic Center with crowds averaging 2,000. I would not only like to acknowledge this organization for their 50th anniversary, but also the enormous impact they have had on the Abilene community.

TRIBUTE TO LIEUTENANT COLONEL MICHAEL BLOOMFIELD, USAF

Mr. LEVIN. Mr. President, I rise today to recognize and pay tribute to Lieutenant Colonel Michael Bloomfield, USAF. Lieutenant Colonel Bloomfield was the pilot of the space shuttle Endeavor during its recent 11-day mission to make repairs to the International Space Station Alpha. One of the highlights of this mission was the installation of new solar wings to provide electricity for the astronauts and cosmonauts who live and work there. These solar panels are 240 feet from tip to tip, the longest structure deployed in space.

Lieutenant Colonel Bloomfield was born in Flint, Michigan. He graduated from Lake Fenton High School, and still considers Fenton, Michigan as his hometown. He attended the United States Air Force Academy, where he was captain of the United States Air Force Academy Falcon Football Team. He received a Bachelor of Science Degree in Engineering Mechanics from the Air Force Academy, and a Master of Science Degree in Engineering Management from Old Dominion University.

Lieutenant Colonel Bloomfield was trained as an F-15 Fighter Pilot, and has been assigned to NASA since 1995. This was his second space flight. His first flight was a mission to rendezvous and dock with the Russian Space Station Mir to exchange U.S. crew members.

Mr. President, we in Michigan are proud of Lieutenant Colonel Bloomfield's record as a NASA astronaut. I know my Senate colleagues join me in congratulating Lieutenant Colonel Bloomfield for his outstanding service to our nation.

CONRAD N. HILTON AWARD FOR CASA ALIANZA

Mr. KENNEDY. Mr. President, it is a privilege to bring to the attention of the Senate the excellent work that an impressive organization in Costa Rica is doing to address the tragic problem of street children in Central America. The organization, Casa Alianza—a subsidiary of Covenant House in New York—is headquartered in Costa Rica. It was founded in 1981, and provides services for thousands of homeless children, ages six to eighteen, offering shelter, food, medical care, and educational opportunities.

The extraordinary work of Casa Alianza is recognized by the Hilton Foundation, when it received one of the world’s most prestigious humanitarian awards, the Conrad N. Hilton Award.

At the ceremony in Geneva, Switzerland to present the award, Queen Noor of Jordan praised Casa Alianza. As she stated, “The phenomenon of street children is global, alarming and escalating. Estimates are that today are 100 million children living on the world’s streets. Casa Alianza deserves the Hilton Humanitarian Prize for being the voice and the defender of this helpless and unprotected segment of society and for its important work to stop the human rights abuses inflicted upon them.”

In accepting the award, Bruce Harris, executive director of Casa Alianza, said, “Street children are often the victims of violence, but what is even more hurtful to them is society’s indifference. * * * The prize money will feed and shelter many more abandoned children, but the recognition will feed their souls.”

Mr. Harris was recently profiled in the book, Speak Truth to Power: Human Rights and Those Who Are Changing Our World, by my niece, Kerry Kennedy Cuomo.

I join in commending Casa Alianza for this well-deserved award and for its pioneering work. These children desperately need help, and Casa Alianza is providing it. At great risk, including facing death threats and armed on its facilities, Casa Alianza and Bruce Harris are acting effectively on behalf of these needy children. They deserve our praise, our thanks, and, most importantly, our support.

HONORING GERVAISE MILLER

Mr. DORGAN. Mr. President, as America honors and remembers those who have served in our armed forces, I want to recognize the service of Mr. Gervase Miller, a North Dakota native who served his country during World War II. Mr. Miller was drafted into the Army in 1943 and was away from home while his wife was pregnant with their first child. Although deaf in one ear, Mr. Miller served with distinction for more than three years in China, Burma, and India.

Mr. Miller was a part of the 157th Heavy Shop Engineers, a group of men who helped to build roads in Burma and then drove heavy supply trucks in this dangerous territory. Throughout his service in the Army, Mr. Miller earned three Battle Stars and one Bronze Star for his heroic actions.

He finally came home for good in December 1945. He was discharged as a Technician, 5th Grade. It is men like Gervase Miller who won World War II for the Allies and helped to guarantee the rights and freedoms that we all enjoy today.

Today, Mr. Miller lives in Parshall, North Dakota, with his wife Bernice. They have four children and 9 grandchildren. As his family gathers for Christmas this year, I want to send out warm holiday greetings to him and a word of appreciation for his service to our country more than 50 years ago.

THE NATIONAL HUMANITIES MEDAL FOR VIRGINIA DRIVING HAWK SNEVE

Mr. JOHNSON. Mr. President, I rise to congratulate Virginia Driving Hawk Sneve for being awarded the National Humanities Medal for 2000 presented to her by the President of the United States. Virginia is the first South Dakotan to receive this prestigious award, and I am pleased that she is being recognized for her extraordinary contributions as an author, a counselor, and a teacher.

As you know, the National Humanities Medal honors individuals whose work enhances the nation’s understanding of the humanities while also preserving Americans’ access to important resources about their history and society. The humanities preserve the voices of generations through history, literature, philosophy, religion, languages, and archaeology. However, the humanities are not simply records of past eras; they are an essential part to the development and shaping of our current culture and definition of who we are as Americans.

Born on the Rosebud Indian Reservation in South Dakota, Virginia Driving Hawk Sneve has become one of the nation’s preeminent storytellers. Virginia’s stories often come straight from her experiences growing up in the reservation and help give an accurate portrayal of her ancestors’ lives in the Dakotas. Her children’s books have won numerous awards, including national competitions for minority children’s books, because of their unique and poignant mixture of recorded events and imagination.

Virginia has also given us valuable works of literature about the American Indian written from the female perspective. In her award-winning work, Completing the Circle, Virginia breaks the historic mold of denoting Native American women either as princesses like Pocohontas” or noble savages like Sacagawea.” The result is an educational account of the strengths and weaknesses of the Sioux culture from the female point of view. Virginia’s research and writings have helped others to understand the high level of esteem held by the Sioux for women—a lesson from which Native American society and non-Indian cultures can draw guidance and appreciation.

I applaud Virginia for the literary works she has given us and for her continued teaching, counseling, and mentoring in South Dakota. Virginia’s words, either on paper or in person, have opened a nation’s eyes to the lives of Native Americans and will prove to be the foundation from which other Native American writers, especially women, will continue to explore their unique heritage and society. Virginia Driving Hawk Sneve is a national treasure and the pride of South Dakota.
TRIBUTE TO F. FRED GOROSPE

Mr. LEVIN. Mr. President, I rise today to pay tribute to the life and work of a truly remarkable American and long-time Detroit resident, Fred Gorospe. Born in 1902 in the Philippines, he pursued a dream to journey to America and become part of this great democracy. He overcame many obstacles as a young immigrant, and eventually was able to study mechanical engineering at Purdue University, becoming one of only three minorities hired into the engineering department of the Ford Motor Company not long after the Great Depression. He devoted himself to community and public service, and helped pave the way for many Filipino Americans like himself to assimilate into the mainstream of American life. Fred enjoyed a full life of 97 years and had the good fortune of having a loving wife, Helen, and a caring family that includes four sons and four daughters, and 10 grandchildren. He is well-remembered for his great sense of charity, inactivation faith that people working together can make a difference.

In his lifetime, Fred provided leadership to numerous organizations, including the Federation of Filipinos of Michigan, Michigan Democratic State Central Committee, Advisory Council of Wayne County Community College, Advisory Board and Board of Directors of Detroit Area Agency on Aging, Board of Directors of the International Institute of Metropolitan Detroit, President of Far Eastern Festival of Detroit, Steering Committee of Ethnic Festivals of Detroit, cofounder of Filipino American Association, and member of the University of Michigan and American Assembly of Columbia University on Philippine-American Relations. Fred made a significant contribution to Detroit's culture, and helped to bridge understanding of and appreciation for diversity. He worked hard to advance equal opportunities for education and social and economic achievement, and promoted the American ideal of social justice.

I would like to express my admiration for the life and accomplishments of Fred Gorospe. We can all benefit from his example of courage, perseverance, and leadership. Fred has left an indelible mark on Detroit's history and its community. His family can be proud of his legacy. I know my Senate colleagues will join me in paying tribute to Fred Gorospe, and in congratulating his family on his exemplary and principled dedication to helping and enriching the lives of others.●

TRIBUTE TO JOHN REDNOUR

Mr. DURBIN. Mr. President, I rise today to recognize John Rednour, who has recently been named the millennium 'Outstanding Citizen of the Year' by the Du Quoin Chamber of Commerce.

John Rednour has been a friend of mine for over thirty years. His life story is a fascinating tale of humble origins, a great family, hard work, and success. When others might have relaxed or retired, John and his life's partner Wanda continue to give to others every day. John's record as Mayor of Du Quoin is proof positive of his commitment and service.

John Rednour has served as the Mayor of the City of Du Quoin, Illinois, for the past 11½ years, and his contributions to the city during his tenure have been outstanding. His hard work and dedication have had a tremendous impact on the city and its people, and it is only fitting that he be singled out for the City of Du Quoin Chamber of Commerce's highest honor.

During his time as Mayor, John Rednour has been instrumental in building new public facilities, including a city hall, library, and police department. These are just the beginning of the list of accomplishments in which Mayor Rednour has played the leading role. The city has been able to improve its infrastructure through water and sewer improvements, which may be among the least glamorous projects he has undertaken, but they are very important to Du Quoin. Over the years Mayor Rednour has worked to increase the city's safety, to attract new businesses, and to enhance the safety of the community. Also, during his administration, for the first time in the history of the 150-year-old city, Du Quoin has secured city wide fire protection.

John Rednour has also greatly increased the economic vitality of a city that is proud of its mayor. One of the ways in which he was able to boost its economic status was through the construction of the Du Quoin Industrial Park, completed with the aid of the Chamber of Commerce. Over the years, he has also helped to attract numerous businesses to the city, resulting in new jobs to the area. His actions have contributed to a fully staffed tourism department, and has the ability to gain access to federal funding, which has helped the city to complete many of these important projects during his administration. His vision is transforming Du Quoin into a 21st century city.

In closing, Mr. President, all of these achievements, and many more, are from the labor of John Rednour. His dedication to his job as Mayor and to his city have made his administration a great success. I applaud John Rednour for his achievements and his many successful efforts to improve the quality of life for the citizens of Du Quoin.

RETIREMENT OF RAY KAMMER

Mr. HOLLINGS. Mr. President, those of us who have been around this town for a while know how much we and this government depend on our civil servants to get the really tough jobs done, to bring ideas to reality, and sometimes to even tell us when our ideas need some adjusting, shall we say. These people don't get much praise, at least not nearly enough.

One of the classic examples of a dedicated civil servant is Ray Kammer, who is about to retire from government service after 31 years. Ray retires on December 29 as Director of the Commerce Department's National Institute of Standards and Technology, where he spent the vast majority of his career. I have known Ray for a long time. I helped appoint him to that position in that time, both from his work at NIST and from the time he spent at the Department's headquarters and the National Oceanic and Atmospheric Administration, NOAA.

In the late 1980's, the country called upon NIST, which used to be known as the National Bureau of Standards, to help industry rally and regain its competitiveness. It was a time when we first began facing severe competition from overseas. The Bureau's labs had a long-standing reputation for excellence, impartiality, and for working cooperatively with industry. Ray helped us to expand that mission by establishing NIST and adding the Advanced Technology Program, Manufacturing Extension Partnership, and the Baldrige National Quality Program. It wasn't easy, but we got it done. Ten years later—with Ray's help—those programs have been tremendously beneficial for this country.

While at NOAA and during his time as Acting Assistant Secretary for Administration at the Commerce Department, Ray helped to stabilize several critical programs that needed the steady hand of an experienced manager. He was the Department's fireman of sorts, always being called on to help put out this fire, put out that fire, and to keep another one from breaking out. Even now, Ray is helping us take a look at how to improve NOAA's fishery service.

I am sorry that we are losing Ray, especially at a time when NIST is just about to begin its centennial year and the agency will be getting a lot more attention and credit for all of the good work that its staff has done. I want to wish him my very best. I know that I am joined by others in this body who have had the pleasure of working with this dedicated public servant, Ray Kammer.●

CELEBRATING THE ACHIEVEMENTS OF SAINT JOSEPH'S HOSPITAL

Mr. ROCKEFEELLER. Mr. President, I rise today to celebrate the achievement of one of West Virginia's finest healthcare facilities, Saint Joseph's Hospital in Parkersburg, West Virginia. Earlier this month, Saint Joseph's was recognized as one of the top 100 hospitals in the United States in a prestigious study conducted by the HCIA-Sachs Institute in conjunction with the University of Michigan School
of Public Health. This is an enormous honor for one of West Virginia’s critical health care providers.

St. Joseph’s Hospital is an acute care regional healthcare facility. Located on the western edge of Wood County, the hospital serves the counties of Wetzel, Wirt, Hancock, Brooke, and Marion, as well as three counties in Ohio and eight counties in West Virginia, with a total population of 316,000. With the announcement of the top 100 hospitals, Saint Joseph’s became the first facility in West Virginia to receive this great recognition.

I had the pleasure of visiting Saint Joseph’s in October 1998, to partake in the ground breaking for their new $20 million extension. This extension has created over 100 new jobs at the hospital, adding to the 800 people already employed by Saint Joseph’s. The extension replaced the physical facilities for surgical and emergency services, and consolidated the hospital’s heart service.

The HCIA-Sachs study selects the top 100 hospitals based on five categories, depending on the number of beds and teaching status, and ranks them based on seven measures of clinical, operational, and financial performance. Saint Joseph’s has been recognized as one of the top twenty large community benchmark hospitals, with more than 250 beds. The list encourages awareness of industry-wide benchmarks and the measurement of performance against peers. For example, the top hospitals have taken median average length of stay to a five-year low this year, and surpassed comparable hospitals in clinical quality measures, such as lower mortality and complications.

I find it highly gratifying that one of West Virginia’s finest hospitals has been nationally recognized by this great honor. It is particularly striking that Saint Joseph’s has been distinguished by a study with such high standards for the measurement of quality and excellence. The hospital has shown itself to be a leader in this field, and I am confident that it will continue to be a model for other healthcare facilities.

SCIENTISTS AND PUBLIC SERVICE

Mr. AKAKA. Mr. President, I rise today to call my colleagues’ attention to the work of scientists around the country who are involved in guiding the federal government in issues relating to science and technology. As the ranking Democrat on the International Security, Proliferation, and Federal Services Subcommittee, I know the importance of these men and women who support one’s ability to make informed science policy decisions.

Throughout this Congress, the Governmental Affairs Committee has held extensive hearings on the challenges facing the federal government to ensure adequate staffing levels in the face of aggressive competition from the private sector for skilled employees. A common theme of these hearings is the difficulty working under the constraints of federal employees, and the federal government is taking steps to fill the critical gaps in IT personnel through enhanced recruitment, retention, and training programs. The Office of Personnel Management recently announced pay schedules for some levels of IT employees, and a new scholarship program will offer financial assistance to undergraduate and graduate students in exchange for a two-year commitment to work for the government in information security.

The program was authorized by the FY01 Defense Authorization bill. However, in the rush to ensure adequate IT and computer information security staffing levels, we should not lose sight of the fact that the federal government continues to attract physical and natural scientists. The November 24, 2000 issue of Science discusses the difficulties and rewards facing scientists who enter public service and the need to make certain that federal employees are employed at all levels of government, as well as serving on federal advisory panels and review groups. Their activities play a critical role in making decisions for funding priorities, new initiatives, and regulatory actions that increasingly depend on scientific expertise.

The scientific community and the federal government have a mutually beneficial relationship, which is nurtured through programs that bring scientists into policy staff positions, both as career employees and as temporary staff. I know my colleagues are well acquainted with the Sea Grant Fellowship program that offers an educational experience to graduate students to contribute to work in a congressional, executive branch, or association office. Nor are we strangers to the American Association for the Advancement of Science (AAAS) Fellowship program that introduces over 100 scientists and engineers from diverse fields to executive and legislative policy positions for one to two years. These fellowship programs provide unique opportunities to scientists and serve as an introduction to working for the federal government.

In addition to professional science and engineering societies are addressing the importance of these programs to science and the value of the scientists who choose to take on these roles. The scientific community is changing its view of those who work in science policy as distorting from “real science” to instead seeing it as a respectable career path. These programs and others put scientists into staff roles at the federal level and create opportunities for the community to practice individual and institutional goals.

Besides bringing scientific expertise and professional service into federal offices for a year or more, these programs provide scientists with a deeper understanding of policy making and the government. It is expected that these “civic scientists” return to their universities, laboratories, and companies that they will share their experiences and understanding with others and encourage their colleagues to become involved. The activities taken by citizen-scientists, both as part of formal fellowship programs, and as employees, advisors, consultants, and individual voters, demonstrate the importance of their work in the federal government. I will continue to seek increased opportunities for science fellows and public service people to explore opportunities in federal policy making, and I ask that the text of the “Science” article be printed in the RECORD.

The material follows:

[From Science Magazine, Nov. 24, 2000]

STAFFING SCIENCE POLICY-MAKING

(By Daryl Chubin and Jane Mainschein)

There are repeated calls for scientists worldwide to become involved in guiding government decision making. In the United States, science policy-making positions span the gamut from political appointees (through a mélange of advisory panels, boards, and associations) to consultants, all of whom provide commentary—solicited and unsolicited—on budgets, programs, and current science and technology issues. Next to the President for Science and Technology Policy, has called for “civic scientists” to enter public service as staff in support of informal science policy-making.

Given the daily decisions affecting the directions and applications of science, the more staff members who understand science the better. Otherwise, valuable time is wasted and risks are taken in making uninformed decisions about funding priorities, new initiatives, and regulatory actions that increasingly depend on considered scientific judgments. One way to add scientific value to decision-making is to bring scientists into staff positions, either within a policy career path or as a temporary assignment. The question is how to attract more scientists to take up this public service and how to prepare them to contribute?

Overcoming the underlying problem of conflicting core values in the scientific and policy cultures presents a challenge. Working individually within a hierarchical structure, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scientists are rewarded for originality and the production and management of knowledge. As part of a hierarchy, scient
community. There is a larger public and national interest. Beyond altruism, staff work allows another expression of the competitive values of science. In a high-stakes high-tempo environment, scientists can make a difference by drawing on their research and pedagogical skills while mastering new ones. Many have done so admirably, but we need more scientists who are willing to help staff science policy-making.

In the United States, a number of programs exist to provide orientation and on-the-job training for scientists willing to enter this public role. For example, Research America connects scientists in all federal legislative districts with representatives of the National Academy of Sciences. The Ecological Society of America is cultivating a cohort of Aldo Leopold Fellows. The Congressional Fellows program of the American Association for the Advancement of Science introduces scientists to the policy-making process. Many U.S. universities now offer undergraduate and graduate students a semester in Washington as an intern in an agency, congressional office, or think tank. These programs and others put scientists into staff roles at the federal and local levels and create cohorts of politically informed citizen-scientists. We applaud these efforts and call for more.

In particular, we need more public discussion of the role to serve as staff. Why is it important for science that some scientists take on these roles? We need additional training at all levels to negotiate the clash of cultures. We need rewards for those who take on roles that define the science well. These scientists should not be seen as digressing from “real science” but as facilitating the expanding reach of science as a respectable career path. Staffing science should be embraced as a necessary part of the scientific enterprise, as well as a form of public service that advances interest, appreciation, and understanding of a rapidly changing world.

TRIBUTE TO ALLAN W. WITTE

• Mr. DURBIN. Mr. President, I rise today to recognize the extraordinary contributions of Allan W. “Buck” Witte to the people of Adams County, Illinois, and to congratulate him on his recent retirement.

One week ago, Al Witte quietly retired as Adams County Treasurer, a post he had held since 1992. But his public service contributions extend far beyond the treasurer’s office. Al spent three years on the Adams County Board, winning a district in 1990 that, quite frankly, he wasn’t supposed to win.

During his tenure on the County Board and in the treasurer’s office, he became one of the most popular public servants in Adams County, drawing the largest vote totals of any county official. He followed in the footsteps of his late father, Art Witte, a hard working Adams County Clerk, who dedicated himself to the public service.

Prior to his tenure on the Adams County Board and his service as Treasurer, Al worked for 30 years at Gard-ner-Denver in industrial engineering, retiring from that post in 1989.

Anyone who knows Al is aware of his strong support for the Democratic Party, an unyielding loyalty that ensured he was the first phone call made by any Democratic politician arranging a visit to Adams County. Although at times a fierce partisan, he kept winning elections by appealing to Democrats, Republicans, and Independents. He was a true bridge builder and an effective county and party officer.

Mr. President, I applaud Al for working with Al Witte for most of this past decade, including when I represented Adams County and Quincy in the U.S. House of Representatives. I knew Al and witnessed his dedicated action, loyalty, and commitment to public service. His will be incredibly big shoes to fill.

In closing, Mr. President, I applaud Al for his commitment and his efforts to improve the quality of life in Adams County, Illinois. I send my best wishes to Al for a happy and healthy retirement that allows him to spend a great deal of time with his wife, Mary, his children, and his grandchildren. We’ll miss Buck, but I take comfort in the fact that he is only a phone call away.

HONORING THE YOUTH MUSEUM OF SOUTHERN WEST VIRGINIA

• Mr. ROCKEFELLER. Mr. President, today I am especially proud to recognize the achievement of one of my state’s most prized organizations, the Youth Museum of Southern West Virginia. Located in the beautiful mountains of Beckley, West Virginia, the Youth Museum has brought culture, art, and the rich tradition of Appalachian history to West Virginian school children. For 23 years, the Youth Museum has been enriching the lives of the children and families in our great state. Truly, it was a privilege to nominate the Youth Museum of Southern West Virginia for this year’s Award for Museum Service, and it was no surprise to learn that they were chosen for this prestigious national recognition.

One of the contributions the Museum will continue to make to the education of West Virginia’s youth.

MESSAGES FROM THE HOUSE

Under authority of the order of the Senate, a message was received from the Secretary of the Senate, on December 15, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment.

S. Con. Res. 161. Concurrent resolution to correct the enrollment of H.R. 5528.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

S. 439. An act to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of

However, the Page After Page program is just one example of the Museum’s commitment to providing positive and significant opportunities for West Virginia’s youth. The Artists-in-Residence series, programs for special needs populations, a planetarium, a science room, even a recreated pioneer village—the list of educational resources and activities is endless. Of course, this list reflects the hard work and dedication of an organization that has never wavered in its commitment to our children, or in its celebration of the unique and vital history of West Virginia.

For 23 years, the Youth Museum has been enriching the lives of the children and families in our great state. Truly, it was a privilege to nominate the Youth Museum of Southern West Virginia for this year’s Award for Museum Service, and it was no surprise to learn that they were chosen for this prestigious national recognition. I am deeply proud of their accomplishment, and look forward to the many contributions the Museum will continue to make to the education of West Virginia’s youth.
the Toiyabe National Forest, Nevada, and to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

S. 1508. An act to provide technical and legal assistance for tribal justice systems and members of Indian tribes, and for other purposes.

S. 1694. An act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, and for other purposes.

H. R. 2903. An act to reauthorize the Striped Bass Conservation Act, and for other purposes.

H. R. 5461. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize the wasteful and unsportsmanlike practice of shark finning.

H. R. 5630. An act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System and for other purposes.

H. R. 5640. An act to expand homeownership in the United States, and for other purposes.

Under the authority of the orders of the Senate of January 16, 1999, the enrolled joint resolution was signed subsequently by the President pro tempore (Mr. Thurmond).

At 5:17 p.m., a message from the House of Representatives, delivered by Ms. Kelaher, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H. J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 446. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Sixth Congress.

At 7:01 p.m., a message from the House of Representatives, delivered by Ms. Kelaher, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H. J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 446. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Sixth Congress.

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

H. R. 1653. An act to approve a governing international fishery agreement between the United States and the Russian Federation.
EC-11909. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Toxic Substances Control Act; General Removal and Revocation of Contract Requirements; Miscellaneous Technical Amendment” (FRL #6917-2) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11911. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry” (F.R. #6917-3) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11912. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Clean Air Act Final Interim Approval of the Operating Permits Program: Illinois; Apparatus for the Southern Illinois Air Quality Implementation Plan Revision for the Issuance of Federally Enforceable State Operating Permits; Antelope Valley Air Pollution Control District; and California” (FRL #6904-3) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11913. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Illinois; Post-1996 Rate Modest Improvement Program” (FRL #6916-9) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11914. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides Budget Program” (F.R. #6916-8) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11916. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Revisions to the Cape II Vapor Recovery Program” (F.R. #6914-1) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11917. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Acquisition Regulations; Costs Associated with Whistleblower Actions” (FRL #6912-1) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11918. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Air Quality Implementation Plan Revisions and Section 112(r) Program; California; Grant Agreement to Limit Potential Exposure to Emission Criteria and Hazardous Air Pollutants” (F.R. #6975-6) received on December 13, 2000, to the Committee on Environment and Public Works.

EC-11919. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a notification of efforts to provide emergency assistance relative to the West Nile Virus; to the Committee on Environment and Public Works.

EC-11920. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report relative to the implementation of transfers between the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund to the Committee on Environment and Public Works.

EC-11921. A communication from the Chairman of the Board of Directors, Corpora- tion for Public Broadcasting, transmitting, pursuant to law, the semiannual report for the period ending September 30, 2000, to the Committee on Governmental Affairs.

EC-11922. A communication from the Executive Director of the Committee for Purchasing from People Who Are Blind or Severely Handicapped, pursuant to law, the report of additions to the procurement list received on December 12, 2000, to the Committee on Governmental Affairs.

EC-11923. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, a report providing comments on the Inspector General Semiannual Report to the Committee on Governmental Affairs.

EC-11924. A communication from the Secretary of Labor, transmitting, pursuant to the Inspector General’s semiannual reports of the Pension Benefit Guaranty Corporation; to the Committee on Governmental Affairs.

EC-11925. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the semiannual report for the period April 1, 2000 through September 30, 2000, to the Committee on Governmental Affairs.

EC-11926. A communication from the Chairman of the Committee on Governmental Affairs.

EC-11927. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the semiannual report for the period April 1, 2000 through September 30, 2000, to the Committee on Governmental Affairs.

EC-11928. A communication from the Director of the National Credit Union Administration, transmitting, pursuant to law, the semiannual report for the period April 1, 2000 through September 30, 2000, to the Committee on Governmental Affairs.

EC-11929. A communication from the Deputy Administrator of the Department of Energy, transmitting, pursuant to law, the semiannual report relative to the implementation of transfer funds; to the Committee on Environment and Public Works.

EC-11930. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semiannual report for the period April 1, 2000 through September 30, 2000, to the Committee on Environment and Public Works.

EC-11931. A communication from the Chairman of the Department of the Interior, transmitting, pursuant to law, the semiannual report for the period April 1, 2000 through September 30, 2000, to the Committee on Environment and Public Works.

EC-11932. A communication from the Comptroller General of the General Accounting Office, transmitting, pursuant to law, a report regarding the failure of the National Security Council to provide the General Accounting Office with access to 26 unredacted documents; to the Committee on Governmental Affairs.

EC-11933. A communication from the Chairman of the National Aeronautics and Space Administration, transmitting, pursuant to law, the semiannual report for the period April 1, 2000 through September 30, 2000, to the Committee on Governmental Affairs.

EC-11934. A communication from the Assistant Secretary, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Oil and Gas and Sulphur Operations in the Outer Continental Shelf Update of Documents Incorporated by Reference- API Specification 14A, Tenth Edition” (RIN1010-AC-66) received on December 11, 2000, to the Committee on Energy and Natural Resources.

EC-11935. A communication from the Assistant Secretary, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Wilderness Management” (RIN1004-AB49) received on December 12, 2000, to the Committee on Energy and Natural Resources.

EC-11936. A communication from the Executive Director, Advisory Council on Historic Preservation, transmitting, pursuant to law, the report of a rule entitled “Protection of Historic Properties (36 C.F.R. Part 100)” (RIN3101-AA25) received on December 12, 2000, to the Committee on Energy and Natural Resources.

EC-11937. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Maryland Regulatory Program” (MD-047-FOR) received on December 12, 2000, to the Committee on Energy and Natural Resources.

EC-11938. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Application and Permit Information Requirements; Permit Eligibility; Definitions of Equipment and Control/ Vio- lator System; Alternative Enforcement” (RIN1029-A894) received on December 12, 2000, to the Committee on Energy and Natural Resources.

EC-11939. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report relative to the California wholesale electricity market; to the Committee on Energy and Natural Resources.

EC-11940. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Acquisition Regulations: Revision of Patent Regulations Relating to DOE Management and Operating Contracts” (RIN1991-AB15) received on December 14, 2000, to the Committee on Energy and Natural Resources.

EC-11941. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Acquisition Regulations: Revision of Contract Requirements Associated with Whistleblower Actions” (RIN1991-A836) received on December 14, 2000, to the Committee on Energy and Natural Resources.
EC-11942. A communication from Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Material Management and Accounting Systems" (DFARS Case 2000-D003) received on December 12, 2000; to the Committee on Armed Services.

EC-11943. A communication from Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "North American Industry Classification System" (DFARS Case 2000-D015) received on December 12, 2000; to the Committee on Armed Services.

EC-11944. A communication from Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Polyacrylonitrile Carbon Fiber" (DFARS Case 2000-D017) received on December 12, 2000; to the Committee on Armed Services.

EC-11945. A communication from Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Authority to Indemnify by Hazardous or Nuclear Risks" (DFARS Case 2000-D025) received on December 12, 2000; to the Committee on Armed Services.

EC-11946. A communication from Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Domestic Source Restriction, unarmed and armed bearings and rollers propellers" (DFARS Case 2000-D300) received on December 12, 2000; to the Committee on Armed Services.

EC-11947. A communication from the Chairman of the Advisory Panel to Assess Domestic Resource Capabilities for Terrorism, Government by Mass Destruction, transmitting pursuant to law, the second of three annual reports; to the Committee on Armed Services.

EC-11948. A communication from Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Profit Incentives to Produce Innovative New Technologies" (DFARS Case 2000-D300) received on December 12, 2000; to the Committee on Armed Services.

EC-11949. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modified Standards for Decisions and Comparisons of Acid Polymers; Tolerance Exemption" (FRL #6755-7) received on December 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11950. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "TD 8902, Electronic Tip Reports" (RIN1545-AV28) received on December 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11951. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-11952. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a transmittal of the certification of the president of a Presidential notification of an export control decision relative to Turkey; to the Committee on Foreign Relations.

EC-11953. A communication from the Director, Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Wisconsin, Michigan, Massachusetts, et al.; Increased Assessment Rate" (Docket Number: FV00-112-3 FR) received on December 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11954. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Wisconsin, Michigan, Massachusetts, et al.; Increased Assessment Rate" (Docket Number: FV00-112-3 FR) received on December 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11955. A communication from the Chief, Office of Regulations and Administrative Law, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Change in Definition of the Type of Radio Equipment for Use on United States Aircraft" (Docket Number: 00-D-11-015) received on December 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11956. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders" received on December 12, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11957. A communication from the Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "National Sea Grant College Program-National Marine Fisheries Service Joint Graduate Fellowship Program Participants in Population Dynamics and Marine Resource Economics" received on December 12, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11958. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Smaller Community Airports; Notice of Proposed Rulemaking" (RIN0648-AI78) received on December 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11959. A communication from the Deputy Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement the Agriculture Airworthiness Directives Plan" (RIN0648-AI78) received on December 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11960. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 767 Series Airplanes; docket no. 2000-NM-132 [11-1]" (RIN2120-AA64) (2000-0583) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11961. A communication from the Deputy Assistant for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Specified Approved States Authorized To Reimbursed, pursuant to law, the report of a rule entitled "Increased Assessment Rate" (Docket Number: FV00-112-3 FR) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11962. A communication from the Deputy Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Wisconsin, Michigan, Massachusetts, et al.; Increased Assessment Rate" (Docket Number: FV00-112-3 FR) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11963. A communication from the Deputy Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clomazone; Pesticide Tolerance for Emergence Exemptions" (FRL #6755-8) received on December 15, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11964. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Wheat Grown in California; Increased Assessment Rate" (Docket Number: FV00-929-5 FR) received on December 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11965. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Increased Assessment Rate" (Docket Number: FV00-929-5 FR) received on December 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11966. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Increased Assessment Rate" (Docket Number: FV00-929-5 FR) received on December 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11967. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relating to accounts containing unavailable expenditures; to the Committee on Governmental Affairs.

EC-11968. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief for Service in Combat Zone and for Presidentially Declared Disaster" (RIN1545-AV92) (TD 8911) received on December 14, 2000; to the Committee on Finance.

EC-11969. A communication from the Deputy Assistant for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement the Agriculture Airworthiness Directives Plan" (RIN0648-AI78) received on December 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11970. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica Model MB-120 Series Airplanes; docket no. 2000-NM-132 [11-7/12-14]" (RIN2120-AA64) (2000-0583) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11971. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica Model MB-120 Series Airplanes; docket no. 2000-NM-121 [11-7/12-14]" (RIN2120-AA64) (2000-0583) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11972. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica Model MB-120 Series Airplanes; docket no. 2000-NM-130 [11-6/12-14]" (RIN2120-AA64) (2000-0587) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.
EC-11973. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Removal of Class E Airspace; New Bern, NC; Docket no. 00-ASO-41 [11-22/12-14]” (RIN2120-AA66) (2000-0282) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11974. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace: Meridian NAS—McCain Field, MS; docket no. 00-ASA-41 [11-22/12-14]” (RIN2120-AA66) (2000-0281) received on December 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11975. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “West Virginia Regulatory Program” (WV-086-FOR) received on December 14, 2000; to the Committee on Energy and Natural Resources.

EC-11976. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Standards for Business Practices of Interstate Natural Gas Pipelines” (Order No. 587-M, Docket RM96-1-015) received on December 15, 2000; to the Committee on Energy and Natural Resources.

EC-11977. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Device; Exemption From Premarket Notification; Class II Devices; Barium Enema Retention Catheters and Tips With or Without a Bag” (Docket no. 00-0342) received on December 15, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11978. A communication from the Deputy General Counsel, Business Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Small Business Investment Companies; Management Owner- ship Diversity” (RIN2457-AE48) received on December 15, 2000; to the Committee on Small Business.

P ETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-643. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to the issuance of a postal stamp to honor coal miners; to the Committee on Government Affairs.

H OUSE R ESOLUTION NO. 639

Whereas, Our entire Nation owes our coal miners a great deal more than we could ever repay them for the difficult and dangerous job they do; and whereas, we could have the fuel we needed to operate our industries and to heat our homes; and whereas, it would be proper and fitting for our Nation to recognize our coal miners, both past and present, for their contributions to this Nation; therefore be it

Resolved, That the House of Representatives memorialize the United States Postal Service to issue a postage stamp to honor our coal miners and to commemorate their contributions to our Nation and its citizens; and be it further

Resolved, That copies of this resolution be delivered to the United States Postal Service, to the president and the vice president, to the officers of each House of Congress and to each member of Congress from Pennsylvania.

POM-644. A resolution adopted by the Senate of the Legislature of the State of Texas relative to the State Criminal Alien Assistance Program; to the Committee on Appropriations.

S E N A T E R E S O L U T I O N N O . 1106

Whereas, The United States Congress has established the State Criminal Alien Assistance Program (SCAAP) to provide federal assistance to states and localities for costs incurred for the imprisonment of undocumented aliens who commit criminal offenses; and

Whereas, The SCAAP program, which is administered by the United States Department of Justice, has a funding level authorized by statute of $650 million per year; actual SCAAP funding for the 1999 fiscal year, however, is only $585 million, an amount that provides state and local governments a mere 30 percent of their total reimbursable costs; and

Whereas, The amount of money spent in Texas by local and state governmental agencies related to incarceration of undocumented aliens convicted with criminal offenses ranks as the third highest in the nation; and

Whereas, Although full funding of the SCAAP program to the $650 million level will not decrease the total number of undocumented aliens held in state or county facilities, increased funding will raise the level of costs reimbursed by the federal government to approximately 40 percent of the costs for incarceration of these prisoners; now, therefore, be it

Resolved, That the Senate of the State of Texas, 75th Legislature, hereby respectfully request the Congress of the United States to fully fund the State Criminal Alien Assistance Program at the authorized level of $650 million; and, be it further

Resolved, That the Secretary of the Senate forward official copies of this Resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to the Congress with the request that this Resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-645. A petition from a citizen of the State of New York relative to primary and general elections; to the Committee on Rules and Administration.

R E P O R T S O F C O M M I T T E E S

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs:

Report to accompany S. 2508, a bill to amend the Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, and for other purposes (Rept. No. 106-513).

I N T R O D U C T I O N O F B I L L S A N D J O I N T R E S O L U T I O N S

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

By Mr. McCONNELL (for himself, Mr. T ORRICELLI, Mrs. F EINSTEIN, Mr. A LARDI, Mr. S NODER, Mr. J ACKSON of Oregon, Mr. L ANDRIEU, Mr. B URS, Mr. B ENNETT, Mr. B REAUX, Mr. H UITCHINSON, and Mr. S ANTORUM):

S. 1. A bill to establish an Election Administration Commission to study Federal, State, and local voting procedures and election administration and provide grants to modernize voting procedures and election administration, and for other purposes; to the Committee on Rules and Administration.

By Mr. S PECTER:

S. 388. A bill to prohibit assistance to the Palestinian Authority unless and until certain conditions are met; to the Committee on Foreign Relations.

By Mr. T ORRICELLI:

S. 381. A bill to designate the United States Post Office located at 60 Third Avenue, Long Branch, New Jersey, as the Pat King Post Office; to the Committee on Governmental Affairs.

By Mr. B INGAMAN:

S. 382. A bill to authorize funding for University Nuclear Science and Engineering Programs at the Department of Energy for fiscal years 2002 through 2006; to the Committee on Energy and Natural Resources.

By Mr. L UGAR (for himself, Mr. G RAMP, Mr. H ARKIN, Mr. F ITZGERALD, Mr. H AGBL, and Mr. J OHNSON):

S. 383. A bill to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systematic risk in markets for futures and over-the-counter derivatives, and for other purposes; read the first time.

By Mr. D URBIN:

S. 384. A bill to amend title 5, United States Code, to establish a Presidential general elections; to the Committee on Foreign Relations.

By Mr. B INGAMAN (for himself, Mr. D ASCHEL, and Mr. B AUCUS):

S. 386. A bill to provide permanent funding for the Bureau of Land Management Payment in Lieu of Taxes program and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. S TEVERNS (for himself, Mr. I NOUE, and Mr. M URKOWSKI):

S. 387. A bill to amend title 3, United States Code, and the Uniform Time Act of 1967 to establish a single uniform time for Presidential general elections; to the Committee on Rules and Administration.


The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:
By Mr. LOTT (for himself, Mr. DASCHLE, Mr. NICKLES, and Mr. REID):

S. Res. 388. A resolution tendering the thanks of the Senate to the President pro tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate; considered and agreed to.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. NICKLES, and Mr. REID):

S. Res. 389. A resolution tendering the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate; considered and agreed to.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. NICKLES, and Mr. REID):

S. Res. 390. To commend the exemplary leadership of the Democratic Leader; considered and agreed to.

By Mr. DURBIN (for himself and Mr. FITZGERALD):

S. Res. 393. Considered and agreed to.

By Mr. STEVENS (for himself and Mr. BYRD):

S. Con. Res. 162. A concurrent resolution to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. MCCONNELL (for himself, Mr. TORRICELLI, Mrs. FEINSTEIN, Mr. ALLARD, Mr. SMITH of Oregon, Ms. LANDRIEU, Mr. BURNS, and Mr. BENNETT):

S. 1. A bill to establish an Election Administration Commission to study Federal, State, and local voting procedures and election administration and provide grants to modernize voting procedures and election administration, and for other purposes; to the Committee on Rules and Administration.

ELECTION REFORM ACT

Mr. MCCONNELL. Mr. President, I rise today to introduce the Election Reform Act. As chairman of the Senate Rules Committee, I am pleased to be introducing along with Senators TORRICELLI, FEINSTEIN, ALLARD, SMITH, and LANDRIEU meaningful, bipartisan legislation to reform the administration of our nation’s elections. As we move into the twenty-first century it is inexcusable that the world’s most advanced democracy relies on voting systems outmoded after the Second World War. The Election Reform Act will ensure that our nation’s electoral process is brought up to twenty-first century standards.

By combining the Federal Election Commission’s Election Assistance Clearinghouse and the Department of Defense’s Office of Voting Assistance, which facilitates voting by American civilians and servicemen overseas, into the Election Administration Commission, the bill will create one agency that can bring focused expertise to bear on the administration of elections. This Commission will consist of four Commissioners appointed by the President with the advice and consent of the Senate. It will continue to carry out the functions of the two entities that are being combined to create it. These include advising states on the requirements of the Voting Accessibility for the Elderly and Handicapped Act, carrying out the Federal functions under the Uniformed and Overseas Voting Act, and servicing as a clearinghouse for information on federal elections and election administration.

In addition, the new Commission will engage in ongoing study and make periodic recommendations on the best practices relating to voting technology and ballot design as well as polling place accessibility. The Commission will also study and recommend ways to improve voter registration, verification of registration, and the maintenance and accuracy of voter rolls. This is of special urgency in view of the allegations surfacing in this election concerning the list of voters being included on the voting rolls and illegally voting, as reported last week in the Miami Herald, while other law abiding citizens who allegedly registered were not included on the voting rolls and were unable to vote. Such reports from this year’s elections coupled with the well-known report by “60 Minutes” of the prevalence of dead people and pets both registering and voting in past elections make clear the need for thoughtful study and recommendations to ensure that everyone who is legally entitled to vote is able to do so and that everyone who votes is legally entitled to do so—and does so only once. In addition to its studies and recommendations, the Commission will also provide matching grants to states working to improve election administration.

I think it is important that this Commission be established as a permanent, ongoing body. Many issues of election administration, such as polling place accessibility and alternative voting methods require ongoing examination in view of ever-changing technology. A permanent Commission will be able to better facilitate timely implementation of cost-effective technologies that can improve election administration, such as technology to enable physically-challenged citizens to vote with the same degree of privacy and dignity enjoyed by other citizens. In this age of rapid technological innovation, continuous ongoing assessment of the ways technology can improve election administration serves our nation’s interest by ensuring that outmoded technology and procedures never again impede democracy in our great nation.

I am pleased to announce that Representatives Tom DAVIS, along with Representatives ROTHMAN and KENNEDY, are introducing the House companion to our bill today. And finally, I would like to mention some of the citizens organizations that have announced their support for our bill. They include the Paralyzed Veterans of America, The National Federation of the Blind, The National Foundation for the Blind.

Mr. TORRICELLI. Mr. President, I am pleased to join Senators MCCONNELL, FEINSTEIN, ALLARD, LANDRIEU, SMITH and BENNETT to introduce the Election Reform Act of 2000, bipartisan legislation that seeks to modernize and improve the nation’s election procedures. Although there is much about the aftermath of the November 7th elections upon which Americans can disagree, this much should be clear: the United States is a 21st century democracy with a 19th century election system. In order to maintain the legitimacy of our country’s democratic institutions, we must have an election system that is fair and accurate.

The antiquated voting equipment used in most counties in this country is perhaps the most startling revelation from this year’s election. Election Data Services reports that eighteen percent of Americans vote using technology that prevailed around the time Thomas Edison invented the lightbulb and nearly thirty-three percent of Americans vote by punching out unpredictable little chads, a system implemented during the Johnson administration. In a nation where people can confidently access the balance in their checking account on any street corner, it is unacceptable to have any less confidence in the exercise of the most fundamental of rights. Many states and localities continue to use outdated systems because of the cost of replacing them. Electronic voting machines with touch screens similar to bank ATMs, which are the most modern and accurate systems, cost about $5,000 each while replacing a punch-card system costs only about $225.

The inequity in quality of voting machines across the country feeds fundamental questions of fairness and equal protection. Statistics from Florida demonstrate that those individuals who voted in areas with punch cards had a much higher chance that their vote would not register than those who voted with more modern equipment. For example, in Florida predominantly African-American neighborhoods lost many more presidential votes than other areas largely because of the inferiority of their voting machines. Thus, thousands of legally qualified voters were disenfranchised as a direct result of the financial resources of their community.

Therefore, in order to help improve and modernize the nation’s election procedures, the Election Reform Act establishes a permanent, bipartisan commission charged solely with the improvement of election administration. By combining the Federal Election
Commission's Office of Election Administration (OEC) and the Department of Defense's Office of Voting Assistance which facilitates voting by American citizens and servicemen overseas, into the Election Administration of the bill will also improve voter technology and ballot design as well as polling place accessibility. The Commission will also study and recommend ways to improve voter registration, verification of registration, and the maintenance and accuracy of voter rolls. Finally, to help diminish the cost to states and localities of updating their election procedures, the Commission will provide at least $100 million a year in matching grants to states working to improve election administration.

There can never be a sense again that an election in the United States is settled on an arbitrary basis or that elections are an approximation. Constitutional guarantees of one person, one vote have been enshrined in the theory if those who do not have any meaning in practice. So long as one voter, whether it be a senior citizen, an African-American, or one in service to their country has doubt about whether their vote was counted fairly, the legitimacy suffers. That is an American, not a partisan problem. The challenge before Congress is to make sure that the legacy of this election is not the confusion that has reigned for the past five weeks but an enhancement of the legitimacy and credibility of our democratic processes. Therefore, I look forward to working with the chairman of the Rules Committee as well as my colleagues on both sides of the aisle to see that this bipartisan Commission is the first act of the 107th Congress. I am encouraged that both Vice-President Al Gore, Senator Joseph Lieberman have expressed their strong desire to make election reform legislation their immediate priority in the next administration and Congress. I am also pleased that Representatives Rothman, Davis, Kennedy, and Alcee Hastings are introducing the House companion of this legislation today. Their support along with the endorsements of the Voting Integrity Project, the Paralyzed Veterans of America, the National Organization on Disability, and the National Foundation for the Blind gives me great confidence that this legislation will gather strong support throughout the country.

Mrs. FEINSTEIN. Mr. President, I rise today to join with Senators McConnell, Torricelli, Feinstein, and Allard in introducing the Election Reform Act. I believe that this legislation will play an important role in improving elections in the United States. The situation in Florida with different counties using different equipment, different standards and different methodologies in the conduct of the election is a clear indication that reform is needed. Although elections are within the purview of the states, if the Federal government can provide incentives and update equipment and administration to ensure that every vote counts, that would be a giant step forward.

Our democracy is based on the principle that our presence is chosen through a fair and accurate election process. While the aftermath of this year's election brought much disagreement, it is clear that the voting system is antiquated and in need of reform. This legislation establishes a permanent, federal Commission dedicated to election administration. This Commission will consist of four Commissioners appointed by the President with the advice and consent of the Senate. The Commissioners will serve four-year terms, with no more than two Commissioners affiliated with the same political party. The Commission would do the following: study various aspects of election administration and make periodic recommendations on such topics as ballot design, accuracy, security, and technological advances in voting equipment and update voluntary standards for voting systems at least every four years; study accessibility to polling places and recommend voluntary guidelines to increase access to polling places; allocate $100 million in matching funds to States and localities that improve their voting systems in a manner consistent with voluntary recommendations developed by the Commission. This legislation has the support of the Voting Integrity Project, the Committee for the Study of the American Electorate and the National Organization on Disability, the American Foundation for the Blind, and the Paralyzed Veterans of America. As we move forward in the 21st century, it is essential that the all Americans, and nations throughout the world, continue to have confidence in our electoral process. This means modernizing the system to include new, cost-effective technologies that can improve election administration. The reforms embodied in this legislation will permit these advances. I am hopeful one of the first acts of the 107th Congress will be to pass this legislation.

Mr. SMITH of Oregon. Mr. President, I am pleased today to join Senators McConnell, Torricelli, Feinstein, and Allard in the introduction of the Election Reform Act which I think this last election made it abundantly clear that the time has come to streamline and update our voting system's outdated technology and procedures. As my colleague Senator McConnell has pointed out, it is essential that the world's most advanced democracy relies on voting systems designed shortly after the Second World War.

The Election Reform Act will combine the functions of the Federal Election Commission's Election Clearinghouse and the Department of Defense Office of Voting Assistance, which facilitates voting by American citizens and servicemen overseas, into a single Election Administration Commission which will provide grants to states to modernize their voting procedures. It is important to note that the Commission will in no way usurp what is rightfully the responsibility of the states to determine the times, places and manner of holding elections. The Commission will study Federal, State, and local voting procedures and election administration and will develop, update and adopt every 4 years, voluntary engineering and procedural performance standards for voting systems. In addition, the Commission will engage in ongoing studies of procedures and make periodic recommendations on the best practices relating to voting technology and ballot design. Another very important responsibility of the Commission will be to advise States regarding compliance with the requirements of the Voting Accessibility for the Elderly and Handicapped Act and develop, update, and adopt voluntary procedures for enhancing voting methods for voters, including disabled voters. It is imperative that, as we pursue improvements in the administration of our elections, we also have the most up-to-date information about new technologies to enable all and the disabled to vote with the same degree of privacy and dignity enjoyed by other citizens.

Mr. President, I believe this legislation will go a long way toward restoring confidence in our voting systems, and I am hopeful that the Senate will pass the Election Reform Act very early in the new Congress.

Mr. SPECTER. S. 3289. A bill to prohibit assistance to the Palestinian Authority unless and until certain conditions are met; to the Committee on Foreign Relations.

LEGISLATION CONDITIONING ASSISTANCE TO THE PALESTINIAN AUTHORITY

Mr. SPECTER. Mr. President, I rise to introduce legislation at this time which will put on the record factors which have been enormously harmful in the current violence which now occurs in Israel. This bill would prohibit assistance to the Palestinian Authority or Palestinian projects, unless and until certain conditions are met. The Oslo Interim Agreement of 1995 provided that the Palestinian Authority would:

- ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region, and will refrain from the introduction of any motifs that could adversely affect the process of reconciliation.

Notwithstanding that commitment, the Palestinian Authority has filled...
the textbooks with the most vitriolic condemnation of Israel and the Jews. For example, the ninth graders are taught:

One must beware of the Jews, for they are treacherous and disloyal.

The sixth graders are further instructed:

One must beware of civil war, which the Jews try to incite, and of scheming against the Muslims.

There are some extraordinarily vitriolic comments in the textbooks which are inciting the young people, the Arabs, to turn to violence in the name of Allah, with the instruction directing them that they will be doing Allah's work, and if they are killed, they will go to heaven as Allah's messengers, as Allah's assistants.

There are reports of 12-year-old boys who leave their homes telling their parents they are off to throw stones and other anti-Jewish violence and the most extraordinary forms of misleading comment—about how to please Allah and how to go to heaven by getting themselves killed in the process of killing others and destroying the peace process.

The difficulties in the peace process are enormous. They are generational. There is absolutely no likelihood of success if the schoolchildren in the Palestinian Authority schools are going to be taught hatred and violence and the most extraordinary forms of misleading comment—about how to please Allah and how to go to heaven by getting themselves killed in the process of killing others and destroying the peace process.

The United States and our allies have contributed very substantially to projects in the West Bank and Gaza. While the United States has not given aid directly to the Palestinian Authority since 1998 in fiscal year 2000, the United States allocated $485 million in development assistance to non-governmental organizations working in the West Bank and Gaza. Between 1995 and 1998, international aid provided by 21 countries and international organizations amounted to almost $227 million. Between 1993 and 1999, the international community pledged a total of $5.7 billion for assistance in the West Bank and Gaza, and over $2.7 billion was disbursed by the end of 1999, according to the World Bank. I will go into the funding which the United States has provided and which our allies have provided in greater detail.

The legislation would condition any assistance by the United States to the Palestinian Authority on changing those textbooks in accordance with their commitments under the Oslo agreement, ceasing to publish maps which include the entire Palestinian territory but only to Palestine, and changing the vitriol which appears on the state-sponsored television. These are absolutely minimal steps which have to be taken if there is to be any opportunity for success in the Mideast peace process.

In 1995, Senator SHELBY and I introduced legislation which was enacted which conditioned U.S. aid on the Palestinian Authority changing its charter which called for the destruction of Israel. That, in fact, did happen and perhaps our legislation was somewhat helpful in getting that done. The legislation also conditioned aid on maximum relief by the Palestinian Authority and Chairman Arafat to restrain terrorists. For a time, I think there was a real effort by Chairman Arafat and many in the Palestinian Authority to do that, but that has totally broken down.

Notwithstanding those grave difficulties, efforts must continue on the peace process to try to terminate the violence there. I note in this morning's press there are reports of additional meetings. I have both privately and publicly commended President Clinton for his efforts in trying to mediate the difficulties between the Israelis and the Palestinians.

This business about teaching sixth graders, seventh graders, eighth graders, and ninth graders to hate and to incite violence is just absolutely intolerable if there is to be any chance at all for the peace process to succeed, and even in the next generation to find a way for peace. With the 1967 State of Israel, the Palestinian Authority and the Arabs, who are citizens of Israel, for that matter, I am introducing this bill on what is probably going to be the last day of our session that political tools may become better known. People will understand them and will join the fight to insist that they be terminated.

Mr. President, to reiterate, I have sought recognition today to introduce legislation to condition aid to the Palestinian Authority upon the removal of all anti-Semitic and anti-Israel content from their school textbooks, and radio and television broadcasts at publicly funded facilities. The Palestinian Administration and conspicuously disseminates messages filled with anti-Semitic and anti-Israel hatred with the clear aim of promoting violence against Israel and the Jewish people. This is a clear violation of the spirit of the peace process.

A study by the Center for Monitoring the Impact of Peace, a Jerusalem-based non-governmental organization, found that there is not one example in the entire Palestinian school system of a textbook, Jewish, Muslim, or to peace with Israel. I urge the passage of this legislation to send a clear signal to the Palestinian people that the international community will not accept the fostering of hatred in textbooks and broadcast media in the West Bank and Gaza. The United States provides assistance to the region in support of the peace process, and we must condition this assistance upon each party's fulfillment of the commitments made to bring peace to the region. Furthermore, we must vigorously press for our allies to do the same.

In years past, Palestinian schools in the West Bank used Jordanian textbooks and the schools in Gaza used Egyptian textbooks. While the areas were under the control of the Israeli government, these books continued to be used but anti-Semitic and anti-Israel material was removed. As a result of the 1993 Oslo Accords, the responsibility for education in the West Bank and Gaza was transferred from the Israeli government to the Palestinian Ministry of Education. While beginning to develop their own curriculum, the Palestinian Ministry of Education continued to use Egyptian and Jordanian books, but failed to remove the anti-Israel and anti-Semitic material. Currently, the Palestinian Ministry of Education is directly supervising the production of new textbooks which are the first Palestinian-produced textbooks.

As part of a pilot program, the first new textbooks were introduced in the first and sixth grades in September 2000, as part of the new curriculum which the Palestinian Authority plans to expand to cover the grades first through twelfth over the next four years. Many Israelis hoped these books would promote the peace process and teach cooperation and tolerance among the Israelis and the Palestinians. Instead, the new Palestinian textbooks continue to contain anti-Israel material, such as a map denying the existence of Israel. The continued promotion of hatred by the Palestinian Authority is unacceptable, as it not only violates the spirit of the peace process but also the letter of the Oslo Agreement. The United States believes that the rest of the international community must send a message to the Palestinian Authority that this will not be tolerated.

By means of both the new and old textbooks in their schools, the Palestinian Authority is raising an entire generation of Palestinian children to despise Jews and Israel. These teachings foster an environment of hatred, hate, violence, anti-Semitism, anti-Judaism, and anti-Christianity. Palestinian school children are actively taught that the Jewish people and Israel are the enemy in a broad range of contexts, and that Jews are not to be trusted. For example, on page 79 of the textbook entitled the Islamic Education for Ninth Grade, the book outlines lessons to be learned by the students. Specifically, it says "One must beware of the Jews, for they are treacherous and disloyal." The book goes on to say: "One must beware of civil war, which the Jews try to incite, and of scheming against the Muslims." Reinforcing this message, students read on page 182, "The Jews . . . have killed and evicted Muslims and their lands, whose inhabitants are still suffering oppression and persecution under racist Jewish Administration."

Another textbook, the Islamic Religious Education for Fourth Grade, on pages 13 and 14, states that the Jews and Palestinians are their way—do not want people to live in peace. . . ." In the Reader and Literary Texts for Eighth Grade, on pages
96 through 99, students are taught "The Jews have clear greedy designs on Jerusalem." Students are then asked to think about the following question: "What can we do to rescue Jerusalem and to liberate it from the thieving conquerors of the Jews?" Textbooks clearly intended not to foster an environment of trust between the Palestinian people and their Jewish neighbors. Without a foundation of trust in the hearts and minds of the Palestinian people, the peace process is doomed to failure.

The school books also include lessons equating Zionism with Nazism, Fascism, and racism. For example, the textbook entitled The Contemporary History of the Arabs and the World, on page 123, states "The clearest examples of racist belief and racial discrimination in the world are Nazi and Zionism." Lessons such as this one are clearly not intended to support peace between the Palestinians and Israelis.

More dangerously, in addition to anti-Semitic material, these textbooks also teach children to pursue violence and the destruction of Israel. The calls to fight and eliminate Israel through Jihad, holy war, and martyrdom for Allah are frequently in the school textbooks. The need to fight Israel is portrayed as a religious imperative in the books.

For example, a fifth grade textbook, Our Treasure of Knowledge for Fifth Grade, on page 69 and 70, teaches children that "there will be a Jihad and our country shall be freed. This is our story with the thieving conquerors. You must know, my boy, that Palestine is your grave responsibility." The book also teaches children to "remember: The Arabs and the Muslims are fighting the Jews who fought against them and oppressed them and drove them from their homes unjustly. The final and inevitable result will be the victory of the Muslims over the Jews." The book concludes that "there will be a Jihad and our country shall be freed.

The violent message continues in the seventh grade textbook, Islamic Education for Seventh Grade, on page 108, which states "if the enemy has conquered part of its land and those fighting for it are unable to repel the enemy, then Jihad becomes the individual religious duty of every Muslim man and woman, until the attack is successfully repulsed and the land liberated from conquest and to defend Muslim honor.

In addition to lessons on Jihad, students are instructed to adopt hostile attitudes on a particularly divisive topic—their responsibility regarding holy sites. The seventh grade textbook, Islamic Education for Seventh Grade, on page 184, states "Muslims must protect all mosques... They must devote all their efforts and resources to repelling them and to protecting them and must wage a Jihad both of life and property..." The al-Aqsa Mosque from the Zionist conquest. This inflammatory language is also included on page 50, "The Muslim connects the holiness of al-Aqsa Mosque, and its pre-elimination of the 'Sacred Mosque' and Mecca. Therefore, any aggression against one is an aggression against the other and to defend them is to defend Islam. Disregard of the duty in respect of them is a crime for which Allah will punish every unbeliever. In Allah's eye and very soon. "The aggression and this message clearly encourages the violence which is currently taking place in the Middle East.

The same seventh grade book also teaches children to fight and conquer Israel's capital, Jerusalem. For example, the book contains a composition question which asks: "How are we going to liberate our stolen land? Make use of the following ideas: Arab unity, genuine faith in Allah, most modern weapons and ammunition, using oil and other precious natural resources as weapons in the battle for liberation." It is this type of violent message which leads young children to take to the streets and engage in stone-throwing and other violence.

However, this message is not limited to schoolbooks. The same hateful portrayal of Jews and Israel found in the school books is promoted regularly on Palestinian Television, which is also under direct control of the Palestinian Authority. For example, on May 14, 1998, Palestinian television broadcast statements such as "The Jewish gangs waged racial cleansing wars against innocent Palestinians... large scale massacres no women or children." On May 14, 1998, Zionism was presented as "a cancer in the body of the nation." Palestinian television broadcasts a continuous flow of violent images with messages glorifying the children in the streets as martyrs participating in Jihad. For example, television stations around the world broadcast the image of Muhammad al-Durrash, the twelve year old boy who was killed while his friends and relatives were killed in the crossfire on September 30, 2000. However, the image of the young man, who had no intention when he left his house that day to become a martyr, was instantly the symbol used by Palestinian television of the continued victimization of the Palestinian people at the hands of the so-called Israeli "occupiers."

By continually referring to the occupation of their land, Palestinian television undermines the legitimacy of Israel. On May 19, 1998, Palestinian television reported "... the war of 1948 brought about the establishment of the Zionist entity on Palestinian land." The television broadcasts also declared in May 1998: "This is our Palestine. We defend it with blood."

The hate-filled broadcasts further reinforce the anti-Israeli and anti-Semitic messages found in the school textbooks and explicitly aim to incite violence. We can measure this behavior by a society that claims to be committed to pursuing the peace process. These teachings send a direct message to young children to pursue violence and the destruction of Israel, and the message appears to be reaching the children.

On October 6, 2000, the New York Times reported on Muhammad al-Durrash, a Palestinian teenager engaged in the current violence in the streets. Muhammad joins his young friends on the streets and throws stones at Israeli soldiers, even though his father asked him "not to go down that road" and telling him "you don't need another generation of victims." When asked why he engaged in the stone throwing, Muhammad plainly stated, 'You want to express your anger. You know your stone might not hit an Israeli soldier or might not even hurt him. But you want to feel you've done something for the homeland.' Muhammad made clear where he learned these lessons when he said, "I was raised with stories of how they kicked us off our land." The young people out on the streets today throwing stones have been raised on anti-Israeli and anti-Semitic stories, which is formally reinforced in the textbooks used in the schools in the West Bank and Gaza and the television and radio broadcasts. If the next generation of leaders must not be raised on lessons of hatred and violence.

By signing the 1995 Interim Agreement on the West Bank and Gaza, the Israeli government and the Palestinian Authority agreed to use their respective educational systems to support the peace process. Specifically, Article XXII of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995 declares that Israel and the Palestinian Authority will "ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region, and will refrain from the introduction of any motifs that could adversely affect the process of reconciliation." The Palestinian Authority should be held to the commitments made in the peace process, not the least of which is to educate the young people of the West Bank and Gaza with a curriculum that will contribute to peace between the Israeli and Palestinian peoples.

The United States provides assistance to the region in support of the peace process, and it is imperative to condition this assistance upon the fulfillment of the commitments made to bring peace to the region. While the United States has not given aid directly to the Palestinian Authority since 1995, in fiscal year 2000 the United States allocated $485 million in development assistance to non-governmental organizations working in the West Bank and Gaza, including educational institutions. It is of the utmost importance that the United States condition any aid to the Palestinian Authority on their commitment...
used Egyptian textbooks, but when these areas were under the control of the Israeli government, anti-Semitic and anti-Israel content was removed from the school books.

(6) The Palestinian Ministry of Education directly supervised the production of new textbooks which are now used in schools in the West Bank and Gaza.

(7) The new textbooks contain anti-Semitic and anti-Israel content, and the Israeli government no longer has the authority to change the content of the textbooks.

(8) Palestinian Authority school children are actively taught that the Jews and Israel are the enemy in a broad range of contexts, and for example, page 79 of the Islamic Education for Ninth Grade reads, “One must beware of the Jews, for they are treacherous and disloyal.”

(9) The Islamic Education for Ninth Grade also instructs that “one must beware of civil war which the Jews try to incite, scheming against the Muslims.”

(10) On page 182, the text of the Islamic Education for Ninth Grade reads “The Jews—have killed and evicted Muslim and Christian inhabitants. Those inhabitants are still suffering oppression and persecution under racist Jewish administration.”

(11) The Islamic Religious Education for the Fourth Grade teaches students on page 44, “...the Jews—as is their way—do not want people to live in peace.”

(12) The book contains lessons equating Zionism with Nazism, Fascism, and racism, and for example, The Contemporary History of Arabs and the World, on page 123, states Hitler and Mussolini were white-christian, while Jews and Jews are actively taught that the Jews and Israel are the enemy in a broad range of contexts, and for example, page 79 of the Islamic Education for Ninth Grade reads, “One must beware of the Jews, for they are treacherous and disloyal.”

(13) Islamic Education for the Fourth Grade teaches children “the Jews are the enemies” on page 67.

(14) The new textbooks do not acknowledge the State of Israel is explained as the Israeli occupation of 1948.

(15) All the maps of “Palestine”, be they political, historical, geographical, or natural resource maps in the textbooks, erase mention of Israel.

(16) The calls to fight and eliminate Israel through Jihād (Holy War) and Martyrdom for Allah, appear frequently in the school books.

(17) In addition there is a separate recurring theme: the children are taught to fight and conquer Israel’s capital, Jerusalem, and for example, the book Islamic Education for Seventh Grade asks: “How are we going to liberate our stolen land? Make use of the following ideas: Arab unity, genuine faith in Allah, most modern weapons and ammunition, use the country’s natural resources as weapons in the battle for liberation” on page 15.

(18) The need to fight Israel, all of which is said to be on “occupied Arab Land” becomes a religious imperative, with teachings like the following from Islamic Education for Seventh Grade, page 108: “If the enemy has conquered part of its land and those fighting for it are unable to repel the enemy, then Jihād becomes the individual religious duty of every Muslim man and woman, until the attack is successfully repulsed and the land conquered, or the enemy in supporting this legislation which was signed off by the President of the United States and the Prime Minister of Israel, which must be held to account.”

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

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

S. 320

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) Today in the West Bank and Gaza, textbooks used in Palestinian schools are teaching hatred towards Jews and the incitement towards violence.

(2) Article XXII of the Israeli-Palestinian Interim Agreement of the West Bank and the Gaza Strip of 1995 declares that Israel and the Palestinian Authority will “ensure that there will be a lim honor. . . "

(3) As a result of the Oslo Accords, the response to the Palestinians in the West Bank and Gaza was transferred from the Government of Israel to the Palestinian Ministry of Education.

(4) Since the early 1950s, Palestinian schools in the West Bank have used Jordanian textbooks and the schools in Gaza
the Secretary of Energy to provide for the Office of Nuclear Science and Technology to reverse a serious decline in our nation’s educational capability to produce future nuclear scientists and engineers. Let me outline how serious this is. We are doing so at line its impact on our nation and then discuss how this bill attempts to remedy this situation.

As of this year, the supply of four-year trained nuclear scientists and engineers is at an all-time low. The number of four-year programs across our nation to train future nuclear scientists has declined to approximately 25—a 50 percent reduction since about 1970. Two-thirds of the nuclear science and engineering faculty are over age 45 with little if any ability to draw new and young talent to replace them. Universities across the United States cannot afford to maintain their small research reactors forcing their closure at an alarming rate. This year there are only 28 operating research and training reactors, over a 50 percent decline since 1980. Most if not all of these reactors were built in the late 1950’s and early 60’s and were licensed initially for 30 to 40 years. As a result, within the next five years the majority of these 28 reactors will have to be relicensed. Relicensing is a long, lengthy process which most universities cannot and will not afford to support.

The United States is at a 35-year low. The reason for this is that the deployment demand for nuclear scientists and engineers exceeds our nation’s ability to supply them. This year, the demand exceeded supply by 350, by 2003 it will be over 400.

These resources and educational infrastructure problems are serious. The decline in a competently trained nuclear workforce affects a broad range of national issues.

We need nuclear engineers and health physicists to design, safely dispense and monitor nuclear waste, both civilian and military.

We rely on nuclear physicists and scientists in the field of nuclear medicine to develop new treatments for thousands of medical procedures performed everyday across our nation—to help save lives.

We must continue to operate and safely maintain our existing supply of fission reactors and respond to any future nuclear crisis worldwide—it takes nuclear scientists, engineers and health physicists to do that.

Our national security and treaty commitments require reliance on nuclear scientists to help stem the proliferation of nuclear weapons whether in our national laboratories or as part of worldwide inspection teams in such places as Iraq. Nuclear scientists are needed to convince foreign reactors worldwide from heavily enriched to low enriched fuels.

Nuclear engineers and health physicists are needed to design, operate and maintain nuclear propulsion. The U.S. Navy by itself cannot train students for their four year degrees—they only provide advance graduate training on their reactor’s operation.

Basically, we are looking at the potential loss of a 50 year investment in a field which our nation started and leads the world in. What is worse, this loss is a downward self-feeding spiral. Poor departments cannot attract bright students and bright students will not consider cutting edge research that leads to promising young faculty members. Our system of nuclear education and training, in which we used to lead the world, is literally imploding upon itself.

I’ve laid out in the bill some proposals that I hope will seed a national debate in the upcoming 107th Congress on what we as a nation need to do to help solve this very serious problem. It is not a perfect bill, but I think it should start the ball rolling. I welcome all forms of bipartisan input on it. My staff has worked from consensus reports from the scientific community developed by the Nuclear Energy Advisory Committee to the Department of Energy’s Office of Nuclear Science and Technology. The report is available on the Office’s website. I encourage everyone to read and look at these startling statistics. Here is an outline of what is in the bill.

First and foremost, we need to concentrate on attracting good undergraduate students to the nuclear sciences. I have proposed enhancing the current program which provides fellowships to graduate students and extends that to undergraduate students.

Second, we need to attract new and young faculty. I’ve proposed a Junior Faculty Research Initiation Grant Program which is similar to the NSF programs targeted only towards supporting new faculty during the first 5 years of their career at a university. These first five years are critical years that either make or break new faculty.

Third, I’ve proposed enhancing the Office’s Nuclear Engineering Education and Research Program. This program is critical to university faculty and graduate student support as only the most fundamental research in nuclear science and engineering. These fundamental programs ultimately will strengthen our industrial base and over all economic competitiveness.

Fourth, I’ve strengthened the Office’s applied nuclear science program by ensuring that universities play an important role in collaboration with the national labs and industry. This collaboration is the most basic form of tech transfer, it is face-to-face contact and networking between faculty, students and the applied world of research and industry. This program will ensure a transition between the student and their future employer.

Finally, I’ve strengthened what I consider to be the key element of this program—ensuring that future generations of students and professors have well maintained research reactors.

I’ve proposed to increase the funding levels for refueling and upgrading academic reactor instrumentation.

I propose to start a new program whereby faculty can apply for reactor research and training awards to provide research reactor instrumentation.

I have proposed a novel program whereby as part of a student’s undergraduate and graduate thesis project, they help work on the relicensing of their own research reactors. This program must be in collaboration with industry which already has ample experience in relicensing. Such a program will once again provide face-to-face networking and training between student, teacher and ultimately their employer.

I have proposed a fellowship program whereby faculty can take their sabbatical year at a DOE laboratory. Under this program DOE laboratory staff can co-teach university courses and give extended seminars. This program also provides for part time employment of students at the DOE labs—we are talking about bringing in new and young talent.

In making all of these proposals, let me emphasize that each one of these proposals I have described is intended to be peer reviewed and to have awards made strictly on merit of the proposals submitted. This program is not a hand out. Each element that I am proposing requires that faculty innovate and compete for these proposals. If they do not win, then their reactors will simply be shut down by their institutions.

I have outlined a very serious problem that if not corrected now will cost far more to correct later on. If the program I have outlined is implemented, then it will strengthen our reputation as a leader in the nuclear sciences, strengthen our national security and our ability to compete in the world market place.

Mr. President, I ask unanimous consent that the text of this bill be printed in the Record. There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 3282

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

SEC. 1. SHORT TITLE.

This Act may be cited as “Department of Energy University Nuclear Science and Engineering Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) U.S. university nuclear science and engineering programs are in a state of serious decline. The supply of bachelor degree nuclear science and engineering personnel in the United States is at a 35 year low. The number of four year degree nuclear engineering programs has declined 50 percent to approximately 25 programs nationwide. Over two thirds of the faculty in these programs are 45 years or older.

(2) Universities cannot afford to support their research and training reactors. Since 1980 the number of operating reactors in the United States have declined by over 50 percent to 28 reactors. Most of these reactors...
were built in the late 1950s and 1960s with 30- to 40-year operating licenses, and will require re-licensing in the next several years. The neglect in human investment and training is affecting the current and future availability of national R&D investment. The decline in a competent nuclear workforce, and the lack of adequately trained nuclear scientists and engineers is affecting the ability of the United States to solve future waste storage issues, maintain basic nuclear health physics programs, operate existing fission reactors in the United States, respond to future nuclear events worldwide, help stem the proliferation of nuclear weapons, and design and operate naval nuclear reactors.

(c) MAINTAINING UNIVERSITY RESEARCH AND EDUCATION.—Of the funds authorized to be appropriated under section 3(c)(1), the following sums are authorized to be appropriated to carry out section 3(b)(1):

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>$5,100,000</td>
</tr>
<tr>
<td>2004</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>2005</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>2006</td>
<td>$5,200,000</td>
</tr>
</tbody>
</table>

(d) GRADUATE AND UNDERGRADUATE FELLOWSHIPS.—Of the funds under subsection (a), the following sums are authorized to be appropriated to carry out section 3(b)(2):

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>2004</td>
<td>$3,100,000</td>
</tr>
<tr>
<td>2005</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>2006</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>

(e) COMMUNICATION AND OUTREACH RELATED TO SCIENCE AND ENGINEERING.—Of the funds under subsection (a), the following sums are authorized to be appropriated to carry out section 3(b)(3):

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>2004</td>
<td>$3,100,000</td>
</tr>
<tr>
<td>2005</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>2006</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>

(f) COMMUNITY RESEARCH AND INSTRUMENTATION UPGRADES.—Of the funds authorized to be appropriated under subsection (a), the following sums are authorized to be appropriated to carry out section 3(c)(1):
years, would reform our financial and derivatives laws in five primary ways. First, it would incorporate the unanimous recommendations of the President's Working Group on Financial Markets on the proper legal and regulatory framework for OTC derivatives. Second, it would codify the regulatory relief proposal of the CFTC to ensure that futures exchanges are appropriately regulated and remain competitive. Third, this legislation would repeal the Shad-Johnson jurisdictional accord, which banned single stock futures 18 years ago. Fourth, this legislation provides certainty that products offered by banking institutions will not be regulated as futures contracts. Finally, this bill provides legal certainty for institutional equity swaps by providing the SEC with express but limited authorities over these instruments.

Derivative instruments, both those that are exchange-traded and traded over-the-counter, have played a significant role in our economy's current expansion due to their innovative nature and risk-transferring attributes. The global derivatives market has a notional value exceed 600 trillion dollars. Identified by Federal Reserve Chairman Alan Greenspan as the most significant event in finance of the past decade, the development of the derivatives market has substantially added to the productivity and wealth of our nation.

Derivatives enable companies to unbundle and transfer risk to those entities who are willing and able to accept it. By doing so, efficiency is enhanced as firms are able to concentrate on their core business objective. A farmer can purchase a futures contract, one type of derivative, in order to lock in a price for his crop at harvest. Likewise, automobile manufacturers whose profits earned overseas can forecast and hedge against currency swings, can minimize this uncertainty through derivatives, allowing them to focus on the business of building cars. Banks significantly lessen their exposure to interest rate movements by entering into derivatives contracts known as swaps, which enable these institutions to hedge their risk by exchanging variable and fixed rates of interest.

Signed into law in 1974, the Commodity Exchange Act, CEA, requires that futures contracts be traded on a regulated exchange. As a result, a futures contract that is traded off an exchange is illegal and unenforceable. When Congress enacted the CEA and authorized the CFTC to enforce it, this was not a concern. The meanings of “futures” and “exchange” were relatively apparent. Furthermore, the over-the-counter derivatives business was in its infancy. However, in the 26 years since the CEA's enactment, the OTC swaps and derivatives market, sparked by innovation and technology, has significantly outpaced the exchange-traded futures markets. Thus the definitions of a swap and a future began to blur.

In 1998, the CFTC issued a document containing a concept release regarding OTC derivatives, which was perceived by many as a precursor to regulating the entire OTC derivatives market. Just the threat of reaching this conclusion could have had considerable ramifications, given the size and importance of the OTC market. The legal uncertainty interjected by this dispute jeopardized the stability of the market and threatened to move significant portions of the business overseas. If we were to lose this market, most likely to London, it would take years to bring it back to U.S. soil. The resulting loss of business and jobs would be immeasurable.

This threat led the Treasury Department, the Federal Reserve, and the SEC to oppose the concept release and request that Congress enact a moratorium on the CFTC’s ability to regulate these instruments under the President’s Working Group could complete a study on the issue. As a result, Congress passed a six-month moratorium on the CFTC’s ability to regulate over-the-counter derivatives. Despite resistance to this moratorium, because it brought legal assurance to this skittish market and it allowed the Working Group time to develop recommendations on the most appropriate legal treatment of OTC derivatives. In February of this year, the Treasury Working Group completed its unanimous recommendations on OTC derivatives and presented Congress with these findings. These recommendations remain the cornerstone of our bill.

Our bill contains several mechanisms for ensuring that legal certainty is attained and that certain transactions remain outside the Commodity Exchange Act. The first, the electronic trading facility exclusion, would exclude transactions in OTC derivatives from the Act if conducted: (1) on a principal to principal basis; (2) between institutions or sophisticated persons with high net worth; and (3) on an electronic trading facility. The second would exclude these transactions if (1) they are conducted between institutions or sophisticated persons with high net worth; and (2) they are not on a trading facility.

These exclusions attempt to address the concern that institutional swaps and other sophisticated major financial institutions acting as dealers. We do not intend for these systems to come within the definition of trading facilities.

The third exclusion clarifies the Treasury Amendment language already contained in the CEA. It would exclude all transactions in foreign currency and government securities from the Act unless those transactions are futures contracts and traded on an organized exchange. As recommended by the Working Group, this bill would give the CFTC’s jurisdiction over non-regulated off-exchange retail transactions and over-the-counter currency and foreign exchange transactions containing a swap recommendation of the PWG was to authorize futures clearing facilities to clear OTC derivatives in an effort to lessen systemic risk and this bill incorporates this finding.

As a reliefer to legal certainty provisions, this legislation also addresses the concern that excluding OTC derivatives from the futures laws will cause these products to be fully regulated as securities. With Senator Gramm’s leadership, this legislation adopts language that would provide the SEC with limited authority over institutional swaps for fraud, manipulation and insider trading. This language will help to provide the legal certainty that these institutional transactions lack under current law.

Title four of this bill also provides legal certainty for banking products. Senator Gramm has appropriately raised the concern that traditional bank products should not be subject to the CEA. This bill provides an exclusion for traditional banking products as well as hybrid products that are predominantly banking in nature. New products offered by banks that are not in existence on December 1, 2000, or are not excluded from the CEA would fall under a “jump ball” provision of the bill. This section provides a mechanism for the CFTC and the Federal Reserve to determine whether a new non-traditional product offered by a bank should be regulated under the banking laws or the futures laws.

The second major section of this legislation addresses regulatory relief. In February of this year, the CFTC issued a regulatory relief proposal that would provide relief to futures exchanges and their customers. Instead of listing specific requirements for complying with the CEA, the proposal would require exchanges to meet internationally agreed-upon core principals. The CFTC proposal creates tiers of regulation for exchanges based on whether the underlying commodities being traded are susceptible to manipulation or whether the users of the exchange are limited to institutional customers. Unsure of what tier the commodity would fall under in the CEA, the CFTC issued a Derivatives Transaction Execution
Facility, DTFE, if the products being offered are not susceptible to manipulation and are traded among institutional customers or retail customers who use large Futures Commission Merchants, FCMs, who are members of a clearing organization. Also, a board of trade may choose to be an Exempt Board of Trade, XBOT, and not be subject to the Act (except for the CFTC’s anti-manipulation authority) if the products being offered are non-futures, institutional customers only (absolutely no retail) and the instruments are not susceptible to manipulation. Our bill would allow a board of trade that is a DTFE or an XBOT to opt to trade derivatives that are otherwise excluded from the Act on these facilities and to the extent that these products are traded on these facilities, the CFTC would have exclusive jurisdiction over them. With this proviso, the intent is to provide these facilities that trade derivatives with a choice. This is beneficial to the facility may choose to be regulated. If not, the facility may choose to be excluded or exempted from the Act.

By refraining from altering certain sections of the Act, this legislation maintains the affirmation of specific authorities granted the CFTC, including its anti-fraud and anti-manipulation powers. Section 4b is the principal anti-fraud provision of the Act and the Commission has consistently used Section 4b to combat fraudulent conduct. The CFTC would be given authority to regulate these products directly with their customers and thus did not involve a traditional broker-client type of relationship. There were cases involving the fraudulent sale of illegal precious metals futures contracts marketed as cash-forward transactions (CFTC v. P.I.E., Inc., 853 F.2d 721 (9th Cir. 1988)) as well as cases involving boiler room operations fraudulently selling precious metal contracts to members of the general public (CFTC v. Wellington Precious Metals, Inc., 950 F.2d 1525 (11th Cir.), cert. denied, 113 S. Ct. 66 (1992)). This reaffirmation is consistent with both Congress’ understanding of and past Congressional amendments to Section 4b that confirmed the applicability of Section 4b to fraudulent boiler rooms and bucket shops that enter into transactions directly with their customers and thus did not involve a traditional broker-client type of relationship. Section 4b provides the Commission with broad authority to police fraudulent conduct within its jurisdiction, whether occurring in boiler rooms and bucket shops, or in the e-commerce markets that will develop under this new statutory framework.

The bill’s last section addresses the Shad-Johnson jurisdictional accord. In 1982, SEC Chairman John Shad and CFTC Chairman Phil Johnson reached an agreement on dividing jurisdiction between the agencies for those products that had characteristics of both securities and futures. Known as the Shad-Johnson Accord, this agreement prohibited single stock futures and delineated jurisdiction between the SEC and the CFTC on stock index futures.

After five years, many have suggested that the Shad-Johnson accord should be repealed. The President’s Working Group unani- mously agreed that the Accord should be repealed if regulatory disparities are removed. The Accord is detrimental to futures and securities. In March 2000, the General Accounting Office released a report that found that there is no legitimate policy reason for maintaining the ban on single stock futures since these products are being traded in foreign markets, in the OTC market, and synthetically in the options markets. Chairman Gramm and I sent a letter requesting the CFTC and the SEC to make recommendations on reforming the Shad-Johnson ban. On September 14, 2000, Professor Miller reached an agreement on the proper regulatory treatment of these instruments, and we have incorporated this agreement into our legislation.

Under the legislation, the SEC and the CFTC would jointly regulate the market for single stock futures and narrow-based stock index futures. These products will be allowed to trade on both futures and securities exchanges. Single stock futures and narrow-based stock index futures (security futures) would be statutorily defined as both securities and futures, allowing the agencies the authority to regulate these instruments. However, to avoid redundancy, our legislation exempts these products from a series of regulations and requirements under both the securities and futures laws.

Margin levels, listing standards, and other key trading practices would be jointly supervised by the SEC and CFTC. The proposed regulations for security futures products could not be below comparable margin levels in the options markets. The tax treatment of these products would be comparable to the tax treatment of options on securities to ensure a level playing field between the markets. Futures on broad-based indices would be under the exclusive jurisdiction of the CFTC. The agreement sets out a “bright-line” formula for determining when an index is broad-based using the number of securities contained in the index. This formula would allow a broad-based index to contain as few as 9 securities.

The goal of this legislation is to ensure that the United States remains a global leader in the futures market and that these markets are appropriately and effectively regulated. I believe that this legislation meets these objectives while ensuring that the public’s interest in the financial markets is protected.

This long legislative journey began two years ago when the Senate and House Agriculture Committees held a two-day roundtable, in which distinguished individuals from the financial community participated. One of those individuals was Merton H. Miller, the Nobel Prize-winning professor of economics from the University of Chicago. Professor Miller told me that Congress needed to lessen the cost of regulation on the futures and other financial markets in order to allow these markets to survive and compete in the global economy. I find it particularly satisfying to be able to pass this historic legislation at the end of the 106th Congress and provide Professor Miller with his wish. I am confident that his legacy will live on through the success and growth of the markets that are benefitted by this legislation.

Mr. Gramm. Mr. President, today I join with Senator Lugar, Chairman of the Senate Agriculture Committee, and several others of our colleagues to introduce the Commodity Futures Modernization Act of 2000. The formal purpose of this legislation is to reauthorize the Commodity Exchange Act, the legal authority for the Commodity Futures Trading Commission. As important as that is, this legislation does far more.

This is a landmark bill that addresses the two major purposes that Senator Lugar and I set out to achieve when we first began discussing this legislation. First, of all, this bill would repeal the so-called Shad-Johnson Accord, the 18-year-old temporary prohibition on the trading of futures based on individual stocks. Second, the bill eliminates the legal uncertainty that today hangs over the $60 trillion financial swap markets.

We are introducing the bill today as the finished product of years of work involving half a dozen committees in both Houses of Congress, and as many agencies of the Federal government. This bill is identical to, and is the Senate companion to, H.R. 5660, introduced yesterday in the House and which will be approved by the House and the Senate today. We introduce this bill in the Senate to demonstrate the bicameral support for and support for this important legislation.

For legislative history, I would direct my colleagues to statements made
elsewhere in the Record in connection with House and Senate action on the House companion, part of the package of legislation approved together with the Labor HHS appropriations bill for fiscal year 2001.

I would like to take this opportunity to thank Chairman LUGAR and all who had a hand in forming this important legislation. All who had a hand in it deserve to be proud of this product.

Mr. DURBIN.

S. 3284. A bill to amend title 5, United States Code, to establish a national health program administered by the Office of Personal Management to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Governmental Affairs.

OPTION ACT OF 2000

Mr. DURBIN. Mr. President, today I am introducing legislation to make available to all of our constituents the same range of private health insurance plans available to Members of Congress and other federal employees through the Federal Employees Health Benefits Program (FEHBP).

The OPTION Act—Offering People True Insurance Options Nationwide—would expand insurance options by allowing individuals to enroll in private health insurance plans nearly identical to the plans federal employees currently choose from. Through the OPTION program would be separate from the federal employees program, it would be modeled after FEHBP and would draw from FEHBP's strengths: plan choice, group purchasing savings, comprehensive benefits, and open enrollment periods.

Too many Americans do not have real insurance options. Many individuals lack insurance because no insurer is willing to cover them at a reasonable price. Others work for employers who do not provide health insurance or offer only one insurance provider. The OPTION Act addresses these issues by giving individuals and businesses access to the group purchasing power that undergirds FEHBP and the wide range of health plans in that program. Under this legislation, all FEHBP health plans would be required to offer an OPTION health plan to non-federal employees with the same benefits they offer federal employees through FEHBP.

OPTION enrollees would be placed in a separate risk pool, to prevent any effect on current FEHBP employees, and the OPTION Act would not result in any changes in the premiums or benefits of today's FEHBP health plans.

One of the few differences from FEHBP is that OPTION plans would be allowed to vary premiums by age, so that younger enrollees would be more likely to enroll. OPTION plans also would be required to offer rebates or lower premiums for longevity of health coverage. These provisions would act as an incentive for people to sign up when they are young and to maintain continuous coverage.

OPTION health plans would not be allowed to impose any preexisting condition exclusions on new OPTION enrollees who have at least one year of health insurance coverage immediately prior to enrollment in an OPTION plan. To prevent people from waiting until they get sick to enroll, health plans would be allowed to exclude coverage for preexisting conditions for up to one year for people without coverage immediately prior to enrollment.

All employers would have the option of voluntarily participating in the OPTION program and providing OPTION health plans to their employees. To be eligible, a business would have to be willing to pay at least a minimum percentage of the premiums, varying from 30 percent to 50 percent depending on the size of the business. This innovative employer option would encourage employer health coverage rather than shifting the cost away from the private sector. I want to emphasize that employer participation would be entirely voluntary.

Opening up these health plans to employers would give small businesses a new opportunity to provide health coverage to their employees. Premiums in today's market can be especially high for small businesses buying insurance on their own. The OPTION program will allow businesses to tap into the type of group buying power in the federal employees program.

Premiums would not be government-subsidized and would instead be the responsibility of the participating enrollees and those employers who choose to participate.

Mr. President, I support efforts to provide financial assistance to those who cannot afford health insurance and I have offered other pieces of legislation to provide that assistance. We have addressed the fact that 44.6 million Americans, including 1.7 million Illinoisans, currently lack health insurance—up nearly 25 percent from the 34.4 million in 1990. However, I am offering this measure on its own to focus specifically on expanding health coverage options and encouraging businesses to provide coverage. No one should be living just a serious accident or major illness away from financial ruin. Making more insurance options available to a greater number of people in this country is a good first step toward universal coverage.

The OPTION program would be administered by the Office of Personnel Management, OPM, which administers the FEHBP program, and would generally follow the rules for FEHBP. OPM has developed considerable expertise in negotiating and working with health plans and has shown that it can run a health program well at a minimum of cost. We can build on OPM's expertise to offer health insurance options to all Americans.

Finally, once it is up and running, the program would pay for itself. Administrative costs would be covered from a portion of the OPTION premiums. Those who benefit from the program would pay for its overhead costs.

Mr. President, this legislation could open the door for many Americans to obtain good health insurance coverage. I am introducing it at this late point in the session so that it can stimulate discussion over the next few months. I will reintroduce the measure next year.

I welcome the input and support of my colleagues and hope the Senate will work next year to reduce the number of uninsured Americans and expand insurance options.

I ask unanimous consent that a fuller summary of the bill and a copy of the bill itself be printed in the Record.

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

S. 3284

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 Offering People True Insurance Options Nationwide Act of 2000

SEC. 2. OPTION HEALTH INSURANCE.

Subpart G of part III of title 5, United States Code, is amended by adding at the end the following:

INDEX

Non-Federal Employees

9051. Definitions.
9052. Health insurance for non-Federal employees.
9053. Contract requirement.
9054. Eligibility.
9055. Alternative conditions to Federal employee plans.
9056. Coordination with social security benefits.
9057. Non-Federal employer participation.
9051. Definitions.

In this chapter—

(1) the terms defined under section 8901 shall have the meanings given such terms under that section; and

(2) the term 'Office' means the Office of Personnel Management.

9052. Health insurance for non-Federal employees.

(a) The Office of Personnel Management shall administer a health insurance program for non-Federal employees in accordance with this chapter.

(b) Except as provided under this chapter, the Office shall prescribe regulations to apply the provisions of chapter 89 to the greatest extent practicable to eligible individuals covered under this chapter.

(c) In no event shall the enactment of this chapter result in—

(1) any increase in the level of individual or Government contributions required under chapter 89, including copayments or deductibles;

(2) any decrease in the types of benefits offered under chapter 89; or

(3) any other change that would adversely affect the coverage afforded under chapter 89 to employees and annuitants and members of family under that chapter.

9053. Contract requirement.

(a) Each contract entered into under section 8902 shall require a carrier to offer to eligible individuals under this chapter,
throughout each term for which the contract remains effective, the same benefits (subject to the same maximums, limitations, exclusions, and other similar terms or conditions) as would be offered under such contract for applicable health benefits plan to employees, annuitants, and members of families.

(b) Any applicable health benefits plan is not sponsored by a carrier licensed under applicable State law; or

(c) bona fide enrollment restrictions make the application of this chapter inappropriate, including restrictions common to plans which are limited to individuals having a past or current employment relationship with the plan sponsor, agency or other authority of the Government.

(2) The Office may require a petition under this subsection to include—

(a) in the efforts the carrier proposes to take in order to offer the applicable health benefits plan under this chapter;

(b) the proposed date for offering such a health benefits plan;

(c) A waiver under this subsection may be for a period determined by the Office. The Office may grant subsequent waivers under this section.

§ 9054. Eligibility

(a) In this section the term—

(1) `employee', notwithstanding section 9051, means an employee of a non-Federal employer;

(2) a non-Federal employer means an employer that is not the Federal Government.

(b) The Office shall provide regulations for non-Federal employer participation in the health benefits plan under this chapter.

(c) A non-Federal employer that employs more than 20 percent of the total premiums with more than 2 employees shall pay not less than 15 percent of the total premiums.

(d) A non-Federal employer that employs more than 50 employees shall pay not less than 20 percent of the total premiums.

(3) Notwithstanding paragraph (2) (B), (C), or (D), a non-Federal employer that employs more than 2 employees shall pay not less than 20 percent of the total premiums with respect to the first year in which that employer participates under this chapter.

SEC. 3. TECHNIQUES AND CONFORMING AMENDMENTS.

(a) CONTRACT REQUIREMENT UNDER CHAPTER 89—Section 8902 of title 5, United States Code, is amended by adding after subsection (o) the following:

(p) Each contract under this chapter shall include a provision that the carrier shall offer any health benefits plan as required under chapter 90A; and

(b) TABLE OF CHAPTERS.—The table of chapters for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 90 the following:

90A. Health Insurance for Non-Federal Employees ................................ 9051

SEC. 4. EFFECTIVE DATE.

This Act shall take effect immediately on its enactment into law.
until they get sick to enroll, health plans would be allowed to exclude coverage for pre-existing conditions for up to one year for people without coverage immediately prior to enrollment by one month for each month of immediately previous coverage. OPTION enrollees who terminate their coverage would have to wait one year to re-enroll for the next annual open season that is at least six months after the date of termination.

People who lost their previous health coverage and are not eligible for COBRA would be allowed to enroll in an OPTION plan at the start of the next month, just as newly hired federal employees can enroll in FEHBP. The benefits provided by OPTION plans would be the same as those provided in the corresponding FEHBP plans. (Current FEHBP benefits include inpatient/outpatient hospital care; physician services; surgical services; diagnostic tests; and emergency care; as well as child immunizations; certain cancer screening tests, including mammography; prescription drugs, including contraceptives; mental health and substance abuse treatment benefits with parity for mental and physical health; organ transplantation; and a 48-hour minimum stay requirement for childbirth and mastectomies.)

The OPTION program would be administered by the Office of Personnel Management (OPM), not the FEHBP program, and would generally follow the rules for FEHBP. For example, OPM would conduct the open season for enrollment and would negotiate premiums and benefits with OPTION health plans as it does with FEHBP plans. OPM has developed considerable expertise in negotiating and working with health plans and has shown that it can run a health program well at a minimum of cost. Its expenses are currently limited to no more than one percent of the total premiums for the FEHBP program. Rather than reinventing the wheel, we can build on OPM’s expertise to extend the same high-quality health insurance options to all Americans.

Once it is up and running, the program would pay for itself. Administrative costs would be less than one-tenth of a percent of the OPTION premiums.

By Mr. DURBIN: S. 3285. A bill to amend the Internal Revenue Code of 1986 to exclude tobacco products from qualifying foreign trade property in the treatment of extraterritorial income; to the Committee on Finance.

STOP GIVING SPECIAL TAX BREAKS TO TOBACCO

Mr. DURBIN. Mr. President, today I am introducing legislation to exclude tobacco from the Extraterritorial Income Exclusion tax benefit, which has replaced the Foreign Sales Corporation tax benefit.

This tax provision provides tax benefits to a variety of companies, including many in Illinois, and I understand how important it is to them. But one product should be clearly, in law, excluded from this benefit, and it is the one product which kills its user when used according to the manufacturer’s directions—tobacco.

The FSC tax provision law already contains several exclusions from its benefits. Oil, gas, and other primary products are excluded to help ensure that natural resources in the United States are not used. Unprocessed timber is excluded in order to ensure no displacement of U.S. jobs.

The law also excludes certain products in order to promote congruence with other federal government policies. For example, there are exclusions relating to items subject to the Export Administration Act, which prohibits or severely restricts export of certain critical industries in order to further military applications. Similarly, we should not be subsidizing tobacco products that are sold overseas while at the same time trying to cut smoking rates in the U.S. Our trade and health priorities should be aligned.

The biggest tobacco companies in America currently benefit handsomely from the Foreign Sales Corporation tax break and will benefit from the Extraterritorial Income Exclusion tax break. The latest available data from the Statistics of Income Division at the Internal Revenue Service show tobacco products sold through 10 Foreign Sales Corporations for domestic tobacco manufacturers accounted for approximately $1 billion in lost tax revenue in 1996. There is no justification for compelling American taxpayers to support a $100 million tax subsidy annually for the benefit of U.S. tobacco companies.

Since 1990, while Philip Morris’s sales have grown minimally in the U.S., they have grown by 80 percent abroad. Smoking currently causes more than 35 million deaths each year throughout the world. Within 20 years, that number is expected to reach 10 million, with 70 percent of all deaths from smoking occurring in developing countries. Tobacco will soon be the leading cause of disease and premature death worldwide—surpassing communicable diseases such as AIDS, malaria, and tuberculosis. American taxpayers should not be partners in this export of disease and death where the result is more children around the globe smoking and more people getting sick.

While it is true that tobacco companies are not receiving any special treatment that other corporations don’t get under the old FSC law or its recent replacement, we must remember that tobacco companies are not like any other company. Internal tobacco industry documents have established that, starting as early as the 1950s, cigarette companies intentionally withheld information about smoking, including diseases caused by its risks; made false and misleading statements about the harm of tobacco products; attacked research findings despite knowing that the research was valid; failed to take steps to make their products safer; and marketed their products to children and youth.

As a matter of fact, Philip Morris recently posted a statement on its website agreeing that smoking is harmful to your health and that there is no such thing as a safe or safer cigarette. This statement says, “We agree with the overwhelming medical and scientific consensus that cigarette smoking causes lung cancer, heart disease, emphysema and other serious diseases in smokers. Smokers are far more likely to develop serious diseases, like lung cancer, than non-smokers. There is no ‘safe’ cigarette. These are and have been the messages of public health authorities worldwide. Smokers should be free to make their own decisions, but they do so by relying on these messages in making all smoking-related decisions.”

It is about time that the tobacco companies faced up to the fact that their products are harmful and highly addictive. In the U.S. alone, smoking causes more than 400,000 deaths and costs more than $72 billion in health care costs every year.

We should not be subsidizing such an inherently dangerous product that is being promoted and marketed so irresponsibly here and around the world. With its devastating health effects, tobacco should not enjoy the same taxpayer-subsidized federal assistance as other products.

It’s time to take another step toward bringing our nation’s tax and trade policies in line with our understanding of the health dangers of tobacco. My legislation simply adds one additional category to the list of products excluded from the special tax treatment in the FSC Repeal and Extraterritorial Income Exclusion Act of 2000, which was recently signed into law by the President. It shifts tobacco from being promoted by this tax benefit to being excluded from this tax benefit.

In my legislation, tobacco is defined as it is defined in Section 5702(c) of the Internal Revenue Code, so it includes cigars, cigarettes, smokeless tobacco, and pipe tobacco. It does not apply to raw tobacco, so this legislation will not affect tobacco farmers’ ability to sell their product abroad.

Is it fair to exclude a legal product from this tax benefit? Absolutely! Tobacco companies spend over $5 billion every year—that’s nearly $15 billion in U.S. alone in order to promote the consumption of their products in order to replace the thousands of customers who either die or quit using tobacco products each day. In other countries, U.S. tobacco companies advertise their products near schools and in video-game arcades. They also use children in other countries to peddle their products. Street lights with the Camel logo have been installed in Bucharest, Romania. Toy cars with the Camel insignia are sold to children in Buenos Aires. Children’s tatoos sporting the Salem logo are distributed in Hong Kong. Arcade games in the Philippines are plastered with the Marlboro label.

I urge my colleagues to send a message to U.S. tobacco companies as well as the next Administration to take the logical next step and make changes in the tobacco industry that are small and regulated to reflect the magnitude of the danger.

The tobacco prevention agenda has been stalled in this Congress for far too
long. Let's work together, in a bipartisan fashion, to stop marketing tobacco products to children, to regulate tobacco products in a sensible way, and to adopt larger and clearer warning labels commensurate with the risks of tobacco products. Let's take a close look at the forms of tobacco, including the new fad of bids and the resurgence of the use of cigars. They all have addictive levels of nicotine and deadly levels of carcinogens. It's time to put people's health ahead of tobacco company profits.

Mr. President, I urge my colleagues to join me in cosponsoring this important legislation, to end the contradiction of using the tax code to continue to enrich U.S. tobacco companies, which export products that addict children abroad to nicotine and push them down a path to disease and death.

I ask unanimous consent that a copy of the legislation be printed in the Congressional Record.

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

S. 3285

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SECTION 1. EXCLUSION OF TOBACCO PRODUCTS FROM QUALIFYING FOREIGN TRADE PROPERTY.

(a) In General.-(Section 943(a)(3) of the Internal Revenue Code of 1986 (relating to excluded property) is amended by striking "or" at the end of subparagraph (D), by striking the period at the end of subparagraph (E) and inserting ", and", and, by inserting after subparagraph (E) the following new subparagraph:

"(F) any tobacco products (as defined in section 5702(c))."

(b) EFFECTIVE DATE.-(The amendments made by this section shall take effect as if provided by this section made by section 162 of the Act of June 20, 2001, and for other purposes, shall take effect as if made by this section made by this section shall take effect as if provided by this act.

S. 3286

A bill to provide permanent funding for the Bureau of Land Management Payment in Lieu of Taxes program and for other purposes; to amend the Pitt and Refuge Revenue Sharing Permanent Funding Act;

PILT AND REFUGE REVENUE SHARING PERMANENT FUNDING ACT

Mr. BINGAMAN. Mr. President, the bill I am introducing today, the PILT and Refuge Revenue Sharing Permanent Funding Act, deals with an issue that I believe must be addressed in the next Congress. The bill is a measure to make permanent funding for two important programs managed by the Department of the Interior: the Payment in Lieu of Taxes program (or PILT) and the Refuge Revenue Sharing Program in the Fish and Wildlife Service. These programs provide support to local governments in areas in which these two agencies hold land. Under the authorizations for these programs, the funds are to be provided as an offset to the local property tax base lost by virtue of the Federal ownership of these lands.

Federal ownership of lands in the American West, in states like New Mexico, does not come without its share of burdens for local governments. If there is a fire or other emergency, they must help respond. If there is increased traffic to and from the site, they must maintain the public roads that provide the necessary access to the public. In enacting the original authorizing legislation, Congress decided that, as a matter of policy, it was appropriate for the Federal Government to bear a fair share in paying for these costs, in lieu of the taxes that would be levied on any private landowner in these localities.

In setting up these programs, Congress decided to make them subject to annual appropriations, either partially (in the case of Refuge Revenue Sharing) or completely (in the case of PILT). In retrospect, this was a mistake. The annual appropriations process has never come even close to providing the funds agreed upon by the underlying authorizing law. Moreover, the amount made available has changed significantly from one year to the next, frustrating the ability of localities to plan effectively for the use of these funds. Many of the burdens they face as a result of Federal land ownership require expenditures and commitments that are long-term. If you want to have a reasonable system of country roads, you need to have a consistent multi-year plan. If you want adequate fire protection, you can't be hiring a dozen new firefighters in one year and firing them the next, as appropriation levels gyrate up and down.

The Federal Government needs to be a better neighbor and a more reliable partner to local governments in the rural West. Since the system of meeting our obligations to these localities through the annual appropriations process has failed, I am proposing that we start treating our payments in lieu of taxes as the Federal Government—on the mandatory side of the Federal ledger. By making the funding for these crucial programs full and permanent, we will be keeping the commitments to rural communities throughout the West made in the original PILT and Refuge Revenue Sharing authorizing legislation. It is a matter of simple justice to rural communities. I hope that enacting legislation along the lines of what I am proposing today will receive high priority in the next Congress.

Mr. President, I ask unanimous consent that the text of this bill be printed in the Record following this statement.

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

S. 3286

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,
text of H.R. 5666, as so enacted, shall not include section 123 (relating to the enactment of H.R. 4904)"

SENATE RESOLUTION 388—TENDERING THE THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE FOR THE COURTEOUS, DIGNIFIED, AND IMPARTIAL MANNER IN WHICH HE HAS PRE-SIDED OVER THE DELIBERATIONS OF THE SENATE

Mr. LOTT (for himself, Mr. DASCHLE, Mr. NICKLES, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 388

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Strom Thurmond, President pro tempore of the Senate, for his courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the One Hundred Sixth Congress.

SENATE RESOLUTION 389—TENDERING THE THANKS OF THE SENATE TO THE VICE PRESIDENT FOR THE COURTEOUS, DIGNIFIED, AND IMPARTIAL MANNER IN WHICH HE HAS PRE-SIDED OVER THE DELIBERATIONS OF THE SENATE

Mr. LOTT (for himself, Mr. DASCHLE, Mr. NICKLES, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 389

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Al Gore, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the One Hundred Sixth Congress.

SENATE RESOLUTION 390—TO COM-MEND THE EXEMPLARY LEADERSHIP OF THE DEMOCRATIC LEADER.

Mr. LOTT (for himself, Mr. NICKLES, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 390

Resolved, That the thanks of the Senate are hereby tendered to the distinguished Democratic Leader, the Senator from South Dakota, the Honorable Thomas A. Daschle, for his exemplary leadership and the cooperative and dedicated manner in which he has performed his leadership responsibilities in the conduct of Senate business during the second session of the 106th Congress.

SENATE RESOLUTION 391—TO COM-MEND THE EXEMPLARY LEADERSHIP OF THE MAJORITY LEADER.

Mr. DASCHLE (for himself, Mr. NICKLES, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 391

Resolved, That the thanks of the Senate are hereby tendered to the distinguished Major-

AMENDMENTS SUBMITTED

DILLONWOOD GIANT SEQUOIA GROVE PARK EXPANSION ACT

MURKOWSKI (AND BINGAMAN) AMENDMENT NO. 4365

Mr. DOMENICI (for Mr. MURKOWSKI (for himself and Mr. BINGAMAN)) proposed an amendment to the bill (H.R. 4020) to authorize an expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. ADDITION TO SEQUOIA NATIONAL PARK.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall acquire by donation, purchase with donated or appropriated funds, or exchange, all interest in and to the land referred to in subsection (b) for addition to Sequoia National Park, California.

(b) LAND ACQUIRED.—The land referred to in subsection (a) is the land depicted on the map entitled “Dillonwood”, numbered 102/80,044, and dated September 1999.

(c) ADDITION TO PARK.—Upon acquisition of the land under subsection (a)—

(1) the Secretary of the Interior shall—

(A) modify the boundaries of Sequoia National Park to include the land within the park; and

(B) administer the land as part of Sequoia National Park in accordance with all applicable laws.

(2) The Secretary of Agriculture shall modify the boundaries of the Sequoia National Forest to exclude the land from the forest boundaries.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 1999

HATCH AMENDMENT NO. 4366

Mr. STEVENS (for Mr. HATCH) proposed an amendment to the bill (H.R. 46) to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty; as follows:

Strike all after the enacting clause and insert the following:

TITLE I—PUBLIC SAFETY MEDAL OF VALOR

SECTION 101. SHORT TITLE.

This title may be cited as the “Public Safety Officer Medal of Valor Act of 2000”.

SEC. 102. AUTHORIZATION OF MEDAL.

After September 1, 2001, the President may award, and present in the name of Congress, a Medal of Valor of appropriate design, with ribbons and appurtenances, to a public safety officer who is cited by the Attorney General, upon the recommendation of the Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor shall be the highest national award for valor by a public safety officer.

SEC. 103. MEDAL OF VALOR BOARD.

(a) ESTABLISHMENT OF BOARD.—There is established a Medal of Valor Review Board...
not inconsistent with this title or other acts of the Board's business, if such rules are adopted.

The Board shall be composed of 11 individuals who shall constitute a quorum to conduct hearings scheduled. The Board shall meet at the call of the Chairman of the Board. The Board shall meet not less than twice each year.

Voting and Rules. A majority of the members shall constitute a quorum to conduct business, but the Board may establish a lesser quorum for conducting hearings scheduled by the Board. The Board may establish a majority vote or any other rules for the conduct of the Board's business, if such rules are not inconsistent with this title or other applicable law.

Duties. The Board shall select candidates as recipients of the Medal of Valor from among those applications received by the National Medal Office. Not more than once each year, the Board shall present to the Attorney General the name of the recipients as Medal of Valor recipients. In a given year, the Board shall not be required to select any recipients but may select recipients. The Attorney General may establish in extraordinary cases increase the number of recipients in a given year. The Board shall set an annual timetable for fulfilling its duties under this title.

Hearings. In General. The Board may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Board considers advisable to carry out its duties.

Witness Expenses. Witnesses requested to appear before the Board may be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code, per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Board.

Hearing and Testing from Federal Agencies. The Board may secure directly from any Federal department or agency such information as the Board considers necessary to carry out its duties. Upon the request of the Board, the head of each department or agency may furnish such information to the Board.

Information to Be Kept Confidential. The Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

SEC. 104. BOARD PERSONNEL MATTERS.

(a) Composition. Except as provided in paragraph (2), each member of the Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Board.

(b) All members of the Board who serve as officials or employees of the United States, a State, the District of Columbia, or any other political subdivision of a State, shall serve without compensation in addition to that received for such services.

(c) Travel Expenses. The members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter II of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

SEC. 105. DEFINITIONS. In this title:

(1) Public Safety Officer. The term "public safety officer" means a person serving a public agency, with or without compensation, as a law enforcement officer, fire protection officer, or emergency services officer, as determined by the Attorney General. For the purposes of this subparagraph, the term "law enforcement officer" includes a person who is a corrections officer or a civilian defense officer.

(2) State. The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Marianas, and the Commonwealth of the Northern Mariana Islands.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this title.

SEC. 107. NATIONAL MEDAL OF VALOR OFFICE.

There is established within the Department of Justice a national medal of valor office. The office shall provide staff support to the Board to establish criteria and procedures for the submission of recommendations of nominees for the Medal of Valor and for the final determination of whether to award the Medal of Valor.

SEC. 108. CONFORMING REPEAL.


SEC. 109. CONSULTATION REQUIREMENT.

The Board shall consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Board may also consider suggestions received by the Department of Justice regarding the design of the medal, including those made by persons not employed by the Department.

(b) The Deputy Assistant Attorney General shall be the head of the Computer Crime and Intellectual Property Section (CCIPS) of the Department of Justice.

(c) The Deputy Assistant Attorney General shall have the following duties:

(1) To advise Federal prosecutors and law enforcement personnel regarding computer crime, intellectual property crime, and related computer and cyber-terrorism issues.

(2) To coordinate national and international law enforcement activities relating to combating computer crime.


Sec. 303. Deterrence and Prevention of Fraud, Abuse, and Criminal Activities in Connection with Computers.

(a) Clarification of Protection of Protected Computers. Subsection (a)(9) of section 1030 of title 18, United States Code, is amended—

(1) by inserting ``(i)'' after ``(A)'',

(2) by redesignated subparagraphs (B) and (C) as clause (ii), and (iii), respectively, of subparagraph (A),

(3) by adding ``and'' at the end of clause (iii), as so redesignated; and

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

``(B) whose conduct described in clause (i), (ii), or (iii) of subparagraph (A) caused (or, in the case of an attempted offense, would, if completed, have caused)—

``(i) loss to 1 or more persons during any 1-year period (including loss resulting from a related course of conduct affecting 1 or more other protected computers) aggregating at least $5,000 in value;

``(ii) the modification or impairment, or the prevention of the use, of a computer located in or outside the United States that is used in a manner that affects interstate or foreign commerce or communication of the United States; and

``(iii) to the offense, and any revenue lost, cost incurred because of interruption of service; and

(b) Penalties. Subsection (c) of that section is amended—

(1) in paragraph (5)(A)(ii), or an attempt to commit an offense punishable under this subparagraph;

(2) in paragraph (5)(A)(ii), as so redesignated; and

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

``(D) a fine not more than $5,000,000, or imprisonment for not more than 20 years, or both, in the case of an offense under subsection (a)(1)(B), or (a)(1)(C), or (a)(1)(D), or (a)(1)(E), or (a)(1)(F); and

(c) Authorized Appropriations. Subsection (e) of that section is amended—

(1) in paragraph (2)(B), by inserting ", including a computer located outside the United States that is used in a manner that affects interstate or foreign commerce or communication of the United States' before the semicolon;

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

(3) by striking paragraph (8) and inserting the following new paragraph:

``The term 'damage' means any impairment to the integrity or availability of data, a program, a system, or information;''

(4) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following new paragraphs:

``(10) the term 'conviction' shall include a conviction under the law of any State for a crime punishable by imprisonment for more than 1 year, an element of which is a violation of section 3711 of title 18, United States Code, and

``(11) the term 'loss' means any reasonable cost to any victim, including the cost of repairing or replacing the data, program, system, or information to its condition prior to the offense, and any revenue lost, cost incurred, or other consequential damages in connection with the interference with, or impairment of, the use of a computer, including the reasonable cost of a typical medical examination, diagnosis, treatment, or care of a person or other individual;

``(12) the term 'person' means any individual, firm, corporation, educational institution, financial institution, governmental entity, or any other legal entity.''

(d) Damages in Civil Actions. Subsection (g) of that section is amended—

(1) by inserting ``except as provided in subparagraph (B), before 'a fine';
(1) by striking the second sentence and inserting the following new sentences: “A suit for a violation of this section may be brought only if the conduct involves one of the factors listed in clauses (i) through (v) of subsection (a)(5)(B). Damages for a violation involving only conduct described in subsection (a)(5)(B)(ii) are limited to economic damages.

(2) by adding at the end the following new sentence: “No action may be brought under this subsection for the negligent design or manufacture of computer hardware, computer software, or firmware.”

SEC. 304. CRIMINAL FORFEITURE FOR COMPUTER FRAUD AND ABUSE.

Section 18 U.S.C. 2318(a) (as so redesignated), United States Code, is amended—

(1) by redesignating subsection (h) as subsection (j); and

(2) by inserting after subsection (g) the following new subsection (h): “(h) The court, in imposing sentence on any person convicted of a violation of this section, shall order, in addition to any other sentence imposed and irrespective of any provision therein that such person forfeit to the United States—

“(1) the interest of such person in any personal property that was used or intended to be used to facilitate the commission of such violation and

“(2) any property, whether real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of such violation.

“The criminal forfeiture of property under this subsection, any seizure and disposition thereof, and any administrative or judicial proceeding relating thereto, shall be governed by section 413 (other than subsection (d) of that section) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853).”

SEC. 305. ENHANCED COORDINATION OF FEDERAL AGENCIES.

Subsection (d) of section 1030 of title 18, United States Code, is amended to read as follows:

“(d)(1) The United States Secret Service shall, in addition to any other agency having such an authority, investigate offenses under this section relating to its jurisdiction under section 3056 of this title and other statutory authorities. Such authorizations shall be exercised in accordance with section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except subsubsection (d) of that section.”

SEC. 306. ADDITIONAL DEFENSE TO CIVIL ACTIONS RELATING TO PROTECTION OF RECORDS IN RESPONSE TO GOVERNMENT REQUESTS.

Section 2701(e)(1) of title 12, United States Code, is amended after “for statutory authorization” the following: “(including a request of a governmental entity under section 2702(f) of this title)”

SEC. 307. FORFEITURE OF DEVICES USED IN COMPUTER SOFTWARE COUNTERFEITING AND INTELLECTUAL PROPERTY THEFT.

(a) In General.—Section 2318(d) of title 18, United States Code, is amended—

(1) by inserting “(ii)” before “When”;

(2) in paragraph (1), as so designated, by inserting “, and of any replicator or other device or thing used to copy or produce the counterfeit item to which the counterfeit labels have been affixed or which were intended to have such labels affixed” before the period; and

(3) by adding at the end the following: “(2) The forfeiture of property under this section, including any seizure and disposition of the property, and any related judicial or administrative proceeding, shall be governed by the provisions of section 413 (other than subsection (d) of that section) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853).”

(b) CONFORMING AMENDMENT.—Section 492 of such title is amended in the first undesignated paragraph by striking “or 1702,” and inserting “, 1702, or 2318”.

SEC. 308. SENTENCING DIRECTIVES FOR COMPUTER CRIMES.

(a) AMENDMENT OF SENTENCING GUIDELINES RELATING TO CERTAIN COMPUTER CRIMES.—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 and, if appropriate, shall promulgate guidelines or policy statements to amend existing policy statements to address—

“(1) the potential and actual loss resulting from an offense under section 1030 of title 18, United States Code (as amended by this title);

“(2) the level of sophistication and planning involved in such an offense;

“(3) the growing incidence of offenses under such subsections and the need to provide an effective deterrent against such offenses;

“(4) whether or not the defendant, acting with commercial advantage or private financial benefit;

“(5) whether or not the defendant involved a juvenile in the commission of such an offense;

“(6) whether or not the defendant acted with malicious intent to cause harm in committing such an offense;

“(7) the extent to which such an offense violated the privacy rights of individuals harmed by the offense; and

“(8) any other factor the Commission considers appropriate in promulgating the guidelines or amendments made by this title with regard to such subsections.

(b) AMENDMENT OF SENTENCING GUIDELINES RELATING TO COMPUTER FRAUD AND ABUSE.—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 to ensure that any individual convicted of a violation of section 1030(a)(5)(A)(ii) or 1030(a)(5)(A)(iii) or title 18, United States Code (as amended by section 303 of this Act), can be subjected to appropriate penalties, without regard to any mandatory minimum term of imprisonment.

(c) AMENDMENT OF SENTENCING GUIDELINES RELATING TO USE OF ENCRYPTION.—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 and, if appropriate, shall promulgate guidelines or policy statements to amend existing policy statements to ensure that the guidelines provide sufficiently stringent penalties to deter and punish persons who intentionally use encryption or computer cryptography to commit or concealment of criminal acts sentenced under the guidelines.

(d) EMERGENCY AUTHORITY.—The Commission may promulgate the guidelines or amendments provided for under this section in accordance with the procedures set forth in section 2(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

SEC. 309. ASSISTANCE TO FEDERAL, STATE, AND LOCAL COMPUTER CRIME ENFORCEMENT AND ESTABLISHMENT OF NATIONAL CYBER CRIME TECHNICAL SUPPORT CENTER.

(a) NATIONAL CYBER CRIME TECHNICAL SUPPORT CENTER.—


(b) NAMING.—The technical support center constructed and equipped under paragraph (1) shall be known as the “National Cyber Crime Technical Support Center”.

(c) FUNCTIONS.—In addition to any other authorized functions, the functions of the National Cyber Crime Technical Support Center shall be—

(A) to serve as a centralized technical resource for Federal, State, and local law enforcement personnel investigating computer-related criminal activity; and

(B) to provide training and education for Federal, State, and local law enforcement personnel investigating computer-related crimes and to foster coordination and assistance in the investigation of computer-related criminal activities.

(d) PROVIDING SUPPORT.—In addition to any other functions, the functions of the National Cyber Crime Technical Support Center shall include—

(1) to provide training and education for Federal, State, and local law enforcement personnel investigating computer-related crime and forensic analyses pertaining to computer-related crimes;

(2) to conduct research and development efforts in support of the National Cyber Crime Technical Support Center, and in support of law enforcement and to provide training, education, and assistance to existing forensic laboratories and other entities that provide computer forensic services, including any other entity that provides computer forensic services that have the capability—

(i) to provide forensic examinations with respect to seized or intercepted computer evidence relating to criminal activity; and

(ii) to provide training and education for Federal, State, and local law enforcement personnel and prosecutors regarding investigative and forensic analyses of evidence related to computer-related crimes;

(3) in order that such computer forensic laboratories have the capability—

(i) to provide forensic examinations with respect to seized or intercepted computer evidence relating to criminal activity;

(ii) to provide training and education for Federal, State, and local law enforcement personnel and prosecutors regarding investigative and forensic analyses of evidence related to computer-related crimes;

(iii) to assist Federal, State, and local government in enforcing Federal, State, and local criminal laws relating to computer-related crimes;

(4) to facilitate and promote efficiencies in the sharing of Federal law enforcement expert, investigative technologies, and forensic analyses pertaining to computer-related crime;

(5) to carry out such other activities as the Director considers appropriate.

(e) DEVELOPMENT AND SUPPORT OF COMPUTER FORENSIC ACTIVITIES.—The Director shall, in consultation with the heads of other Federal law enforcement agencies, take appropriate actions to ensure that 10 regional computer forensic laboratories, and to provide support, education, and assistance for existing computer forensic laboratories, in order that such computer forensic laboratories have the capability—

(1) to provide forensic examinations with respect to seized or intercepted computer evidence relating to criminal activity; and

(2) to provide training and education for Federal, State, and local law enforcement personnel and prosecutors regarding investigative and forensic analyses of computer-related crimes;

(3) to assist Federal, State, and local law enforcement in enforcing Federal, State, and local criminal laws relating to computer-related crimes;

(4) to facilitate and promote the sharing of Federal law enforcement expert, investigative technologies, and forensic analyses pertaining to computer-related crime; and

(5) to carry out such other activities as the Attorney General considers appropriate.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There is hereby authorized to be appropriated for fiscal year
2001, $100,000,000 for purposes of carrying out this section, of which $20,000,000 shall be available solely for activities under subsection (b).

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

Amend the title to read as follows: "To provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, to enhance community crime enforcement and Internet security, and for other purposes."

HAWAIIAN NATIONAL PARK LAW CORRECTION ACT OF 1999

MURKOWSKI (AND BINGAMAN) AMENDMENT NO. 4367

Mr. STEVENS (for Mr. MURKOWSKI and Mr. BINGAMAN) proposed an amendment to the bill (S. 939) to correct spelling errors in the statutory designations of Hawaiian National Parks; as follows:

On page 2, strike lines 1 and 2 and insert the following:

"TITLE I—CORRECTION IN DESIGNATIONS OF HAWAIIAN NATIONAL PARKS.

SEC. 101. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL PARKS.

On page 4, line 17, strike "SEC. 3" and insert "SEC. 102".

At the end of the bill add the following new titles:

"TITLE II—PEOPLING OF AMERICA THEME STUDY"

SEC. 201. SHORT TITLE.

This title may be cited as the "Peopling of America Theme Study Act".

SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) an important facet of the history of the United States is the story of how the United States was populated;

(2) the migration, immigration, and settlement of the population of the United States—

(A) is broadly termed the "peopling of America"; and

(B) is characterized by—

(i) the presence of groups of people across external and internal boundaries of the United States and territories of the United States; and

(ii) the interactions of those groups with each other and with other populations;

(3) each of those groups has made unique, important contributions to American history, culture, art, and life;

(4) the spiritual, intellectual, cultural, political, and economic vitality of the United States is a result of the pluralism and diversity of the peopling place;

(5) the success of the United States in embracing and accommodating diversity has strengthened the national fabric and unified the United States in its values, institutions, experiences, goals, and accomplishments;

(6)(A) the National Park Service's official thematic framework, revised in 1996, responds to the requirements of section 1208 of the Civil War Sites Study Act of 1990 (16 U.S.C. 1a-5 note; Public Law 101-628), that "the Secretary shall ensure that the full diversity of American history and prehistory are represented" in the identification and interpretation of historic properties by the National Park Service; and

(B) the thematic framework recognizes that "people are the primary agents of change" and establishes the theme of human population movement and change—or "peopling places"—as a primary thematic category for interpretation and preservation; and

(7) although there are approximately 70,000 listings on the National Register of Historic Places, sites associated with the exploration and settlement of the United States by a broad range of cultures are not well represented.

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

(1) to foster a much-needed understanding of the diversity and contribution of the breadth of groups who have peopled the United States; and

(2) to strengthen the ability of the National Park Service to include groups and events otherwise not recognized in the peopling of the United States.

SEC. 203. DEFINITIONS.

In this title:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) THEME STUDY.—The term "theme study" means the national historic landmark theme study required under section 4.

(3) PEOPLING OF AMERICA.—The term "peopling of America" means the migration to and within, and the settlement of, the United States.

SEC. 204. THEME STUDY.

(a) IN GENERAL.—The Secretary shall prepare and submit to Congress a national historic landmark theme study on the peopling of America.

(b) PURPOSE.—The purpose of the theme study shall be to identify regions, areas, trails, districts, communities, sites, buildings, structures, objects, organizations, societ —

(1) best illustrate and commemorate key events or decisions affecting the peopling of America; and

(2) can provide a basis for the preservation and interpretation of the peopling of America that has shaped the culture and society of the United States.

(c) IDENTIFICATION AND DESIGNATION OF POTENTIAL NEW NATIONAL HISTORIC LANDMARKS.—

(1) IN GENERAL.—The theme study shall identify and designate new national historic landmarks.

(2) LIST OF APPROPRIATE SITES.—The theme study shall include a list in order of importance or merit of the most appropriate sites for national historic landmark designation; and

(3) ENCOURAGE THE NOMINATION OF OTHER PROPERTIES TO THE NATIONAL REGISTER OF HISTORIC PLACES.

(3) DESIGNATION.—On the basis of the theme study, the Secretary shall designate national historic landmarks.

(d) NATIONAL PARK SYSTEM.—

(1) IDENTIFICATION OF SITES WITHIN CURRENT UNITS.—The theme study shall identify appropriate sites within the National Park System at which the peopling of America may be interpreted.

(2) IDENTIFICATION OF NEW SITES.—On the basis of the theme study, the Secretary shall recommend to Congress sites for which studies for potential inclusion in the National Park System should be authorized.

(3) C OOPERATIVE ARRANGEMENTS.—On the basis of the theme study, the Secretary may enter into cooperative arrangements with educational institutions, professional associations, or other entities knowledgeable about the peopling of America—

(1) to prepare the theme study;

(2) to ensure that the theme study is prepared in accordance with generally accepted scholarly standards; and

(3) to promote cooperative arrangements and programs relating to the peopling of America.

SEC. 205. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with educational institutions, professional associations, or other entities knowledgeable about the peopling of America—

(1) to prepare the theme study;

(2) to ensure that the theme study is prepared in accordance with generally accepted scholarly standards; and

(3) to promote cooperative arrangements and programs relating to the peopling of America.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

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

T I T L E II—LITTLE SANDY RIVER WATERSHED PROTECTION, OREGON

SEC. 301. INCLUSION OF ADDITIONAL PORTION OF THE LITTLE SANDY RIVER WATERSHED IN THE BULL RUN WATERSHED MANAGEMENT UNIT, OREGON.

(a) IN GENERAL.—Public Law 95±200 (16 U.S.C. 2209) is amended by striking section 1 and inserting the following:

"SECTION 1. ESTABLISHMENT OF SPECIAL RESOURCES MANAGEMENT UNIT; DEFINITION OF UNIT.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—There is established, subject to validity requirements, a special resources management unit in the State of Oregon comprising approximately 98,272 acres, as depicted on a map dated May 2000, and entitled "Bull Run Watershed Management Unit".

(2) MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the offices of the Forest-Pacific Northwest Region, Forest Service, Department of Agriculture, and in the
The preamble was agreed to.

HAWAIIAN NATIONAL PARK LANGUAGE CORRECTION ACT OF 1999

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 175, S. 939. The PRESIDING OFFICER. The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (S. 939) to correct spelling errors in the statutory designations of Hawaiian National Parks.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(Omit the parts in boldface brackets and insert the parts printed in italic.)

S. 939

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 “Hawaiian National Park Language Correction Act of 1999.”

SEC. 2. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL PARKS.

(a) HAWAI‘I VOLCANOES NATIONAL PARK.—

(1) IN GENERAL.—Public Law 87-278 (75 Stat. 881) is amended by striking “Haleakala National Park” each place it appears and inserting “Hawai‘i Volcanoes National Park”.

(2) REFERENCES.—Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to “Kaloko-Honokohau National Park” shall be considered a reference to “Hawai‘i Volcanoes National Park”.

(b) HALEAKALA NATIONAL PARK.—

(1) IN GENERAL.—Public Law 86-744 (74 Stat. 801) is amended by striking “Haleakala National Park” and inserting “Hawai‘i Volcanoes National Park”.

(2) REFERENCES.—Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to “Kaloko-Honokohau National Park” shall be considered a reference to “Hawai‘i Volcanoes National Park”.

(c) KALOKO-HONOKOHAU.—

(1) IN GENERAL.—Section 505 of the National Parks and Recreation Act of 1978 (92 Stat. 336) is amended by striking “Kaloko-Honokohau National Historic Park” and inserting “Kaloko-Honokohau National Historical Park”.

(2) REFERENCES.—Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to “Kaloko-Honokohau National Historic Park” shall be considered a reference to “Kaloko-Honokohau National Historical Park”.

(g) PU‘UHONUA O HONAUNAU NATIONAL HISTORICAL PARK.—

(1) IN GENERAL.—The first section of the Act of July 21, 1955 (chapter 385, 69 Stat. 376), as amended by section 365 of the National Parks and Recreation Act of 1978 (92 Stat. 3477), is amended by striking “Pu‘u‘honua o Honaunau National Historical Park” each place it appears and inserting “Pu‘u‘honua o Honaunau National Historical Park”.

SEC. 3. ENVIRONMENTAL RESTORATION.

In order to further the purposes of this title, the Secretary of the Interior shall complete an administrative land reclassification such that those lands identified pursuant to subsection (a) become public domain lands not subject to the distribution provision of the Act of August 28, 1937 (chapter 876, 50 Stat. 875; 43 U.S.C. 1702), but excluding therefrom any lands managed pursuant to the Act of August 28, 1937 (chapter 876, title II, 50 Stat. 875; 43 U.S.C. 1702) .

SEC. 4. TIMBER HARVESTING RESTRICTIONS.

SEC. 5. MANAGEMENT PLANS.

SEC. 6. MANAGEMENT.

SEC. 7. LAND RECLASSIFICATION.

SEC. 8. REPEAL OF DUPLICATIVE ENACTMENT.

SEC. 9. WATER RIGHTS.

SEC. 10. REPEAL OF DUPLICATIVE ENACTMENT.

SEC. 11. EXTENDING PUBLIC AWARENESS OF MULTIPLE SCLEROSIS.
Mr. STEVENS. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House to accompany S. 2749, to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 2749) entitled 'An Act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States', do pass with the following amendments:

Strike out all after the enacting clause and insert:

TITLE I—CALIFORNIA TRAIL INTERPRETIVE CENTER

SEC. 101. SHORT TITLE. This title may be cited as the "California Trail Interpretive Center Act.

SEC. 102. FINDINGS AND PURPOSES. (a) FINDINGS. Congress finds that—

(1) the nineteenth-century westward movement in the United States over the California National Historic Trail, which occurred from 1840 until the completion of the transcontinental railroad from 1869, was an important cultural and historical event; and

(2) the prevention of colonization of the west coast by Russia and the British Empire; and

(3) the development of the western land of the United States; and

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

(1) to recognize the California Trail, including the Hastings Cutoff and the trail of the ill-fated Donner-Rede Party, for its national, historical, and cultural significance; and

(2) to provide the public with an interpretive facility devoted to the vital role of trails in the West in the development of the United States.

SEC. 103. DEFINITIONS. In this title:

(C) California Trail—The term "California Trail" means the California National Historic Trail, established under section 3(a)(18) of the National Trails System Act (16 U.S.C. 1244(a)(18));

(D) Center—The term "Center" means the California Trail Interpretive Center established under section 104(a);

(E) Secretary—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

SEC. 104. CALIFORNIA TRAIL INTERPRETIVE CENTER.

(a) ESTABLISHMENT. In furtherance of the purposes of section 7(c) of the National Trails System Act (16 U.S.C. 1246(c)), the Secretary may establish an interpretation center to be known as the "California Trail Interpretive Center".

(b) PURPOSE. The center shall be established for the purpose of interpreting the history of development and use of the California Trail in the settling of the West.

(c) MASTERS PLAN STUDY. To carry out subsection (a), the Secretary shall—

(1) consider the findings of the master plan study for the California Trail Interpretive Center in Elko, Nevada, as authorized by page 15 of Senate Report 106-99;

(2) initiate a plan for the development of the Center that includes—

(A) a detailed description of the design of the Center;

(B) a description of the site on which the Center is to be located;

(C) a description of the method and estimated cost of acquisition of the site on which the Center is to be located;

(D) the estimated cost of construction of the Center;

(E) the cost of operation and maintenance of the Center; and

(F) a description of the manner and extent to which non-Federal entities shall participate in the acquisition and construction of the Center.

(d) IMPLEMENTATION. To carry out subsection (a), the Secretary shall—

(1) acquire land and interests in land for the construction of the Center by—

(A) donation;

(B) purchase with donated or appropriated funds; or

(C) exchange;

(2) provide for local review of and input concerning the development and operation of the Center by the Advisory Board for the National Historic California Emigrant Trails Interpretive Center of the city of Elko, Nevada;

(3) periodically prepare a budget and funding request that allows a Federal agency to carry out the maintenance and operation of the Center;

(4) enter into a cooperative agreement with—

(A) the State, to provide assistance in—

(i) removal of snow from roads;

(ii) rescue, firefighting, and law enforcement services; and

(iii) coordination of activities of nearby local law enforcement and firefighting departments or agencies; and

(B) a Federal, State, or local agency to develop or operate facilities and services to carry out this title; and

(5) notwithstanding any other provision of law, accept donations of funds, property, or services from an individual, foundation, corporation, or public entity to provide a service or facility that is consistent with this title, as determined by the Secretary, including 1-time contributions for the Center (to be payable during construction funding periods for the Center after the date of enactment of this Act) from—

(A) the State, in the amount of $3,000,000;

(B) Elko County, Nevada, in the amount of $1,000,000; and

(C) the city of Elko, Nevada, in the amount of $2,000,000.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $12,000,000.

TITLE II—CONVEYANCE OF NATIONAL FOREST SYSTEM LANDS FOR EDUCATIONAL PURPOSES

SEC. 201. SHORT TITLE. This title may be cited as the "Education Land Grant Act.

SEC. 202. CONVEYANCE OF NATIONAL FOREST SYSTEM LANDS FOR EDUCATIONAL PURPOSES.

(a) AUTHORITY TO CONVEY. Upon written application, the Secretary of Agriculture may convey land in the National Forest System lands to a public school district for use for educational purposes if the Secretary determines that—
S11938

CONGRESSIONAL RECORD—SENATE
December 15, 2000

(1) the public school district seeking the conveyance will use the conveyed land for a public or publicly funded elementary or secondary school, to provide grounds or facilities related to such a school, or for both purposes; (2) the conveyance will serve the public interest; (3) the land to be conveyed is not otherwise needed for the purposes of the National Forest System; (4) the total acreage to be conveyed does not exceed the amount reasonably necessary for the proposed project; (5) the land is to be used for an established or proposed project that is described in detail in the application to the Secretary, and the conveyance of the land will be consistent with the District's historic character; (6) the Secretary to the Secretary a report on the National Register of Historic Places. (c) COORDINATING WITH OTHER PROGRAMS.—(1) The Secretary shall, to the extent practicable, coordinate with other Federal programs, including programs administered by the National Park Service, the State Historic Preservation Office, and the Rocky Mountain Region of the National Park Service, to the extent practicable, coordinate with other Federal programs.

(2) The Secretary shall, to the extent practicable, coordinate with other Federal programs, including programs administered by the National Park Service, the State Historic Preservation Office, and the Rocky Mountain Region of the National Park Service, to the extent practicable, coordinate with other Federal programs.

(2) R EVERSIONARY INTEREST.—If, at any time after lands are conveyed pursuant to this section, the entity to whom the lands were conveyed attempts to transfer title or control over the lands to another or the lands are devoted to a use other than the use for which the lands were conveyed, or to the lands shall revert to the United States.

TITIE III—GOLDEN SPIKE/ CROSSES OF THE WEST NATIONAL HERITAGE AREA STUDY AREA AND THE CROSSROADS OF THE WEST HISTORIC DISTRICT

SEC. 301. AUTHORIZATION OF STUDY.

(a) DEFINITIONS.—For the purposes of this section—


(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) STUDY AREA.—The term "Study Area" means the Golden Spike/Crosses of the West National Heritage Area Study Area, the boundaries of which are described in subsection (d).

(4) BOUNDARIES.—The term "Boundaries" means the boundaries of the Study Area, including the Ghost Town of Promontory and the Great Salt Lake Marsh.

(5) HISTORIC INFRASTRUCTURE.—The term "historic infrastructure" means the District's historic buildings and any other structure that the Secretary determines to be eligible for listing on the National Register of Historic Places.

(6) CROSSES OF THE WEST HISTORIC DISTRICT.—The term "Crosses of the West Historic District" means the Crosses of the West Historic District in the city of Ogden, Utah.

(7) E STABLISHMENT.—There is established the Crosses of the West Historic District in the city of Ogden, Utah.

(8) THE BOUNDARIES OF THE DISTRICT.—The boundaries of the District shall be the boundaries depicted on the map entitled "Golden Spike/Crosses of the West Historic District," numbered OGG-20,000, and dated 1993, published by the National Park Service.

(9) THE SECRETARY.—The Secretary shall establish the Crosses of the West Historic District.

(10) THE SECRETARY.—The Secretary shall establish the Crosses of the West Historic District.

(11) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section not more than $1,000,000.

(12) PROVISIONS.—A cooperative agreement under paragraph (1) shall provide that—

(A) the Secretary shall have the right of access to reasonable times to public portions of the property for interpretive and other purposes; (B) no change or alteration may be made in the property except with the agreement of the Federal agency that may have regulatory jurisdiction over the property, and (C) any construction grant made under this section shall be subject to an agreement that—

(1) that conversion, use, or disposal of the property so assisted for purposes contrary to the purposes of this section shall result in a right of the United States to compensation from the beneficiary of the grant; and

(2) for a schedule for such compensation based on the level of Federal investment and the anticipated useful life of the project.

(4) APPLICATION.—(A) IN GENERAL.—A property owner that desires to enter into a cooperative agreement under paragraph (1) shall submit to the Secretary an application describing how the property is to be used. The Secretary shall authorize the use of the property and may enter into a cooperative agreement with the property owner.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section not more than $1,000,000 for any fiscal year and not more than $3,000,000 total.

Amend the title so as to read "An Act to establish the California Trail Interpretive..."
Resolved, That the bill from the Senate (S. 1761) entitled "An Act to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley", do pass with the following amendment: Strike out all after the enacting clause and insert—

SECTION 1. SHORT TITLE. This Act may be cited as the "Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000".

SEC. 2. DEFINITIONS. In this Act:

(1) COMMISSIONER.—The term "Commissioner" means the Commissioner of the Bureau of Reclamation.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner.

(3) STATE.—The term "State" means the Texas Water Development Board and any other authorized entity of the State of Texas.

(4) PROGRAM AREA.—The term "program area" means—

(A) the counties in the State of Texas in the Rio Grande Regional Water Planning Area known as Region "M" as designated by the Texas Water Development Board; and

(B) the counties of Hudspeth and El Paso, Texas.

SEC. 3. LOWER RIO GRANDE WATER CONSERVATION AND IMPROVEMENT PROGRAM. (a) IN GENERAL.—The Secretary, acting pursuant to the Reclamation Act of 1902 (Act of June 17, 1902; 38 Stat. 304, 43 U.S.C. 395) and pursuant to such other laws and regulations as the Commissioner deems necessary for its administration, shall undertake a program in cooperation with the State, water users in the program area, and other non-Federal entities to identify opportunities to improve the supply of water for the program area as provided in this Act. The program shall include the review of studies or planning reports prepared by any competent engineering entity for projects designed to conserve and transport raw water in the program area. As part of the program, the Secretary shall evaluate alternatives in the program area that could be used to improve water supplies, including the following:

(1) Lining irrigation canals.

(2) Increasing the use of pipelines, flow control structures, meters, and associated appurtenances of water supply facilities.

(b) PROGRAM DEVELOPMENT. Within 6 months after the date of the enactment of this Act, the Secretary, in consultation with the State, shall develop and publish criteria to determine which projects qualify and have the highest priority for financing under this Act. Such criteria shall address, at a minimum—

(1) how the project relates to the near- and long-term water demands and supplies in the study area, including how the project would affect the need for development of new or expanded water supplies;

(2) the relative amount of water (acre feet) to be conserved pursuant to the project;

(3) whether the project would provide operational efficiency improvements or achieve water, energy, or economic savings (or any combination of the foregoing) at a rate of acre feet of water or kilowatt energy saved per dollar expended on the construction of the project; and

(4) if the project proponents have met the requirements specified in subsection (c).

(c) PROJECT REQUIREMENTS.—A project sponsor seeking Federal funding under this program shall—

(1) provide a report, prepared by the Bureau of Reclamation or prepared by any competent engineering entity and reviewed by the Bureau of Reclamation, that includes, among other matters—

(A) the total estimated project cost;

(B) an analysis showing how the project would reduce, postpone, or eliminate development of new or expanded water supplies;

(C) a description of conservation measures to be taken pursuant to the project plans;

(D) the near- and long-term water demands and supplies in the study area; and

(E) engineering plans and designs that demonstrate that the project would provide operational efficiency improvements or achieve water, energy, or economic savings (or any combination of the foregoing) at a rate of acre feet of water of kilowatt energy saved per dollar expended on the construction of the project;

(2) provide a project plan, including a general map showing the location of the proposed physical features, conceptual engineering drawings of structures, and general standards for design; and

(3) sign a cost-sharing agreement with the Secretary that commits the non-Federal project sponsor to fund at least 50 percent of the project's construction costs on an annual basis.

(d) FINANCIAL CAPABILITY.—Before providing funding for a project to the non-Federal project sponsor, the Secretary shall determine that the non-Federal project sponsor is financially capable of funding the project's non-Federal share of the project's costs.

(e) REVIEW PERIOD.—Within 1 year after the date a project is submitted to the Secretary for approval, the Secretary shall determine whether the project meets the criteria established pursuant to this section.

(f) REPORT PREPARATION; REIMBURSEMENT.—Project sponsors may choose to contract with the Secretary to prepare the reports required in subsection (c). All costs associated with the preparation of the reports by the Secretary shall be 50 percent reimbursable by the non-Federal sponsor.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000.

SEC. 4. LOWER RIO GRANDE CONSTRUCTION AUTHORIZATION. (a) PROJECT IMPLEMENTATION.—If the Secretary determines that any of the following projects meet the review criteria and project requirements, as set forth in section 3, the Secretary may conduct or participate in funding engineering work, infrastructure construction, and improvements for the purpose of conserving and transporting raw water through that project:

(1) In the Hidalgo County, Texas Irrigation District #2 canal rehabilitation and pumping plant replacement as identified as Job Number 48-05S40-002 in a report by Turner Collie & Braden, Inc. dated August 12, 1998.

(2) In the Cameron County, Texas Irrigation District #3, a distribution system improvement project identified by the 1993 engineering study by Sigler, Winston, Greenwood and Associates, Inc.

(3) In the Cameron County, Texas Irrigation District #2 canal rehabilitation and pumping plant replacement as identified as Job Number 48-05S40-002 in a report by Turner Collie & Braden, Inc. dated August 12, 1998.

(4) In the Harlingen Irrigation District Cameron County, Texas Irrigation District a project of meter installation and aerial line identified in a proposal submitted to the Texas Water Development Board dated April 28, 2000.

(b) CONSTRUCTION COST SHARE.—The non-Federal share of the costs of any construction carried out under, or with assistance provided under, this section shall be 50 percent. Not more than 10 percent of the costs of such activity may be paid by the State. The remainder of the non-Federal share may include in-kind contributions of goods and services, and funds previously spent on feasibility and engineering studies.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate agree to the amendment of the House.
The PRESIDING OFFICER. Without objection, it is so ordered.

TIME ZONE FOR GUAM AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3756 which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3756) to establish a standard time zone for Guam and the Commonwealth of the Northern Mariana Islands, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. STEVENS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the Record.

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

The bill (H.R. 3756) was read the third time and passed.

AMENDMENT TO TITLE 5, UNITED STATES CODE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate turn to the consideration of H.R. 207, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 207) to amend title 5, United States Code, to provide that physicians comparability allowances pay for retirement purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. STEVENS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the Record.

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

The bill (H.R. 207) was read the third time and passed.

COMMEMORATING THE LIFE OF GWENDOLYN BROOKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 393 introduced earlier today by Senator DURBIN and Senator FITZGERALD.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:


There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table with no intervening action, and that any statements relating thereto be printed in the Record.

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

The resolution (S. Res. 393) was agreed to.

The preamble was agreed to.

The resolution with its preamble reads as follows:

WHEREAS Gwendolyn Brooks was born in Topeka, Kansas, on June 7, 1917, and moved one month thereafter to the South Side of Chicago;

WHEREAS Gwendolyn Brooks was educated at Topeka Public Schools, Topeka High School, Kansas State Teachers College, and Kansas State University;

WHEREAS Gwendolyn Brooks was the author of over twenty works of poetry spanning 46 years;

WHEREAS Gwendolyn Brooks in 1930 became the first African-American woman to win the Pulitzer Prize for poetry with her publication, Annie Allen;

WHEREAS Gwendolyn Brooks was showered with numerous awards as a poet and artist, including a lifetime achievement award from the National Endowment for the Arts;

WHEREAS Gwendolyn Brooks has been poet laureate of Illinois since 1968, succeeding the late Carl Sandburg;

WHEREAS Gwendolyn Brooks was the author of Limitless Imagination, and Chicago State University;

NOW, THEREFORE, BE IT

RESOLVED, That the Senate—

(1) commemorates the life of Gwendolyn Brooks and celebrates the accomplishments she made not just to the State of Illinois, but to the entire United States of America as a poet and artist;

(2) extends its deepest sympathies to her daughter Nora and son Henry.

UNANIMOUS CONSENT AGREEMENT—H.R. 3549

Mr. STEVENS. Mr. President, I ask unanimous consent that when the Senate receives from the House H.R. 3549 regarding the repeal of the modification of the reinstatement method, the bill be read the third time and passed, and the motion to reconsider be laid upon the table. I further ask consent that the above occur with no intervening action or debate, and I further ask consent that this agreement be vitiated if the text is different than that which is now at the desk.

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

APPOINTMENT

Mr. STEVENS. Mr. President, I ask unanimous consent that the appointment that is at the desk appear separately in the Record as if made by the Chair.

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

The Chair, on behalf of the President pro tempore, pursuant to Public Law 106-291, announces the appointment of the following individuals to the Advisory Committee on Forest Counties Payments: Tim Creal, of South Dakota; Doug Robertson, of Oregon.

AUTHORIZATION TO SIGN DULY ENROLLED BILLS AND RESOLUTIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the majority leader or Senator ABRAHAM be authorized to sign all duly enrolled bills and resolutions following the sine die adjournment.

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

AUTHORIZATION TO MAKE APPOINTMENTS

Mr. STEVENS. I ask unanimous consent that notwithstanding the sine die adjournment of the Senate, the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Mr. REID. Reserving the right to object, I have waited around this afternoon, this evening, to have an opportunity to direct a few comments to the Senator from Alaska. I say to my friend from Alaska, I remember about a year ago at this time the Senator from Alaska gave me as a token of recognition a Tasmanian devil tie.

Now, coming from Senator STEVENS, who has such a record in the Senate, that meant a lot to me. In celebration of our ending the session today, I wore this tie. I say this because in all sincerity it meant a lot to me when Senator STEVENS gave me this tie. You have been a role model for me since I came to Washington almost 20 years ago. You have a record that is unsurpassed for doing good things for your State as well as being an effective leader. I have served with the Senator from Alaska my entire time in the Senate and the Appropriation Committee, and I have admired the work done. I respected the tenacity shown, often for the people of the State of Alaska and other causes for which he believes.

I wish to publicly state how appreciative I am of this token, this honor the Senator gave me.

Mr. STEVENS, I am overwhelmed by that statement and my good friend. I noticed the Tasmanian devil tie. I enjoy those ties, and I hope the Senator enjoys his. I certainly enjoy our association.

I served as whip for 8 years. I know the distinguished Senator from Nevada
has the same job I had. I was the minority whip for a while and the majority whip for a while; he has, too, served in the capacity. We have a great deal in common, and I am delighted to have him as a friend.

The PRESIDING OFFICER. Is there objection to the previous request made by the Senator from Alaska?

Without objection, it is so ordered.

MEASURE READ FOR THE FIRST TIME—S. 3283

Mr. STEVENS. I understand that S. 3283 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk reads as follows:

A bill (S. 3283) to reauthorize and amend the Commodity Exchange Act to promote legal certainty, eliminate competition, and reduce systemic risk in markets for futures and over-the-counter derivatives; and for other purposes.

Mr. STEVENS. Mr. President, on behalf of the leader, I now ask for its second reading, and I object to that.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

THANKING MARSHALL DOVE

Mr. STEVENS. I think we are getting down to the end. Today is not only the last day of the 106th Congress, but it is also the last day of Marshall Dove, who served in the Senate on the Republican Cloakroom staff.

She has been here, now, for close to 3 years and will now change careers. I have asked for this opportunity to wish her the best in all the new challenges she may face. We thank her for her dedication and service in the Senate.

UNANIMOUS CONSENT AGREEMENT—S. 2924

Mr. STEVENS. Mr. President, I ask unanimous consent that when the Senate receives the message from the House on S. 2924 the Senate proceed to its immediate consideration and agree to the amendment of the House providing that language is identical to the language I send to the desk.

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

The Senate concurred in the amendment of the House, as follows:

Resolved, That the bill from the Senate (S. 2924) entitled “An Act to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Internet False Identification Prevention Act of 2000”.

SEC. 2. COORDINATING COMMITTEE ON FALSE IDENTIFICATION.
(a) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall establish a coordinating committee to ensure, through existing interagency task forces or other means, that the creation and distribution of false identification documents (as defined in section 1028(d)(3) of title 18, United States Code, as added by section 3(2) of this Act) is vigorously investigated and prosecuted.

(b) MEMBERSHIP.—The coordinating committee shall consist of the Director of the United States Secret Service, the Director of the Federal Bureau of Investigation, the Attorney General, the Commissioner of Social Security, and the Commissioner of Immigration and Naturalization, or their respective designees.

(c) TERM.—The coordinating committee shall terminate 2 years after the effective date of this Act.

(d) REPORT.—
(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury, at the end of each year of the existence of the committee, shall report to the Committee on the judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the activities of the committee.

(2) CONTENTS.—The report referred to in paragraph (1) shall include—
(A) the total number of indictments and informations, guilty pleas, convictions, and acquittals resulting from the investigation and prosecution of the creation and distribution of false identification documents during the preceding year;
(B) identification of the Federal judicial districts in which the indictments and informations were filed, and in which the subsequent guilty pleas, convictions, and acquittals occurred;
(C) specification of the Federal statutes utilized for prosecution;
(D) a brief factual description of significant investigations and prosecutions;
(E) specification of the sentence imposed as a result of each guilty plea and conviction; and
(F) recommendations, if any, for legislative changes that could facilitate more effective investigation and prosecution of the creation and distribution of false identification documents.

SEC. 3. FALSE IDENTIFICATION.
Section 1028 of title 18, United States Code, is amended—
(1) in subsection (c)(3)(A), by inserting “, including the transfer of a document by electronic means” after “commerce”; and
(2) in subsection (d)—
(A) in paragraph (1), by inserting “template, computer file, computer disc,” after “impression,”;
(B) in paragraph (5), by striking “and” after the semicolon;
(C) by redesigning paragraph (6) as paragraph (8);
(D) by redesigning paragraphs (3) through (5) as paragraphs (4) through (6), respectively;
(E) by inserting after paragraph (2) the following:
“(3) the term ‘false identification document’ means a document of a type intended or commonly accepted for the purposes of identification of individuals that—
(A) is not issued by or under the authority of a governmental entity; and
(B) appears to be issued by or under the authority of the United States Government, a State, a political subdivision of a State, a foreign government, a political subdivision of a foreign government, or an international governmental or quasi-governmental organization; and
(C) by inserting after paragraph (6), as redesignated, the following:
“(7) the term ‘transfer’ includes selecting an identification document, false identification document, or document-making implement and placing or directing the placement of such identification document, false identification document, or document-making implement at an online location where it is available to others; and”;

SEC. 4. REPEAL.
Section 1738 of title 18, United States Code, and the item relating to that section in the table of contents for chapter 83 of that title, are repealed.

SEC. 5. EFFECTIVE DATE.
This Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

Mr. COLLINS. Mr. President, I am pleased that the Senate will today give final approval to legislation I introduced to curb the availability of false identification via the Internet.

Let me thank my many colleagues in both the House and Senate for their hard work in moving this measure quickly through the legislative process. In particular, I appreciate the support and assistance of Chairman Henry Hyde of the House Judiciary Committee, as well as the work of Congressmen HOWARD COBLE, Congressman HOWARD BERMAN, Congressman JOHN CONyers, and Congressman BILL DELAHUNT. In addition, I want to praise the support of Congressmen MARK GREEN, who introduced a similar bill in the House. Enactment of this bill would not have been possible without the consistent and personal support of the chairman of the Judiciary Committee, Senator HATCH, as well as the assistance of Senators KYL, LEAHY, FEINSTEIN, and DURBIN.

The bill before the Senate today will make important improvements in our laws against the distribution and use of false identification. As I found during a lengthy investigation of the availability of false identification on our current Internet, there is little to stop a growing Internet market in every imaginable type of false identification. Whether via e-mail or from a Web site with a name such as thefakeidshop.com, everything from birth certificates, to Social Security cards, to driver’s licenses, are being sold or traded through the ease of cyberspace.

Testimony before the Subcommittee on Investigations demonstrated that the availability of false identification documents from the Internet is a growing problem. Special Agent David Myers, Identification Fraud Coordinator of the State of Florida’s Division of Alcoholic Beverages and Tobacco, testified that two years ago only one percent of false identification documents came from the Internet. Last year, he testified, a little less than five percent came from the Internet. Now Mr. Myers estimates that between 30 and 70 percent of the false identification documents he seizes comes from the Internet. He predicts that by next year his unit will find at least 60 to 70 percent of the false identification documents they seize will come from the Internet.

S. 2924 will put a stop to this widespread distribution of false identification, which can be used to commit identity theft, to facilitate serious financial crimes, and to facilitate the widespread purchase of alcohol and tobacco. The new law will make clear that it is a crime to transfer false identification documents by electronic means.
means, and that those documents can be in the form of computer files, discs, or templates.

I expect strong action by law enforcement agencies to enforce both the existing provisions of title 18, section 1028, and the expanded authority provided by this legislation. The intent of S. 2924 is simple and clear—to stop those who use the Internet to sell, distribute, or make available false identification.

I also believe that the new law will make it a crime to place false identification, regardless of its format, on an online location. Thus, the posting of such tools as scanned false identification documents or templates of state driver’s licenses on Web sites will, without doubt, be illegal.

Mr. President, I am pleased that the House retained the provisions that will establish a coordinating committee to concentrate resources of federal agencies on investigating and prosecuting the use of false identification. This multi-agency effort should draw on the resources of several agencies to investigate and prosecute those who engage in the production and transfer of false identification of any type. I urge the Attorney General and the Secretary of the Treasury to involve all agencies that can assist in curbing the use of false identification.

The House also approved another important portion of the Senate bill—the elimination of a section of law that unfortunately allows criminals to manufacture, distribute, or sell counterfeit identification documents by using easily removable disclaimers as part of an attempt to shield the illegal conduct from prosecution through a bogus claim of “novelty.” No longer will it be acceptable to provide computer templates of government-issued identification containing an easily removable layer saying that it is not a government document.

I thank my colleagues for their support of this important legislation.

COMPUTER CRIME ENFORCEMENT ACT

Mr. STEVENS. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 2816.

The PRESIDING OFFICER. Without objection, the Senate proceeded to consider the bill.

H.R. 2816, THE COMPUTER CRIME ENFORCEMENT ACT

Mr. LEAHY. Mr. President, I am pleased that the Senate is passing the Computer Crime Enforcement Act, which is now headed to President Clinton for his signature into law. I introduced the Senate version of this bill, S. 1314, on July 1, 1999, with Senator DeWine and is now also co-sponsored by Senators Robb, Hatch and Abraham.

This legislation also passed the Senate as part of H.R. 46, the Public Safety and Computer Crime Act. I thank my colleagues for their hard work on the Computer Crime Enforcement Act, especially Representative Matt Salmon, the House sponsor.

The information age is filled with un文明城市, but it also creates a variety of new challenges for law enforcement. A recent survey by the FBI and the Computer Security Institute found that 62 percent of information security professionals reported computer security breaches in the past year. These breaches in computer security resulted in financial losses of more than $120 million from fraud, theft of information, sabotage, computer viruses, and stolen laptops. Computer crime has become a multi-billion dollar problem.

The Computer Crime Enforcement Act is intended to help states and local agencies in fighting computer crime. All 50 states have now enacted tough computer crime control laws. They establish firm criminal penalties for electronic commerce, an increasingly important sector of the nation’s economy.

Unfortunately, too many state and local law enforcement agencies are struggling to afford the high cost of enforcing their state computer crime statutes.

Earlier this year, I released a survey on computer crime in Vermont. My office surveyed 54 law enforcement agencies in Vermont—43 police departments and 11 State’s attorney offices—on their experience investigating and prosecuting computer crimes. The survey found that more than half of these Vermont law enforcement agencies encounter computer crime, with many police departments and state’s attorney offices handling 2 to 5 computer crimes per month.

Despite this documented need, far too many law enforcement agencies in Vermont cannot afford the cost of policing against computer crimes. Indeed, my survey found that 98 percent of the responding Vermont law enforcement agencies do not have funds dedicated for use in computer crime enforcement.

My survey also found that few law enforcement officers in Vermont are properly trained in investigating computer crimes and analyzing cyber-evidence.

According to my survey, 83 percent of responding law enforcement agencies in Vermont do not employ officers properly trained in computer crime investigative techniques. Moreover, my survey found that 52 percent of the law enforcement agencies that handle one or more computer crimes per month rated training as a problem encountered during investigations. Without the necessary education, training and technical support, our law enforcement officers are and will continue to be hamstrung in their efforts to crack down on computer crimes.

I crafted the Computer Crime Enforcement Act, S. 1314, to address this problem. The bill would authorize a $25 million Department of Justice grant program to help states prevent, investigate and prosecute computer crime. Grants under our bipartisan bill may be used to provide education, training, and enforcement programs for local law enforcement officers and prosecutors in the rapidly growing areas of computer crime. Our legislation has been endorsed by the Information Technology Association of America and the Fraternal Order of Police. This is an important bipartisan effort to provide our state and local partners in crime-fighting with the resources they need to address computer crime.

Mr. STEVENS. I ask unanimous consent the bill be read the third time and passed.

THANKING OUR CREATOR

Mr. STEVENS. Mr. President, I want to publicly state I think we ought to thank our Creator for giving us the opportunity to serve in this body, and to have a period of time like we have just come through, where I have been able to speak for people of different nationalities, different tongues, who have come to our country and sought freedom and an opportunity to work for themselves, so that they will now be able to continue that work. It really is, to me, a very significant day. To be able to accomplish this is very much a humbling experience.

ADJOURNMENT SINE DIE

Mr. STEVENS. I now ask unanimous consent the Senate stand in adjournment sine die under the provisions of H. Con. Res. 446.

There being no objection, at 8:03 p.m., the Senate adjourned sine die.

NOMINATIONS

Executive nominations received by the Senate December 15, 2000:

DEPARTMENT OF AGRICULTURE

Islam A. Siddiqi, of California, to be under Secretary of Agriculture.

ENVIRONMENTAL PROTECTION AGENCY

Edwin A. Levine, of Florida, to be an Assistant Administrator of the Environmental Protection Agency, Vice David Gardiner, Resigned.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Sarah McCracken Fox, of New York, to be a Commissioner for a term expiring April 27, 2005, Vice Stuart E. Weisberg, Term Expired.

DEPARTMENT OF JUSTICE

Julie E. Samuels, of Virginia, to be Director of the National Institute of Justice, Vice Jeremy Travis, Resigned.
CONFIRMATIONS

Executive Nominations Confirmed by the Senate December 15, 2000:

MORRIS K. UDALL SCHOLARSHIP & EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION


UNITED STATES INSTITUTE OF PEACE


UNITED STATES DEPARTMENT OF THE TREASURY


UNITED STATES DEPARTMENT OF COMMERCE

RICHARD A. BOUCHER, OF MARYLAND, TO BE A CAREER MEMBER OF THE DEPARTMENT OF COMMERCE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (PUBLIC AFFAIRS).

DEPARTMENT OF THE TREASURY


AGENCY FOR INTERNATIONAL DEVELOPMENT

LISA GAYLE ROSS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

AGENCY FOR INTERNATIONAL DEVELOPMENT FOR A TERM EXPiring JUNE 12, 2003.

DEPARTMENT OF JUSTICE

LAWRENCE GEORGE ROSSIN, OF CALIFORNIA, TO BE A CAREER MEMBER OF THE DEPARTMENT OF JUSTICE, CLASS OF ATTORNEY GENERAL, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK.

FOREIGN SERVICE

DIANNA KOCH, OF MONTANA, TO BE A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLeníPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KIRIBATI.

AFRICA DEVELOPMENT FOUNDATION

BARRY EDWARD CARTER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL TRADE.

INTERNATIONAL MONETARY FUND


DEPARTMENT OF COMMERCE

MICHAEL PRESCOTT GOLDWATER, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE DEPARTMENT OF COMMERCE, CLASS OF COMMISSIONER AND DIRECTOR GENERAL, TO BE AN ASSISTANT SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE.

UNITED STATES DEPARTMENT OF JUSTICE

JOHN GLENN, OF MARYLAND, TO BE A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF ATTORNEY GENERAL, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK.

FOREIGN SERVICE

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION


UNITED STATES INSTITUTE OF PEACE


UNITED STATES DEPARTMENT OF THE TREASURY


UNITED STATES DEPARTMENT OF COMMERCE

LAWRENCE GEORGE ROSSIN, OF CALIFORNIA, TO BE A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF ATTORNEY GENERAL, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK.

FOREIGN SERVICE

DIANNA KOCH, OF MONTANA, TO BE A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF ATTORNEY GENERAL, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK.

WITHDRAWALS

Executive messages transmitted by the President to the Senate on December 15, 2000, withdrawing from further Senate consideration the following nominations:

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION


CLEVELAND SCHOOL VOUCHER PROGRAM DECLARED UNCONSTITUTIONAL

HON. JOHN CONYERS, JR.
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I am pleased to offer for the record my congratulations to Judge Eric L. Clay of the United States Court of Appeals for the Sixth Circuit, an outstanding judge, and a man who possesses a high degree of common sense and pragmatism. Judge Eric L. Clay ruled that the Cleveland school voucher program was unconstitutional, because it did not present parents with a real set of options, and few non-religious private schools and no suburban public schools had opened their doors. He wrote, and I quote, "This scheme involves the grant of state aid directly and predominately to the coffers of private, religious, schools, and it is unquestioned that these institutions incorporate religious concepts, motives and themes into all facets of their educational planning," wrote Judge Clay, a 1997 Clinton appointee who was joined in the opinion by a 1991 Bush appointee, Judge Eugene E. Siler. "There is no neutral aid when that aid principally flows to religious institutions," the decision said, "nor is there truly 'private choice' when the available choices resulting from the program are predominantly religious."

Voucher supporters promised to appeal the ruling and expressed confidence about their chances. Judge Clay has hinted at its openness to vouchers in recent years with several 5-to-4 decisions allowing public money to be used in parochial schools for textbooks, transportation and teachers' aides.

"The deck of reckoning is drawing closer," said Clint Bolick, a lawyer for the Washington-based Institute for Justice, which helped defend the voucher program. "This decision is a disaster for every schoolchild in America, but it will be short-lived."

Students in the Cleveland program will probably be allowed to finish the year at their current schools, lawyers for both sides said. The Supreme Court has already interceded once in the case, to allow voucher recipients to remain in parochial schools pending the appeal, and an extension of that order is expected to be granted.

"Whatever I have to do to keep her there, I'm going to do that," said Roberta Kitchen, guardian for Toshika Bacon, who uses a voucher to attend a Christian school. "If it means borrowing, second job, go further into debt, having to juggle my bills around," Ms. Kitchen said, "whatever I need to come up with that tuition."

CLEVELAND'S voucher program, which gives precedence to low-income families, has been in litigation since it began in 1995 and has long been seen by both sides as the likely test case bound for the Supreme Court. The justices have already declined to review the nation's oldest and largest voucher program, in Cleveland, since 1991, but upholding the program in 1998. In Florida, the legal battle over a statewide voucher program has focused so far on the narrower question of federal aid to private education, not the church-state question; a state appellate judge's ruling that the program is acceptable is being appealed to the Florida Supreme Court.

Apart from the constitutional disputes, the battle over vouchers concerns the very definition of the public-school system. A coalition of corporate philanthropists, prosperous parents back vouchers as a free-market solution to what they see as the failure of inner-city schools; the teachers' unions have spent millions fighting back vouchers, which they and many educators believe would drain resources from the schools that most need them.

Vouchers were a much discussed theme in the education debate of this fall's presidential campaign. Vice President Al Gore vehemently opposes the use of any public money for private schools, while Governor W. Bush of Texas wants to give children in consistently failing schools $1,500 in federal money to use however they like, including for tuition.

Yesterday's ruling in the Cleveland case, Simmons-Harris v. Zelman, comes a year after a lower-court federal judge struck down the program, saying it had "the effect of advancing religion through government-sponsored religious indoctrination." Judges Clay and Siler acknowledged in their opinion that vouchers had been "the subject of intense political and public commentary, discussion and attention in recent years" but said they could not take part in "academic discussion of solvability of the problem to the problem of failing schools."

Instead, they based their opinion largely on a 1973 Supreme Court ruling, New York v. Milburn, which rejected a tuition-reimbursement program for parents of private school students. Yesterday's ruling again pays close attention to the concuring opinion of Justice Sandra Day O'Connor—widely seen as the swing vote on vouchers—in a case involving religious and nonreligious private schools and little more than "academic discussion of solvability of the problem to the problem of failing schools."

"In striking down this statute today, the majority perpetuates the long history of lower federal court hostility to educational choice," Judge Ryan wrote, going on to call the ruling "an exercise in raw judicial power having no basis in the First Amendment or in Supreme Court's Establishment Clause jurisprudence."

Judges Ryan's harsh words prompted the same from his colleagues. The majority comprehensively discussed the question of "hypertrophic in-sults," saying "it is the dissent and its rhetoric which should not be taken seriously."

Gov. Bob Taft of Ohio, a Republican, declared: "I would comment on the plan to express disappointment, as did the state's top educational official, Susan Tave Zelman, who is named as a defendant. Neither Cleve-

This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor. Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
Byrd-Bennett, the chief executive officer of the Cleveland Municipal School District, could be reached for comment.

Betty D. Montgomery, Ohio’s attorney general, released a statement saying, “The voucher pilot program empowers low-income Cleveland-area families whose children are trapped in a failing public school system. As thousands of Cleveland families wondered how the decision might affect them, the combatants in the nation’s voucher wars unleashed a sheaf of faxes, celebrating or criticizing the latest legal salvo.

“This is a great early Christmas present for America’s public schools and our constitution,” said Barry W. Lynn, executive director of Americans United for Separation of Church and State, in a press release.

The Center for Education Reform, a conservative group in Washington, described the Cleveland program as a “lifeline for thousands of disadvantaged young people.”

“We’ve always believed and continue to believe that parents are a child’s first teacher,” said the group’s president, J. Eanne Allen. “And as such they and only they should decide where and how their children are educated.”

On the other side was Ralph G. Neas, president of Americans United for Separation of Church and State, who hailed the ruling as “a victory for the First Amendment and a victory for public education.”

Mr. WOLF. Mr. Speaker, I want to share with you this informative article from The Economist magazine that describes the critical problems facing the Congo and the Great Lakes region of Africa. The humanitarian crisis in the Congo is the worst between 1998 and March 2000. It is an estimated 1 million people have died in the past several months. Thirty percent of those who died were under the age of 5. Clearly, the situation in the Congo deserves the attention of the West and I hope every Member will have an opportunity to read this article.

[From the Economist, Dec. 9, 2000]

CONGRESSIONAL RECORD — Extensions of Remarks

December 15, 2000

Mr. WOLF. Mr. Speaker, I want to share with you this informative article from The Economist magazine that describes the critical problems facing the Congo and the Great Lakes region of Africa. The humanitarian crisis in the Congo is the worst between 1998 and March 2000. It is an estimated 1 million people have died in the past several months. Thirty percent of those who died were under the age of 5. Clearly, the situation in the Congo deserves the attention of the West and I hope every Member will have an opportunity to read this article.

[From the Economist, Dec. 9, 2000]

IN THE HEART OF DARKNESS

HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WOLF. Mr. Speaker, I want to share with you this informative article from The Economist magazine that describes the critical problems facing the Congo and the Great Lakes region of Africa. The humanitarian crisis in the Congo is the worst between 1998 and March 2000. It is an estimated 1 million people have died in the past several months. Thirty percent of those who died were under the age of 5. Clearly, the situation in the Congo deserves the attention of the West and I hope every Member will have an opportunity to read this article.

[From the Economist, Dec. 9, 2000]
Kinshasa. Maurice Templesman, an American novelist, says that the present situation is deadlocked and fraught with danger. It is a time of deep distrust of competence. He has surmised that every politician in Congo will not demonstrate against him for fear of being accused of supporting the rebel movements present an alternative. The Congolese have become a conduit for arms to UNITA rebels in Angola, left holding the fort, will remove them if not now. The Lusaka accord and leave. But their governments, even the oil-rich Angolans, are worried about the cost. They are all engaged in bilateral talks with each other; but that increases mistrust and suspicion.

The formal economy is dead. Nor far from the capital, the interveners found compliant officials and business elites which they had little interest in peace. Local and foreign businessmen often pay to provide troops to guard a valuable mine or a farm. But he is no expert. Long in exile, he has failed to turn up at meetings with his backers, Angola and Zimbabwe. The former Botswana president, who was appointed to organize a national dialogue, has blocked the development of UN military observers and blocked the Lusaka accord rewritten. He has ruled out meeting with anyone who wants to help him. At present they seem to be trying to bring Mr. Bemba and a representative of the unarmid opposition to create a truce with Mr. Kabila. To achieve this, the Congolese have to trust Mr. Bemba's backer, Uganda. They don't, because Uganda has been a conduit for arms to UNITA rebels in Angola. Besides, the Ugandan army and the勉強し続けるPL 魔王たちが存在する。
here the errors in that Report that we would otherwise have identified.

We would nevertheless make the following observations which we would hope you could make part of the record: (1) as the Minority Report makes clear, Rebekah Poston never asked her investigators to do anything illegal ("[I]n fact, contrary to the Majority's allegations, no evidence received in this Committee demonstrates that Ms. Poston instructed private investigators to break the law"); (2) throughout the hearing, the two investigators in question, Philip Manuel and Richard Lucas, each testified under oath that Ms. Poston had never asked them to do anything which they thought was illegal; (3) the Department of Justice, and again the staff failed to perform any of the investigative work—such as interviewing knowledgeable law enforcement officials from the Seattle area—that would have helped clarify these facts. The report's careless presentation of the speculation may be injurious to the parties to the lawsuit in Japen—a lawsuit that, once again, the report specifically acknowledges, p. 161. I ask that the report be corrected in light of this information, or, at a minimum, that the letter be made a part of any final report issued by the Committee.

Yours very truly,

BARRY B. LANGBERG.

TRIBUTE TO CHAIRMAN JOHN HICKS

HON. BENJAMIN A. GILMAN OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GILMAN. Mr. Speaker, I am honored to pay tribute to a remarkable constituent who has dedicated his life to serving others.

John S. Hicks, an attorney in my Congressional District whose offices are located in Chester, New York, has been Chairman of the Republican County Committee of Orange County, NY, since 1995. In that capacity, he has diligently worked to build a strong two party system in our community.

In 1964, John registered to vote as a Republican at the age of 21, and maintained his dedication to Republican politics during and after his three year stint in the Army during the Vietnam era.

John is a Member of the American, New York and Orange County Bar Associations. He is active with the National Federation of Independent Businesses, the U.S. and the Orange County Chambers of Commerce. He is also active in Warwick's Rotary, the Warwick Community Bandwagon, and the Orange County Citizens Foundation. John also serves on the
Board of Directors of the Orange County United Way and the Arden Hill Hospital, and is a life member of the American Legion. 

John and his lovely wife, Judy, are the proud parents of Michael (a West Point graduate), Deanna, Stephanie, Mark, Lisa and Jeffrey. 

On Feb. 2, 2001, the Town of Newburgh Republican Committee at their annual Lincoln Day Dinner will honor John as their designee as the "Republican of the Year". Their recognition is long overdue, for John Hicks has long personified the ideal of political work as a public trust.

Mr. Speaker, invite our colleagues to join me in congratulating John S. Hicks, Esq., for this honor and for a job well done.

GEORGIA REGULATOR TO LEAD INVESTIGATION INTO INSURER'S RATES FOR BLACK CUSTOMERS

HON. JOHN CONYERS, JR.
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I wish to commend W. Oxendine, Georgia Insurance Commissioner, who will be the first to multistate investigation of Life Insurance Co. of Georgia, which if proven true, represents a very serious matter, and subsequently needs to be dealt with.

African-Americans make up a large percentage of the company's policyholders. Evidence gathered by state examiners showed the Atlanta company, a unit of Duth INC Group NV, continued at least until recently, to charge African-Americans higher rates than whites on identical policies sold as late as the 1980's. Historically, records have shown that through the first half of the century, U.S. life insurers typically either didn't market to African-Americans or charged them higher rates based on mortality tables that showed a shorter life expectancy for blacks. The discriminatory treatment, however, was thought to have been scrapped in the early 1960's, because of U.S. Supreme Court rulings and the impact of the civil-rights movement.

In June, Houston's Georgia Insurance Corp. agreed to pay more than $215 million to settle investigations by Florida and other states and a civil lawsuit which alleged the company had continued until this year to charge higher race-based premiums on about 1.2 million policies held by blacks.

Mr. Oxendine said that based on examiners' investigation, the Life of Georgia investigation will include all types of insurance sold by Life of Georgia. He said it was too early to estimate the number of policies or amount of money involved. (But he said African-Americans make up a large percentage of the company's policyholders.]

The investigation is being conducted on behalf of all 50 states. The Life of Georgia's business is licensed to sell in 30 states and has policyholders in all states, the Georgia department said.

HONORING THE SERVICE OF OCTAVIA LUCINDA OLIVER ROSS AS DISTINGUISHED EDUCATOR AND A COMMUNITY ACTIVIST

HON. DONNA MC CHRISTENSEN
OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mrs. CHRISTENSEN. Mr. Speaker, today I pay tribute to Octavia Lucinda Oliver Ross, who was a distinguished educator, devoted mother and community activist in my St. Croix district of the Territory of the Virgin Islands.

Octavia Ross was born into and became a part of an outstanding family educational legacy. Her father, Emanuel Benjamin Oliver was also a teacher, and a school on the island of St. Thomas bears his name. After teaching at the Federal Nursery School, Octavia Ross began her career as an instructor in public school system.

She received her bachelor's degree in 1948; her master's degree in 1952; and a second master's degree as well as her doctorate in 1966.

She became the first principal of the first High School in Frederiksted Village and Administration. Upon returning to the Virgin Islands, she founded the Virgin Islands Beaux Arts and the Virgin Islands Symphony Orchestra.

Octavia Ross also made varied and vast contributions to the social well being of the Virgin Islands' community. Athletic activities during her youth caused her to participate in numerous inter-island meets, which may have been the beginning of her activity in the community. She has been credited with carrying the banner in the Business and Professional Women's Club, serving as both the local and state president.

She was a delegate at the International Business Professional Women's convention in Houston, Texas. In 1974, she received the Woman of the Year Award. Octavia Ross was also the recipient of the Frederiksted Business and Professional Women's Achievement Award. In 1978 she was named the Mother of the Year Award by the Frederiksted Club and later received their Woman of Achievement Award. Octavia Ross was listed in the 1977 International "Who's Who in the West Indies, Bahamas and Bermuda."

In addition to being a member of Episcopal church, the Saint Paul's Anglican Church, in Frederiksted Club and later received their Woman of Achievement Award. Octavia Ross was listed in the 1977 International "Who's Who in the West Indies, Bahamas and Bermuda." V. I. Section—Personalities of the Caribbean and was also listed in the 1979 edition of "Who's Who in the World "dictionary of International Biographies" and received the Paul Harris Fellow from the Rotary Club of St. Croix West.

The Governor of the Virgin Islands described her as having a graceful demeanor, a professional integrity and ladylike deportment that made her an exemplary and model teacher. Further, he stated that not only has Mrs. Ross made a significant contribution to the Virgin Islands as an educator in her own right, but also in the contributions of her offspring in the administrative, legislative, educational, legal, financial, civic, military and industrial areas of the community.

Not surprisingly, Octavia Ross was a dedicated member of her church, the Saint Paul's Anglican Church, in addition to being a member of Episcopal Women's Organization and Member of the Vestry.

Octavia Ross was appreciated by the many whose lives she touched. Besides her husband Rupert W. Ross, Sr., she leaves to mourn her seven children: Rupert, Edgar, Raymond, James, Edward, Janice and Jewel; two step children, Randolph and Judy-Ann; fourteen grand children, fourteen great grand children; and a community recovering from her sudden passing. On behalf of the Governor of the United States of America, I salute Octavia Lucinda Oliver Ross for her dedicated service to the Territory and U.S. Virgin Islands.

I thank her husband Rupert, her seven children, two step children, fourteen grand children, fourteen great grand children.
and a grateful community for sharing her with us.

TRIBUTE TO FATHER HILARY CONTI

HON. BILL PASCRELL, JR. OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a remarkable person from my district, Father Hilary Conti of Clifton, New Jersey, who celebrated on Saturday, October 28, 2000 fifty years of service and leadership in Clifton and round the country. It is only fitting that he be honored, for he has a long history of caring, generosity and commitment to others.

Father Hilary Conti was recognized for his many years of leadership in Clifton, which I have been honored to represent in Congress since 1997, and so it is appropriate that these words are immortalized in the annals of this greatest of all freely elected bodies.

Paul Karieakatt chronicled the history of Father Conti’s service. As he noted, this year marks the 50th anniversary of Father Hilary Conti’sordination. For fifty years he has engaged himself in the vineyard of the Lord, as a monk and as a priest. This is a truly special achievement.

Father Hilary was born in Fabriano, Italy on May 12, 1925 to Natale and Carmela Conti as their sixth child. Although it was filled with hard work, Father Conti enjoyed a beautiful childhood. On one occasion during WWII, all he had to eat was a discarded carrot. He worked as farmer, and fondly recalls those early days. In his own words he said, “My father went to look not for the lost sheep, but for the lost shepherd. It did not take him too long to find me.”

Father Conti joined the monastery as an aspirant on September 29, 1938, made his novitiate in 1943 and his simple profession on October 1, 1944. On October 28, 1950, he was ordained a priest at St. Scholastica in Detroit, Michigan. As a student he helped to found Inter Fratres magazine.

Father Hilary taught for a short time at Mercy High School in Detroit. He has always been an active and involved leader. The time spent working in Michigan instilled in Father Conti the attributes necessary for him to become a stellar force in the community. It was the small steps in the beginning of his career that taught him the fundamentals that would make him a role model to the people that he now serves.

Later he took upon an even greater challenge and pioneered the establishment of a small monastery in Clifton. It is known as the Holy Face Monastery. It nourishes spiritual needs of the soul, gladdens the heart and in spires the mind. Of the world was filled at the Holy Face Monastery the Shrine of Our Lady of Tears is Father Hilary’s favorite. His late close friend, Mr. Canepa, created this masterpiece.

To describe in his own words his accomplished life, Father Conti wrote, “I planted many oak trees and saw them growing big and tall; now I am 70 years old, so I am preoccupied about the future of the monastery.” This shows his enduring love and relentless commitment. Many people come to the monastery to search for the meaning of life, healing, peace and consolation.

Father Hilary has traveled around the country conducting seminars and talks explaining the Holy Shroud of Turin and its spirituality. He has also worked in Rome with many scientists, doctors and theologians on that shroud. He recently produced a video that explains the spirituality of the shroud.

Mr. Speaker, I ask that you join our colleagues, Father Hilary’s fellow monks, supporters, the Holy Face Monastery, the City of Clifton and me in the outstanding and invaluable service to the community of Father Hilary Conti.

EUROPEAN UNION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BEREUTER. Mr. Speaker, Benjamin Franklin once wrote in Poor Richard’s Almanac, “Don’t throw stones at your neighbors, if your own windows are glass.” This sage advice written in 1736 is still current today and certainly applicable to those across the Atlantic who have problems in Florida and mocked the United States electoral system. While the closeness of the vote in Florida resulted in exercise of a constitutional process in the U.S. that has not had to have been used before, the challenges ahead for the European Union as it tries to integrate new members and address its own internal voting system are just beginning and may be far more difficult to resolve. In that regard, this Member recommends to his colleagues I submit the following editorial published by the Omaha World Herald on December 9, 2000, on this subject into the CONGRESSIONAL RECORD.

IF THE SHOE FITS, EU SHOULD WEAR IT

The Florida vote-could mess has triggered a month-long eruption of contemptuous tut-tutting from European leaders and com- mentators. Faint boasts from Lon- don, Paris and other centers of European en-lightenment have taken particular aim at the Electoral College.

One columnist grumped in The Times of London: “What moral authority would a man have to hold his finger over the nuclear trigger when he owed his office not to a majority but the byproduct of a bankrupt elec-toral college?” A German writer made do by simply call-ing the Electoral College “idiotic.”

Scratch these criticisms hard enough, however, and you uncover what could be called, at best, inconsistency and at worst hypocrisy. It turns out that one of Europe’s most re-vered institutions, the European Union, has long governed itself by the very principles associated with the Electoral College. That is, the decision-making process for the EU, an association of 15 European countries linked by close economic and political ties, is structured so that small countries are given tremendous added weight and, thus, influence.

For example, the small state of Luxembourg has two seats and Germany has ten. The advantage given to smaller states is even greater in another EU institution, the European Commission, where the five largest countries each have two seats, while the rest have one. That arrangement resembles the situation in the U.S. Senate, where small states are each allocated precisely the same number of seats as big states.

The EU gives its smallest members one more advantage, allowing any country, re-gardless of its size, to exercise a veto on de-cisions involving taxation and foreign pol-icy.

In short, if Europeans deride the Electoral College’s rules as “idiotic,” they should say the same about those of the European Union.

In recent days the EU’s governing rules have been under negotiation as part of the organization’s plans to integrate its membership to former members of the Soviet bloc and other candidate nations. Representatives from the EU’s smallest members have put up quite a fight to defend the prerogatives they’ve traditionally enjoyed, and protesters have demonstrated on behalf of the same cause. Though it appears some watering down of the small-state advantages will ulti-mately result.

If European commentators want to under-stand many of the arguments behind the Electoral College, they don’t have to look to America. The debate over those principles is taking place in their own back yard.

TRIBUTE TO THE LATE GEORGE C. PAGE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WAXMAN. Mr. Speaker, the City of Los Angeles recently lost a generous philanthropist, Mr. George C. Page. Mr. Page was the founder of the George C. Page Museum of La Brea Discovers and was a generous donor to Children’s Hospital and Pepperdine University. I would like to take this opportunity to honor the contributions Mr. Page made to our community, and note in particular how influental his museum has been on the education of children of Los Angeles. I’d also like to submit for the record a copy of an article the Los Angeles Times ran on November 30, shortly after Mr. Page’s death.

[From the Los Angeles Times, Nov. 30, 2000]

OBITUARY: GEORGE C. PAGE; PHILANTHROPIST FOUNDED LA BREA MUSEUM

(By Myrna Oliver)

George C. Page, who hitchhiked to Los An-geles as a teenager with $2.30 in his pocket, made a fortune with his Mission Pak holiday fruit gift boxes and land development and then donated millions to house treasures of the La Brea Tar Pits, which fascinated him, has died. He was 99. The founder of the George C. Page Museum of La Brea Discov-eries in Hancock Park, he was also a major benefactor of Children’s Hospital, Pepperdine University and other institutions that aid young people. He died Tuesday night in
and commercial parks and leasing space to delved into developing, building industrial spiffy auto bodies, salvaging battered but dehydration, distributing dried fruit and During World War II, he became an expert in countered newly invented cellophane and vision of properly showcasing the 40,000-year-hal a century before Page could realize his story in Exposition Park? It was more than marveling over the oozing pools of asphalt isist—going to ostrich races in Pasadena or so bright, so gay, so light. Give the Mission part of Southern California history: ``A gift promised to use what he earned to help chil-Page, along with his late wife, Julliete, played so well.' 'The philanthropist is sur-never been in a museum with things dis-"[was that] they said, `George Page, we have sloped for children (not to mention adults) to roll down during the day." Page remained a hands-on patron years after his museum dream was realized. He knew where a photographer could get the best angle for a shot of a giant sloth and could tell at a glance if a plant in the atrium-knew where a photographer could get the best angle for a shot of a giant sloth and could tell at a glance if a plant in the atrium-aging, he lined the box with red paper and decorated it with tinsely. Thirty-seven other roomers in his boardhouseing offered to pay him if he would fashion similar packages to send to their Midwestern relatives. He was in business. Page launched Mission Pak in 1917, pioneering the now-ubiquitous marketing of California fruit in holiday gift packages in an era when fresh fruit was rarely seen during the frozen winters back East. Won the fruit, wrote the advertising copy and found new ways to "appeal to the eye to open the purse." One marketing tool was the jingle that became a part of California history and is still so bright, so gay, so light. Give the Mission Pak magic way." On an occasional day off, Page played tourist—going to ostrich races in Pasadena or marveling over the oozing pools of asphalt known around the world as La Brea Tar Pits. Why, he mused, must a person travel seven miles to see a sight that could be removed from those pits, poorly displayed as they were, at the Los Angeles County Museum of Natural History in Exposition Park? It was more than half a century before Page could lay claim to the vision of properly showcasing the 40,000-year-old fossils. In that time, he learned a great deal about packaging, business and getting things done. Visiting France when he was 21, Page encountered newly invented celluloid and began importing it for his great-grandfather's use. During World War II, he became an expert in dehydration, distributing dried fruit and other foods to the armed forces and then to the public. He saw a chance to develop the idea of functional cars. After he sold Mission Pak in 1946, Page devoted his life to choosing, building industrial and commercial parks and leasing space to the defense and aerospace industries and the federal government. Packaging was even important in real estate, he decided, in the form of fine landscaping to enhance complex-By his teacher when he was a 12-year-old schoolboy in his native Fremont, Neb. "I was so awed by the beauty of that piece of fruit that I thought I could be happy today I can live where that came from," he recalled. So at 16, he headed west. He lived in a $3-a-month attic room in downtown Los Angeles, ate and played pool. One day he took a bowl of bean soup fortified with crackers and ketchup. He paid for all that—and saved $1,000 in his first year—working days as a busboy (which he first thought meant driving buses and days and nights as a soda jerk. Come Christmas, the youth decided to send some of Californi-a's beautiful fruit to his mother and broth-ers in Fremont. "I finally got a job selling pack-aging, he lined the box with red paper and decorated it with tinsely. Thirty-seven other roomers in his boardinghouse offered to pay him if he would fashion similar packages to send to their Midwestern relatives. He was in business. Page launched Mission Pak in 1917, pioneering the now-ubiquitous marketing of California fruit in holiday gift packages in an era when fresh fruit was rarely seen during the frozen winters back East. Won the fruit, wrote the advertising copy and found new ways to "appeal to the eye to open the purse." One marketing tool was the jingle that became a part of California history and is still so bright, so gay, so light. Give the Mission Pak magic way." On an occasional day off, Page played tourist—going to ostrich races in Pasadena or marveling over the oozing pools of asphalt known around the world as La Brea Tar Pits. Why, he mused, must a person travel seven miles to see a sight that could be removed from those pits, poorly displayed as they were, at the Los Angeles County Museum of Natural History in Exposition Park? It was more than half a century before Page could lay claim to the vision of properly showcasing the 40,000-year-old fossils. In that time, he learned a great deal about packaging, business and getting things done. Visiting France when he was 21, Page encountered newly invented celluloid and began importing it for his great-grandfather's use. During World War II, he became an expert in dehydration, distributing dried fruit and other foods to the armed forces and then to the public. He saw a chance to develop the idea of functional cars. After he sold Mission Pak in 1946, Page devoted his life to choosing, building industrial and commercial parks and leasing space to the defense and aerospace industries and the federal government. Packaging was even import-ant in real estate, he decided, in the form of fine landscaping to enhance complexes. By the time he was ready to create his new museum in his retirement age—so old that some county officials feared he wouldn't finish what he started. But even in his later years, Page walked miles each day to check on the progress of his body as one does a fine watch. He bought a motor home and made it his Hancock Park field office, arriving at 7 a.m. daily for three years to see the construction of the museum. He studied architectural firms and hired two young men, Willis E. Fagan and Franklin W. Thornton, who proposed a "bur-ial mound" design—"sort of a robot," he says—that would conserve energy and preserve the park's green space. He hired an expert from Brigham Young University and others who had worked on Disneyland attractions to de-velop steel-rod and wire methods of pre-senting the prized fossils so that they would not be just "bones, bones, bones." And with a promise of free plane fare, rent and a tele-vision set, he lured a Pennsylvania couple to Los Angeles to paint murals of La Brea as it had appeared when the skeletons belonged to life-size animals. He examined the most comfortable mate-rials—carpet to walk on, not marble—and limited the museum to something that could be easily covered in about an hour. When solving a problem required money, Page gave that as well as his expertise. When his $3-million building threatened to remain empty because of county officials' pendency, he do-na-ted $1 million more for the exhibits. He even rescued one discarded skeleton of a dire wolf from the trash at the Museum of Nat-ural History. And he paid for the expensive wrought-iron fence constructed a few years after the museum opened to prevent night-time motorcyclists from scaling the sides of the building, preserving the slopes for children (not to mention adults) to roll down during the day. But it was the museum, which opened in 1981, stretching his arms wide to indi-cate the distinctive burial-mound struc-ture. "It's like giving flowers that I can smell while I'm still here," the saga of George C. Page, how he wound up in Los An-geles and how he made the money to put his name on those donations, all started with an orange. The piece of fruit was given to him by his teacher when he was a 12-year-old schoolboy in his native Fremont, Neb. "I was so awed by the beauty of that piece of fruit that I thought I could be happy today I can live where that came from," he recalled. So at 16, he headed west. He lived in a $3-a-month attic room in downtown Los Angeles, ate and played pool. One day he took a bowl of bean soup fortified with crackers and ketchup. He paid for all that—and saved $1,000 in his first year—working days as a busboy (which he first thought meant driving buses and days and nights as a soda jerk. Come Christmas, the youth decided to send some of Californi-a's beautiful fruit to his mother and broth-ers in Fremont. "I finally got a job selling pack-aging, he lined the box with red paper and decorated it with tinsely. Thirty-seven other roomers in his boardinghouse offered to pay him if he would fashion similar packages to send to their Midwestern relatives. He was in business. Page launched Mission Pak in 1917, pioneering the now-ubiquitous marketing of California fruit in holiday gift packages in an era when fresh fruit was rarely seen during the frozen winters back East. Won the fruit, wrote the advertising copy and found new ways to "appeal to the eye to open the purse." One marketing tool was the jingle that became a part of California history and is still so bright, so gay, so light. Give the Mission Pak magic way." On an occasional day off, Page played tourist—going to ostrich races in Pasadena or marveling over the oozing pools of asphalt known around the world as La Brea Tar Pits. Why, he mused, must a person travel seven miles to see a sight that could be removed from those pits, poorly displayed as they were, at the Los Angeles County Museum of Natural History in Exposition Park? It was more than half a century before Page could lay claim to the vision of properly showcasing the 40,000-year-old fossils. In that time, he learned a great deal about packaging, business and getting things done. Visiting France when he was 21, Page encountered newly invented celluloid and began importing it for his great-grandfather's use. During World War II, he became an expert in dehydration, distributing dried fruit and other foods to the armed forces and then to the public. He saw a chance to develop the idea of functional cars. After he sold Mission Pak in 1946, Page devoted his life to choosing, building industrial and commercial parks and leasing space to the defense and aerospace industries and the federal government. Packaging was even im-
Known for a questioning mind and an ability to get things done, Reverend Bruger began her career in education. From 1969 until 1972 she served as a high school physical education teacher in Silver Spring, Maryland. She later moved to New Jersey and served as a substitute teacher in the Bergen County School System. By 1996, and is currently the Coordinator of Food Coalition of Passaic County from 1993 to 1996, and is currently the Coordinator of Emergency Assistance System in Paterson. In addition, Reverend Bruger is a member of the New Jersey area Bishop's Task Force on Urban Ministries.

Mr. Speaker, I can say that I can think of few people who work harder or care more about others than Reverend Bruger. She served as the President of the Emergency Food Coalition of Passaic County, New Jersey on domestic violence by referral. In addition, she is a member of the New Jersey area Bishop’s Task Force on Urban Ministries.

Mr. Speaker, I ask that you join our colleagues, Reverend Bruger’s family and friends, CUMAC/ECHO, Inc., United Methodist Urban Ministries, the City of Paterson and me in recognizing the outstanding and invaluable services to the community of Reverend Patricia Bruger.

HONORING THE LATE DR. ANDRE ANTHONY GALIBER, SR.

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Dr. Galiber became the Director of the Radiology Department at the Charles Harwood Hospital during the 1960’s and 1970’s, and became the Director of the Radiology Department when the hospital relocated to the new Governor Juan F. Luis Hospital and Medical Center, serving in that capacity until his “so-called” retirement in 1984.

Dr. Galiber volunteered as a consultant at the new St. Croix Hospital and provided most of the technical training and professional services during the initial ten year growth period of clinical medicine. He interpreted the first echocardiograms on St. Croix and was the first Radiologist licensed in Computer Tomography. He was a FDA accredited mammoradiologist and had been performing mammography since he opened his practice in 1964. His untiring dedication to St. Croix was also directed at strengthening and advocating on behalf of the medical community. He was an active member of the Virgin Islands Medical Society for almost forty years, serving as President, Executive Secretary, Treasurer, Director of the Virgin Islands Medical Association as well as Delegate to the National Medical Association.

Dr. Galiber also served as President of the St. Croix Hospital Medical staff, was an elected officer of the Virgin Islands Medical Institute, and was presented with a medallion for monitored medical education seminars for his peers. He was also the principal supporter of advanced diagnostic imaging capabilities at the Governor Juan Luis Hospital. Recently, he proposed and drafted legislation for the Virgin Islands Medical Institute, to encourage Virgin Islands physicians training in the continental United States, to become licensed in the Territory. Most notably, he was a mentor and ardent supporter of students pursuing health science careers, of which I was one.

A Hurricane Hugo introduced several generations of Virgin Islanders to the devastation a hurricane could inflict. While most of the populace remained stunned in the aftermath, Dr. Galiber salvaged his radiological equipment, established electrical power and a safe habitat for essential medical operations and nine days after the hurricane had passed, he started providing full services to his patients. Dr. Galiber was a charter member of the St. Croix Power Squadron. He became a trustee for most of the schools on the island of St. Croix including St. Mary’s Catholic School, School, Good Hope School and St. Dunstan’s Episcopal School. Dr. Galiber was chairperson of the St. Croix Hospital Continuing Medical Education Committee which locally certified all eligible post-graduate training programs for physicians, and a member of the Ela Iota Lota Center of Omega Psi Phi Fraternity.

As an entrepreneur, Dr. Galiber in 1974 became the Project Development Coordinator/Secretary/Treasurer, of the first Medical Office Condominium in the Virgin Islands. He was one of seven owners of Medical offices in Island Medical Center Associates, and supervised the management of the entire complex along with managing his radiology office and practicing Diagnostic Radiology.

Dr. Galiber was an avid reader of non-fiction and World War II history buff, greatly admiring the deeds of Winston Churchill. His recreation he enjoyed golf, tennis, traveling, dancing, and classical music. He and his wife, Edith, were Members of Friends of Denmark,
an organization that strives to maintain the links established by more than two centuries of former Danish rule. He and his wife also joined the Landmark Society, which preserves and promotes the various influences of our unique architecture that has developed over the centuries, and yet has been able to influence public decision-making, develop programs and activities of enormous impact and to provide motivation, inspiration, spiritual consultation and consolations to millions.

For more than fifty years, Rev. Clay Evans has been the founder, pastor and guiding light for development of the Fellowship Missionary Baptist Church. The ship at it is affectionately known has been a haven for Civil Rights, a home for aspiring clergywomen, and a place to be for those who wanted to feel the spirit.

Fellowship has been a platform for notables of every color, stripe or hue. It has been a church home for Rev. Jesse L. Jackson and a training ground for renowned clergy and musicians. Of all the decisions made by Rev. Evans over the past fifty years has been the decision to guide the parishioners in the selection of a new pastor so there is an orderly, peaceful and efficient leadership transition.

I commend you, Rev. Evans for your ability to motivate and inspire and the wisdom of understanding community. As you retire from active pastorate, may the Good Lord continue to bless and keep you and may he grant you peace as you enjoy the Golden Years of your life.

WILLIAM DAVERN LEAVES A MARCHING BAND LEGACY TO BE CONTINUED

HON. JAMES T. WALSH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. WALSH, Mr. Speaker, on January 27, 2001, a Gala Surprise Party will be held to honor the accomplishments of the West Genesee “Wildcat” Marching Band Director William Davenport. Bill Davern will retire from this extracurricular activity following 16 years of dedication, hard work and many successes. He will continue to work as a teacher at West Genesee High School in Camillus, New York.

Bill Davenport’s involvement with the “Wildcat” Marching Band began in 1975 when he participated as a band member from 1975–78. The West Genesee Marching Band has long since established itself as one of the premiere High School Marching Bands in the country. For the past 27 years the band has sustained a level of excellence few marching bands ever achieve in a single season.

As band director for the past 11 years, Bill Davern continued the “Wildcat” tradition of great excellence, elevating it to new heights. Prior to becoming Band Director in 1989, he worked as a band instructor since 1984. He leaves the “Wildcats” with 12 straight New York State Championships, four National Field Band Championships, a National Parade Championship and a plethora of other victories.

I would like to take this opportunity to commend Bill Davern and the West Genesee Marching Band for their many accomplishments. The “Wildcat” Band has had an outstanding record for the past 27 years. Under the direction of Bill Davern, the band has set precedents in the history of the New York State Field Band Conference. His talent will be sorely missed by current and past band members, parents and school in this capacity.

TRIBUTE TO THE SLOVAK CATHOLIC SOKOL

HON. BILL PASCRELL, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. PASCRELL. Mr. Speaker, Mr. Speaker, I would like to call to your attention the deeds of an important organization from my district that celebrated its 95th anniversary of fraternal service on Sunday, November 12, 2000 because of its many years of service and leadership. It is only fitting that this group is honored, for it has a long history of caring, generosity and commitment to others.

This year marks the 95th anniversary of the establishment of the Slovak Catholic Sokol, a fraternal benefit organization with headquarters in Passaic, New Jersey. It was founded on July 4, 1905 by a group of 48 Slovak immigrants. The organization has grown over the past nine decades and now includes nearly 35,000 members with assets of $52 million.

As a well-known gymnastic and athletic organization of American Catholics of Slovak ancestry, the Sokol places great emphasis on the growth and development of its youth. Various athletic contests on the local, district and national levels are held. The Sokol hosts international tournaments in basketball, volleyball, bowling, softball and golf. In addition, a biennial international track and field competition known as the “Slet” is held in locations across the United States and Canada. Next year, the Sokol will host its 40th Slet at Kutztown University in Kutztown, Pennsylvania.

Concern for higher education among its youth is another priority. To date, nearly $800,000 in scholarship grants have assisted members in the quest for higher education. This year, a total of 86 deserving members received grants on the grade school, high school, and university levels.

As a testament to our sisterhood with Slovak brethren, the Sokol generously supports various religious institutions, churches and centers promoting a greater appreciation for the
Slovak heritage as it enriches our American way of life. In keeping with its interest in promoting greater awareness of Slovak culture, it provides regular opportunity for its youth to participate in cultural festivals in Slovakia.

Since 1905, the Sokol has maintained its national headquarters in downtown Passaic. Since 1911 it has published a weekly newspaper, the Sokol Catholic Falcon. This tabloid, 16-page, bi-lingual publication is mailed to more than 11,000 households throughout the United States, Canada, and other nations. This means of communication among the membership provides special opportunity for the members to keep abreast of activities sponsored by the Sokol and to gain a better knowledge of the rich cultural heritage the membership shares.

At the present time, the Sokol has 155 local lodges in 14 states and the province of Ontario in Canada. The Sokol actively promotes various volunteer efforts. It gives strong support to the work of Habitat for Humanity and encourages its members to participate actively in various local community projects including blood drives, tutorial programs for youth, supporting food bands and service to homeless and institution-bound individuals.

Current national officers include the Rev. Mgr. Francis J. Beeda, Supreme Chaplain, Sue Ann M. Seich, Supreme President, Steven M. Pogorelec, Supreme Secretary and Chief Executive Officer, John D. Pogorelec, General Council, Daniel F. Tonzane, Editor, George We. Hizny, Supreme Treasurer, Michael J. Pjontek, Jr., Supreme First Vice President, Albert J. Susk, Supreme Second Vice President, Larry M. Glugosh, Supreme Director of Sports and Athletics, and Carol Ann Wallace, Chairperson on Supreme Officers.

Mr. Speaker, I ask that you join our colleagues and me in recognizing the outstanding and invaluable service to the community of the Slovak Catholic Sokol. In addition, congratulations are due to the entire membership of the Slovak Catholic Sokol as it observes its nine and a half decades of service in the best traditions of the fraternal benefit system. This special organization will be celebrating its centennial and beyond. In the words of the Sokol, Zdar Boh!

CLOSING THE CHERNOBYL NUCLEAR REACTOR

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. LANTOS. Mr. Speaker, today Ukraine took a historic step—closing the Chernobyl nuclear reactor for all time. I welcome this critical step, writing a final chapter to one of mankind's most ominous events. The explosion of the flawed Soviet-designed nuclear power station in 1986 was a dramatic warning to all of us of the frightening potential for disaster in this nuclear age. It served to underline the cold reality that precise design, continuous careful maintenance and a dedication to safety are essential if we are to avoid nuclear catastrophe.

Ukraine's President, Leonid Kuchma, incurred a substantial political risk with his own people when he negotiated with the European Union and the United States to close the station in exchange for financial pledges to assist in completing two modern nuclear power plants designed to Western standards to replace the lost power production. Even in its damaged condition, Chernobyl is believed to provide approximately 5% of Ukraine's total energy needs. By ending the threat from Chernobyl's four graphite reactors was undamaged and has continued to produce power for Ukraine's consumers.

Mr. Speaker, not only is the Chernobyl power source lost—it will be at least a year before cooperation with Russia will allow new reactors now under construction comes on line. In the meantime, 16,000 jobs at the Chernobyl station will be lost, although a few hundred workers will remain in order to deal with the high-risk construction of a permanent housing for the damaged, highly radioactive unit. The new city of Slavutich, built with considerable U.S. assistance to provide safe housing for Chernobyl's work force, will be heavily impacted by the shutdown.

In Ukraine there has been criticism of President Kuchma for "knuckling under to the West" and for the hardships the Ukraine people will have to shoulder as the energy supply is reduced and jobs are lost. The obvious benefit to Ukraine and all of mankind by placing Chernobyl's work force, will be heavily impacted by the shutdown.

In the words of the Sokol, Zdar Boh!

A TRIBUTE TO JUNE L. HARRIS

HON. WILLIAM (BILL) CLAY
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. CLAY. Mr. Speaker, I rise today to recognize the woman that June L. Harris has provided the House for the past 21 years. June, like myself, is retiring at the end of this Congress, and I want to thank her for her many years of service to our institutions. June came to work for me in 1979. She has spent nearly her entire career here in Congress working on educational issues, specifically ensuring that educational opportunity exists for the most vulnerable in our society. June has worked in both my personal office and on a new division of the U.S. Department of Education. Prior to her Capitol Hill career, June was a teacher in the Baltimore public schools and the head of a department in a junior high school. June has also earned a Ph.D. from the University of Maryland, showing evidence of her own personal pursuit of excellence.

June has always fought to make sure all Americans have the opportunity to succeed. She has represented me well by helping open the doors of educational and economic opportunity for our most disadvantaged citizens. June has always stood for what was right and never compromised her principles. She has performed with 21 years of service to this country's education that has improved the education of the children of St. Louis and the nation. Today, I want to say thank you for all that she has done and wish her well in her retirement.

EXPRESSING CONCERN ABOUT THE COMMUNIST REGIME IN LAOS AND COMMENDING SENATOR BOB SMITH AND THE U.S. CONGRESSIONAL FORUM ON LAOS

HON. MARK GREEN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. GREEN of Wisconsin. Mr. Speaker, as this Congress comes to a close, I want to state for the record that I continue to be very troubled about the dreadful situation in Laos and the U.S. Department of State's behavior toward this one-party, Communist regime.

Wisconsin is home to the third largest Hmong and Laotian community in the United States. I am very proud to represent so many great Americans. Their families and relatives, however, continue to suffer terribly under the current Stalinist regime in Laos.

On October 19, I was pleased to speak once again before the U.S. Congressional Forum on Laos, an excellent forum series organized by the Center for Public Policy Analysis. At this forum, I again stressed my concerns about the disappearance of Messrs. Houa Ly and Michael Vang—two Americans who disappeared in Laos last year—and the ineffective handling of the case by our State Department.

Mr. Speaker, I also would like to thank Senator Bob Smith for placing a hold on the Administration's nominee for a new ambassador to Laos. I strongly supported Senator Smith's hold as an important tool in the effort to force significant changes in U.S. policy toward Laos—changes I hope will occur under the next Administration.

I would like to submit this recent Washington Times article about our mutual efforts to enhance understanding about the situation in Laos and work for a positive change in U.S. policy.

[From the Washington Times, Oct. 6, 2000]

NEW LAOS POLICY URGED

Washington: Philip Smith has been trying to press the Clinton administration into adopting a tougher policy against Laos and is hopeful that a senator blocking the appointment of a new U.S. ambassador to the isolated communist nation will help the cause.

Smith, executive director of the Center for Public Policy Analysis, said he has no personal objections to the nominee, Douglas Alan Hartwick, a career Foreign Service officer.

"But we support the holding up of the nomination in the hope this will produce the
necessary leverage for a comprehensive review of U.S. policy toward Laos,” he said.

Mr. Smith said the administration has failed to support the political opposition in Laos and has made no effort to influence leaders to the United States to meet with groups like the National Democratic Institute or International Republican Institute, which promote democracy in other countries.

Sen. Robert C. Smith, New Hampshire Republican, is blocking Mr. Hartwick’s nomination along with several other diplomatic appointments because of his concerns about lax security in the State Department and some U.S. embassies.

Mr. Smith, who is not related to Sen. Smith, is also organizing a congressional forum on Laos that will feature leading Lao dissidents.

He has invited Laos’ highest-ranking defector, Khamxay Souphaphoung, former finance minister and son of the founder of the current Pathet Lao movement that controls much of his country.

Louthan Chanthavixay, another leading Lao dissident, has been elected to that position by the lawyers throughout Michigan.

Bouthone Chanthavixay, another leading political exile, has also been invited to address the invited guests at the Oct. 19 forum.

“Lao dissidents are increasingly facing an increasing and precarious existence with an ongoing string of bombings and political violence seemingly spinning out of control,” Mr. Smith said.

TRIBUTE TO MICHAEL HAYES DETTMER

HON. BART STUPAK
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to Michael Hayes Dettmer, U.S. Attorney for the Western District of Michigan, who will be return to private practice in January. After six years of service, Mike will leave the job of chief federal law enforcement officers and prosecutor for 49 counties in western Michigan and the Upper Peninsula of Michigan, and return to practice law in Traverse City, a community in my northern Michigan congressional district.

Mike Dettmer’s appointment by President Clinton to this position followed a distinguished career in Michigan. A trial lawyer since 1972, he served as the 59th president of the State Bar of Michigan in 1993 and 1994, having been elected to that position by the lawyers throughout Michigan.

Mike served as chairman of the state bar’s Professionalism Task Force and he served as co-chairman of the Standing Committee on Professionalism, as well as chairing numerous other bar committees. At the Department of Justice he chairs the Attorney General’s policy committee relating to Office of Justice programs, and he is a member of the Committee on Native American Issues and Civil Justice Issues.

My Michigan colleague, Fred Upton, recently paid public homage to Mike’s work, praising in an Associated Press story Mike’s efforts in fighting crime in Benton Harbor, a community in Congressman Upton’s district and an area where drugs are a particular problem.

A Michigander through and through, Mike graduated from Michigan State University and received his law degree from the Wayne State University School of Law in 1971.

Mike brought new energy to the position of U.S. Attorney, and I know he is leaving the job in the belief that it demands new blood, fresh ideas and constant renewal.

Mike has always been an avid golfer, but I know that his golf score will greatly benefit from the some additional time on the fairways, time that he may now have with the demands of his federal job behind him.

Mr. Speaker, I ask you and our colleagues to join me in offering our thanks to this public servant for a job well done. I welcome his return to northern Michigan.

REINTRODUCING H.R. 5669

HON. JOHN R. KASICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. KASICH. Mr. Speaker, today I reintroduced a bill, H.R. 5669, that was previously introduced this Congress as H.R. 82, in order to clarify the appropriate referral of comparable legislation in subsequent Congresses. The error in the referral of the original bill resulted from confusion arising from House rule changes during the 104th and 105th Congresses that granted the Budget Committee jurisdic- tion over budget process legislation.

My staff worked closely with the Office of the Parliamentarian to resolve the jurisdictional issues related to this bill. My introduction of the bill should not be construed as indicating my support for the measure. In fact, I oppose the concept of a Service Trust Fund offset budget, which this bill would require. I also introduced a new bill, H.R. 5670, to establish the appropriate referral of this type a measure.

TRIBUTE TO THE MEN WHO FLEW EC-121

HON. ALLEN BOYD
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. BOYD. Mr. Speaker, today I pay tribute to the brave men who flew the EC–121 Lock- heed Super Constellation from Otis Air Force Base (AFB), Massachusetts, in the 1950’s and 1960’s. The 19 member crews of these aircraft flew countless radar surveillance missions to provide early warning radar coverage for the United States during the height of the Cold War and were a first line of defense against a surprise attack. I was proud to pay trib- ute to the fifty officers and airmen who died when three EC–121’s crashed in the North At- lantic.

Otis AFB, located on Cape Cod, was the only Air Defense Command base with units performing three of the Air Defense Command’s prime missions: radar picket plane surveil- lance, fighter-interception, and ground-to-air missile operations. With the completion of the Distant Early Warning (DEW) Line in 1958, the northern areas of the United States and Canada were still vulnerable. Consequently, the radar warning networks were extended and turned seaward at Otis AFB on the east by using the 551st Airborne Early Warning and Control (AEW&C) Wing. This wing supplemented the radar protection along the East Coast of the United States.

The 551st Wing at Otis was the only Air Force organization flying the EC–121H “Warn- ing Star” Super Constellation known as Air- borne Long Range Input (ALRI) aircraft. Those aircraft carried more than six tons of complex radar and computer communications equipment on each flight and provided instantaneous automated relay of air defense surveil- lance and early warning information by data- linking to ground-based communications fa- cilities. This information was then passed to high speed Semi-Automatic Ground Environ- ment (SAGE) Air Defense Command and Control computers in the East Coast SAGE Direction Centers and to the North American Air Defense Command (NORAD) Combat Operations Center in Colorado Springs, Colorado, for air defense evaluation and action. It is interesting to note, especially for the young- er generation, that the 551st Wing flew their continuous missions over the Atlantic Ocean 24 hours a day.

On March 2, 1965, the 551st AEW&C Wing celebrated its 10th anniversary. It was noted that the 551st Wing had progressed through many changes—some involving electronic equipment and other gear. Still the mission continued to be an effective, although more sophisticated—form of radar surveillance against the enemy. During that decade, the aircraft of the 551st Wing had accumulated more than 350,000 hours of early warning radar surveillance missions over the North At- lantic without an accident involving personal injury or a fatality. However, the fatality-free decade celebration didn’t last long.

The ten-year celebration hardly had ended when on July 11, 1965, one of the Super Con- stellation planes, the Air Force’s EC–121H radar aircraft, developed a fire in the number three engine. The decision was made to try ditching the plane approximately 100 miles from Nantucket, Massachusetts, in the North Atlantic. Unfortunately, touchdown in the night- time, ditching in zero-zero weather, while on fire, was very difficult. The aircraft crashed and broke apart. Of the 19 people on board, three crew members survived and 16 died.

Seven of the crew members’ bodies were never recovered.

On Veterans Day 1966 (November 11th) an- other EC–121H crashed in approximately the same general area as the first one, by unex- plained circumstances. This accident was about 125 miles east of Nantucket. All 19 crew members were killed and their bodies were never recovered.

On April 25, 1967, another EC–121H ditched in the North Atlantic approximately one mile off of Nantucket just after having taken off from Otis AFB. There was one survivor, and 15 crew members were lost. Only two bodies were recovered by the Air Force. The remaining 13 had not been recovered. Colonel James P. Lyle, the Com- mander of the 551st AEW&C Wing to which all the aircraft and crew members were assigned, was piloting this plane when it crashed.

Colonel Lyle had been assigned to take over that command nine months earlier. It is sobering to note that it was he who presented each of the next of kin of the November 11, 1966, crash victims with the United States Flag during that memorial service. Then five months later Colonel Lyle met the same fate.

The EC–121H aircraft was phased out and the 551st Wing was deactivated on December
Mortara was a senior member of the Wall Street firm Goldman Sachs. There and wherever he came into contact with them, he mentored and guided hundreds of young men and women throughout their careers. He served on many educational boards, including those of Georgetown University, The Taft School, and the Connecticut Junior Republic. Mr. Mortara was the embodiment of a free-enterprise minded American citizen—a proponent of free markets, education, and family values.

Mr. Speaker, what Mr. Mortara’s life symbolizes is that an individual can make the private sector that has positive ramifications for society as a whole. It is innovations in finance that have helped curb inflation and in the case of the secondary housing securities market made access to home ownership available to millions who would otherwise be precluded from participation in the American dream.

Mr. Mortara will be much missed by this family and colleagues and so many who never knew him but benefited from the innovations in finance that he pioneered.

TRIBUTE TO BISHOP JAMES T. MCHUGH

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. SMITH of New Jersey. Mr. Speaker, today, a great man of God, a brilliant writer of homilies and incisive commentary, an extraordinary humanitarian, a courageous defender of human life, Bishop James T. Mchugh—will be buried. After a long battle with cancer, Bishop Mchugh—passed away on December 10th. Consistent with how he lived his life, Bishop Mchugh faced death like he faced life— with courage, dignity and an unwavering faith that inspires us all. Prior to his assignment at Rockville Center, Bishop Mchugh served with dedication and effectiveness as Bishop of the Diocese of Camden, New Jersey, and area which borders my district.

Mr. Speaker, I have had the privilege of knowing this holy man of God and calling him “friend” for over 25 years. By his words and extraordinary example, Bishop Mchugh lived the Gospel of Jesus with unpretentious passion and humility. Bishop Mchugh radiated Christ. He recognized evil and deceit in the world for what it was—yet he never ceased to proclaim reconciliation and renewal through Christ, the Sacraments and the Church. Clearly among the best, brightest and most wise, Bishop Mchugh nevertheless was humble and soft spoken. His courage to press on against any and all odds was without peer. He was a spiritual giant, and we will miss him dearly.

A graduate of Seton Hall University and the Immaculate Conception Seminary in Darlington, New Jersey, Bishop Mchugh began his service to the church early in life. Ordained in 1957, Bishop Mchugh’s impact has been felt in countless ways. His constant and unyielding defense of the unborn will serve as a pillar of strength to all of us who carry on the fight for life. In the wake of his death, Bishop Mchugh was a member of the US Bishop’s Committee on Pro-Life Activities as well as a consultant to the Pontifical Council on the Family. His dedication to the pro-life movement knew no bounds, and his representation of the Vatican at international meetings and at the United Nations on population control and pro-life matters served as not only an inspiration for myself, but upheld the convictions and beliefs of the Church and believers worldwide.

Bishop Mchugh's courage and convictions could not have been more evident than just recently, when he ordered that no public officials or candidates who supported abortion be permitted to appear at Catholic parishes. Although Bishop Mchugh was criticized by the media, he was upheld in high esteem among those of us who hold that all human life is precious. Bishop Mchugh held strong to clear Christian teaching on the sanctity of human life and the duty of all men and women of goodwill, especially politicians, to protect the vulnerable from the violence of abortion.

Early in his career, Bishop Mchugh worked on staff of the National Conference of Catholic Bishops and was named director of the Division for Family Life in 1967 and director of the bishops' Secretariat for Pro-Life activities in 1972. Bishop Mchugh did advanced theological studies at the Angelicum in Rome and earned his doctorate in sacred theology in 1981.

Bishop Mchugh must be commended for this outstanding work as Vatican delegate to numerous international conferences, including the 1974 International Conference on Population in Bucharest, Romania, the 1980 UN World Conference on Women in Copenhagen, Denmark; the 1984 UN World Population Conference in Mexico City; the 1990 World Summit for Children in New York; the 1992 International Earth Summit in Rio de Janeiro, Brazil, and the 1994 International Conference on Population and Development in Cairo, Egypt.

HONORING OKLAHOMA STATE UNIVERSITY

HON. WES WATKINS
OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. WATKINS of Oklahoma. Mr. Speaker, these are momentous days for academic excellence at Oklahoma State University. Last week, Oklahoma State University (OSU) received national recognition for outstanding record in producing world-class scholars and leaders.

OSU celebrated being named a Truman Scholarship Honor Institution—an award bestowed on only five universities in the nation this year. OSU is one of only 37 universities in the nation to have ever received this distinction. No other Oklahoma university has ever received the honor. This year’s other award recipients are the University of Texas, the University of Kansas, the University of Minnesota, and Willamette University.

The Truman Scholarship Honor Institution award recognizes colleges and universities that have developed a long history of producing outstanding student scholars and leaders.

The award specifically recognized OSU for: Exemplary participation in the Truman Scholarship Program; being one of the five Truman Scholars who have gone on to get their doctorate. The Truman Scholarship Scholarship program—six Truman Scholars in the nation to have ever received this distinction. OSU is one of only 37 universities in the nation to have ever received this distinction. No other Oklahoma university has ever received the honor. This year’s other award recipients are the University of Texas, the University of Kansas, the University of Minnesota, and Willamette University.
most promising students at OSU achieve their goals through participation in national fellowship competitions such as the Rhodes, Marshall, Truman, Goldwater and Udall scholarship programs.

The Harry S. Truman Scholarship Foundation awards 75 to 80 merit-based scholarships each year to college juniors who wish to attend graduate school in preparation for careers in public service. The merit-based Truman Scholarships are recognized as the most prestigious undergraduate scholarships in America. Each Truman Scholar receives up to $30,000 in scholarship support, plus other academic and career benefits.

Oklahoma State University is rightfully proud of its academic success. OSU has produced 10 Truman Scholars, one Rhodes scholar, six Goldwater scholars, one Marshall scholar and one Udall scholar. Many of these awards were won during the past seven years. OSU student scholar award winners include:

- Rhodes Scholars—Blaine Greteman.
- Udall Scholar—Phoebe Katterhenry.

During last week’s festivities, OSU inducted its prestigious scholarship winners into the university’s new “Scholars Hall of Fame.” As reported in the university’s award-winning student newspaper, the Daily Oklahoman, “Flashbulbs and applause erupted Friday as an orange and black ribbon was clipped—unveiling Oklahoma State University’s latest tribute to its academic heritage of excellence. OSU President James Halligan and Board of Regents Chairwoman Lou Watkins cut the ribbon and ushered a number of OSU’s prestigious scholarship winners into the Scholars Hall of Fame in the Student Union.”

Eighteen of OSU’s national scholars returned to OSU for last week’s festivities, traveling from as far away as England. Included were all ten Truman Scholars.

Bud will especially be remembered for his extraordinary efforts, after the close of World War II, in establishing the Orange County Community College (OCCC). The movement to establish two-year colleges had not yet caught fire nationwide at that point, but Bud was a prophet in foreseeing the benefit it would bring not only to OCCC students but also for the economy of the whole region. When OCCC was established in 1950, Bud was appointed to their Board of Directors and served in that capacity for 23 years.

Bud Demerest was a veteran of the U.S. Army Air Corps in World War II. He was also a 50-year member of the Walton Engine and Hose Company, a life member of the Orange County Volunteer Firemen’s Association, and the New York State Firemen’s Association. He was also active in the American Legion, the Masons and Shriners, the Chester Historical Society, the Chester Little League, and many other community organizations.

Bud was predeceased by his lovely wife Ruth, but is survived by one son, one daughter, six grandchildren, one great-grandchild, and several nieces and nephews. William “Bud” Demerest served the public in many capacities, but each was outstanding as a good neighbor and friend. He will long be missed.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. BARBARA LEE
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Ms. LEE. Mr. Speaker, I join my colleagues in sharing my deep sense of shock and loss for our beloved JULIAN DIXON.

JULIAN was a warrior and a statesman. I met JULIAN in 1975 when I worked as a member of Congressman Ron Dellums’ staff, who I know joins us in remembering this great human being.

I will always remember how JULIAN treated me as a staff member—with respect and dignity. I know today, his staff would want me to say that JULIAN was a wonderful boss and demonstrated with them as he did with us his tough love. His fierce strength kept many of us centered and thinking clear about any issue.

As a member, JULIAN counseled me many times on the tips of the trade. Whenever an issue relating to my district came before appropriations, JULIAN would check up with me first to consider my views. He didn’t have to do that. He never let me get blind-sided. Some of my most special moments with JULIAN were riding home with him. We live around the corner from each other.

During these rides we talked about so many things he cared about like his constituents; the people of California; and the people of his native home, Washington, DC. He always reminded me that I should not let the business of my life in Washington, DC get in the way of my personal friendships. All of us need to remember his words of wisdom and I thank him for his friendship. I want to thank Bettye and JULIAN’s family and his home district for sharing this great leader with us and wish them God’s blessings. May JULIAN’s soul rest in peace.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Ms. ROYBAL-ALLARD. Mr. Speaker, it is with a heavy heart that I rise to express my deep sadness for the passing of my friend, mentor, and fellow Angeleno, JULIAN DIXON.

I had the privilege of knowing JULIAN DIXON for more than 20 years, including the years he served with my father, Congressman Edward R. Roybal, in the 1970s and 80s. JULIAN served his Los Angeles-area community and the state of California as a member of the California State Assembly and in Congress with distinction.

JULIAN DIXON’s achievements during his nearly three-decade tenure as a legislator are too numerous to recount. He was chairman of the House Ethics Committee, maintaining bipartisanship on a traditionally partisan committee. A fighter in the struggle for civil rights, he brought that commitment to his chairmanship of the District of Columbia Appropriations subcommittee where he was a strong advocate for the rights of DC residents.

Recognizing his leadership capabilities, JULIAN was selected Chairman of the influential Congressional Black Caucus in the 1980s. More recently, he served as ranking Democrat on the prestigious and demanding Select Intelligence Committee.

When I was appointed to the Appropriations Committee two years ago, I was delighted at the opportunity to serve with JULIAN on the Commerce-Justice-State-Judiciary Subcommittee because I knew my staff and I would benefit greatly from his expertise and knowledge of the agencies, programs and issues that would come before the committee.

JULIAN was extremely skillful at getting straight to the heart of a policy question. While he never hesitated to express his displeasure with any administration official—he be they Attorney General or Secretary of State—he always did so in a calm, dignified and respectful manner. He did not view his role on the subcommittee as solely partisan, but rather to make sure that the government was doing its job to serve the interests of its constituents and the American people as a whole.

One anecdote in particular illustrates the way JULIAN worked and the high degree of respect accorded him by Democrats and Republicans alike. Last year, which was my first year on the Appropriations committee, the Los Angeles police department was involved in a series of controversial shootings involving officers. Learning of the incidents, JULIAN immediately understood how critical it was to the future of Los Angeles and law enforcement to ensure that such shootings were thoroughly investigated. As a result, JULIAN worked with the California attorney general and the district attorney to develop a program for “roll-out teams” to quickly respond to such shootings and ensure a thorough and impartial investigation.
I still remember when Julian asked me to accompany him when he went to Chairman Hal Rogers to describe the problem and to ask for funding for the roll-out teams. That the chairman immediately agreed to include the funding for this critical program in the conference report is indicative of the respect with which Julian was held. I don't think Julian ever put out a press release about obtaining this important funding, but I know it has had a positive impact in helping us address one of the problems with our troubled police force.

This is just one example of Julian's hard work and commitment to his community, and his ability to produce results based on his stature and respect in the House. Whether it was fighting for emergency funding for Los Angeles after the riots in 1992 and the Northridge earthquake in 1994, or advocating on behalf of the Los Angeles public transportation system, Julian Dixon was a devoted and effective legislator.

While Julian Dixon will undoubtedly be remembered for years to come as an outstanding legislator, I will remember him as a cherished and trusted mentor. Whether providing guidance on the rules and procedures of the House, Los Angeles politics, or committee assignments, his advice was always welcome and sound.

In this time of extreme partisanship and legislative gridlock, I hope that we can all learn from the example of our friend and colleague, Julian Dixon.

While it is clear that Julian will be dearly missed, his hard work and dedication, dignity, and bipartisan manner will serve as an enduring model to all.

TRIBUTE TO MASTER SERGEANT ROBERT SMITH

HON. FLOYD SPENCE
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. SPEICE. Mr. Speaker, I wish today to bring to the attention of the House an article from The Lexington Chronicle, about Army Master Sergeant Robert Smith, which gives an account of his impressive military record. Sergeant Smith is truly a great American.

[From the Lexington County Living, November 9, 2000]

A YOUNG WARRIOR'S TALE

ROBERT SMITH ENLISTED IN THE ARMY AT THE AGE OF 14

(By Robert Smith and Mike Rowell)

Early in 1950, the North Koreans invaded South Korea. I had just joined the 511th Airborne Infantry Regiment of the 11th Airborne Division at Fort Campbell, Ky., in April. So I volunteered for duty in the Korea War.

I arrived in Korea in early September, 1950 and was assigned to the intelligence and re-connansion platoon of the 7th Infantry Division. Most of the time, we just went up the mountains and down the valleys of Korea. I was wounded for the first time while on patrol near Soumuan.

Like many boys who grew up during World War II, my dream was to be a soldier. I was especially interested in the paratroopers and Darby's Rangers. I dreamed that the military would be my life. But shortly after my fourteenth birthday, I decided start living my lifelong dream. I went and enlisted in the U.S. Army. I lied and gave my age as 17, which required parental consent.

The recruiter said that he would drive me to my house for my mother's signature. However, when we arrived at the end of the twisting road with my house still a mile hike up the mountain side, he stopped the car.

He said, "You go get your mother to sign here."

I had counted on that! My cousin signed it.

I was in the Army now.

My basic training was at Camp Pickett, Va. During boot camp, I did something wrong and my platoon sergeant called me into his office and asked if I knew that you're not old enough to be in the Army. If I thought you could make a living on the outside, I would have your ass kicked out!"

After basic training, I volunteered for the Airborne and completed jump school in March of 1949—it was one day after my fifteenth birthday. At this time the 12th Airborne Division was coming stateside from Japan, and the 82nd Airborne was at full strength. So I was assigned to Germany and flew security on aircraft involved in the Berlin Airlift.

Then came Korea. I just before New Year's Day 1951, the 2nd Airborne Ranger Company was assigned to my division. I volunteered and was assigned to this illustrious Ranger company.

Not long after that, I was wounded a second time and sent to a hospital in Japan. My mother and father were assigned to Germany and transported to Korea for a time. But shortly thereafter I was rotated back to the United States at Fort Campbell, Ky.

Incidentally, I bumped into my old basic training drill sergeant—the one who had threatened to kick me out of the Army. I don't know what he had done, but he had been rotated from my unit and was assigned to private first class. My rank was sergeant first class. Revenge is a dish best served cold!

In November 1952, I was assigned to the 2nd Infantry in my old division after I volunteered for duty in Korea. We saw action at Old Baldy, Pork Chop Hill, White Horse, and Jane Russell, names that will never be forgotten. I was assigned as a forward observer with the Ethiopian Battalion. I was wounded again during the final battle of Pork Chop Hill.

After the Korean War, I had to adjust to the peacetime Army. During this period, the Army decided to change the dress uniform from Khaki to the new uniform. I was a group of soldiers to model the 'new look'.

The requirements were simple. You had to be at least six feet tall and a combat veteran. I was one of the four men, out of 288 from the 3rd Army who were selected. During the next three and a half years, I traveled throughout the United States, Europe, and Japan, modeling the new uniform. What a change from Korea!

One morning in 1964, I was at the Pentagon at the time of the Vietnam records deployment. I signed in, stated my reason for being there, and sat down to wait my turn. A sharp looking sergeant picked up the sign-in sheet, left the room. When he returned he announced, "There are 28 noncoms in here trying to get out of going to Vietnam. There is only one trying to go there. Sgt. Smith, come with me." I had my Vietnam assignment within thirty minutes. I went back overseas as an advisor. I was wounded for the fourth time during that tour.

My second Vietnam tour was with the 11th Airborne Cavalry's Long Range Patrol. We were involved in typical Vietnam operations. I was also assigned as an advisor to one of those patrols I was wounded for the fifth time.

I retired on December 30, 1969. There was a big ceremony for those who were retiring. I was supposed to be awarded my fifth Purple Heart and the Army Commendation Medal for valor.

When the major general came to me he said, "Sergeant, how old are you? You look like you should be coming in, not going out!"

Instead of pinning my medals on, he handed them to me and said, "You have more medals than I do. Put them on wherever you can!"

Robert "Smitty" Smith earned the Combat Infantryman Badge and was awarded a Bronze Star for Valor at age 16. He earned the Silver Star, a second Bronze Star for heroism and two Purple Hearts by age 17, all while serving in Korea. He also received the U.S. Navy Commendation Medal for leading a squad that assisted the return of a U.S. Marine patrol that had been surrounded by an enemy force.

During his two tours in Vietnam, he received two Purple Hearts, another Combat Infantryman Badge, the Army Commendation Medal for Valor, his third Bronze Star for Valor, the Air Medal, and the Vietnamese Cross of Gallantry with Palm. He proudly wore a Master Parachutist Badge, Silver Star, Purple Heart and his wife married him in Gilbert, South Carolina. They have three sons, a daughter, and five grandchildren. All three sons served in the Airborne infantry. One of whom served as an underdog veteran of the Army at age 15, was killed in an automobile accident in 1993.

Sgt. Robert Smith, Ret., is a proud member of the Veterans of Underage Military Service (VUMS). This organization is open to veterans of the Army, Navy, Marines Corps, Air Force, Coast Guard, and the Merchant Marine.

VUMS is actively seeking eligible members. The National Commander is Edward E. Gilley, 4031 Tiger Point Blvd., Gulf Breeze, Florida, 32561-3311. He can be reached at 858-653-8667, FAX at 850-924-1315, or you can e-mail him at ed-bess-gulfbreeze@att.net.

TRIBUTE IN MEMORY OF FORMER CONGRESSMAN HENRY B. GONZALEZ

SPEECH OF
HON. EDDIE BERNICE JOHNSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 5, 2000

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to pay tribute to former Rep. Henry Gonzalez, who passed away on Tuesday, December 5th, at the age of 84.

Throughout his career, Henry Gonzalez was an unwavering champion for equal justice and rights, and a passionate advocate for the disenfranchised. Henry first entered public life in 1953, when he was elected to the San Antonio City Council. The son of Mexican immigrants, he came along when Texas was a black and white society and Hispanics were generally not considered to be a minority group. Nevertheless, he spoke forcefully against segregation of public facilities and helped to shepherd passage of desegregation ordinances. Later, after he became the first Mexican-American to serve in the Texas Senate, he attracted national attention for successfully filibustering Heartland bills that were aimed at circumventing the U.S. Supreme Court's decision in the Brown v. Board of Education case.
In 1961, Henry Gonzalez again broke new ground by being elected the first Hispanic Representative from Texas. Ultimately, he served 19 terms, longer than any other Hispanic Member of Congress. More importantly, he never lost touch with his constituents and his community during his tenure in Congress. He demanded that issues affecting the people of San Antonio receive his personal attention.

Throughout his time in Congress, Henry Gonzalez served on the Committee of Bank- ing, Finance, and Urban Affairs. There, he fo- cused his legislative efforts on making credit more available to minority people, improving public housing, and helping many Americans to become homeowners. Early in his congres- sional career, he worked for the passage the landmark Housing Act of 1964. Later, when he became Chairman of the Subcommittee on Housing and Community Development in 1981, he was instrumental in getting approval for a program to assist families who faced foreclosure on their homes. He also strongly defended public housing programs when the Reagan Administration proposed to cut them sharply.

In 1989, he became Chairman of the full Banking Committee. His first urgent order of business was to deal with the collapse of the savings and loan industry, a crisis he had pre- dicted throughout the 1980’s. As he began working to craft a solution, it became apparent to him that any bailout, although necessary for the nation’s banking system, would be ex- tremely unfair to low and moderate income Americans. He realized that they would derive little or no benefit from the bailout even though they had to share in the burden of fashioning a remedy for the excesses and poor decisions of savings and loan managers in the previous decade. The need to make credit more available to low income Americans and to de- pressed communities laid the groundwork for later legislative efforts and culminated in the enactment of the Community Reinvestment Act.

Overall, the Banking Committee under Henry’s leadership held more than 500 hear- ings and obtained enactment of 71 bills. Among the other major bills that the Com- mittee produced included restructuring the fed- eral deposit insurance system to provide de- positors a greater guarantee for their savings, making more credit available to small business, reauthorizing federal housing laws, and strengthening the laws pertaining to financial crimes.

I want to especially thank Representative MARTIN FROST for leading a special order in honor of Henry Gonzalez. Henry Gonzalez was a giant and true champion of Texas, and it is fitting for a Texas Member who currently serves in the House leadership to lead this tribute. Henry was not just a giant in Texas politics but also a mentor to all of us in the Texas delegation. I am certainly proud to have had an opportunity to serve with him and learn from his example. The people of Texas and his constituents in San Antonio will miss him, and his colleagues here in the Congress will fondly remember his kindness, friendship, and devotion to public service.

FOR CLINTON’S LAST ACT

HON. JOHN CONYERS, JR.
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, I would like to commend Robert S. McNamara, who served as defense secretary under President John Kennedy and Lyndon Johnson for his editorial that was published in the December 12, 2000 edition of the New York Times. Mr. McNamara is calling on President Clinton to sign a treaty, finalized in Rome in 1998, that would create a permanent International Criminal Court. Sen- ator JESSE HELMS has promised to block any attempt to ratify the pact. As Mr. McNamara correctly points out, Senator HELMS’ justifica- tion for not ratifying the treaty are unfounded. The tribunal of 18 world jurists would only have jurisdiction to charge those who commit specific crimes that outrage the international community as a whole, and each nation would retain the right to try its own nationals in a fair trial under its own laws. Moreover, more than 25 nations have ratified the agreement, but we must have 60 nations to ratify before the court can begin trying cases. Given there is an urgent need to deter future atrocities, I urge President Clinton to sign the International Criminal Court agree- ment. With all deliberate speed, and call on Senator JESSE HELMS, in the spirit of justice, freedom, and humanity, not to block the agreement. To do so would be a travesty of justice.

[From the New York Times, Dec. 12, 2000]

FOR CLINTON’S LAST ACT

(By Robert S. McNamara and Benjamin B. Ferencz)

With the stroke of a pen, President Bill Clinton has a last chance to safeguard hu- mankind from genocide, crimes against hu- manity and the ravages of war itself. He must simply sign a treaty, finalized in Rome in 1998, to create a permanent International Criminal Court.

If he signs the treaty before Dec. 31, the government need not have to ratify the treaty at this time. After that date, any country has to both ratify and sign the treaty to be- come a member. This is no small consider- ation, since Senator Jesse Helms, chairman of the Foreign Relations Committee, has promised to block any attempt to ratify the pact.

Why does Mr. Helms object to a permanent international criminal court? He and others are worried that an unchecked international court could infringe on basic American con- stitutional rights for fair trials. For in- stance, they want ironclad guarantees that the court would never try American soldiers. Pentagon legal experts fear that Americans might be falsely accused of crimes, thus inhibiting our humanitarian military mis- sions.

These worries are unfounded. The tribunal of 18 world jurists only have jurisdiction to charge those who commit specific crimes that outrage the international community as a whole. Under the treaty, no one can be convicted without clear proof of intent to commit the illegal act. The prosecutor is subject to judicial and budgetary controls that promise both competence and objec- tivity.

And most important, each nation retains the primary right to try its own nationals in a fair trial under its own laws. There are some crimes, like sexual slavery and forced pregnancy, that the treaty covers, which are not specifically enunciated in our own coun- try’s military laws and manuals. Robinson O. Everett, a former chief judge of the United States Court of Appeals for the Armed Forces, has recommended incorporating these crimes into our federal laws, assuring that any American military per- sonnel charged with a crime could be tried by American courts.

Genocide is universally condemned but there is no universal court competent to try all perpetrators. The Nuremberg war crimes trials, inspired by the United States and af- firmed by the United Nations, implied that “never again” would crimes against human- ity be allowed to go unpunished.

Today, we have special courts created by the United Nations Security Council that have very limited and retroactive jurisdic- tion. For instance, war crimes tribunals are now coping with past atrocities in Yugo- slavia and Rwanda. But these tribunals are hardly adequate to deter international crimes wherever they occur.

The president must help deter future atrocities. At the United Nations and else- where, he and Secretary of State Madeleine Albright have repeatedly asked the Inter- national court to carry forward the lessons of Nuremberg. Now, he has a chance to take action. More than 100 nations, including all our NATO allies, have currently signed. Some 25 nations have ratified; others are well on the way. The court cannot begin trying cases until at least 60 nations have ratified.

President Clinton knows that under the treaty, he will weaken our credibility and moral standing in the world. We will look like a bully who wants to be above the law. If he signs, however, he would reaffirm America’s inspiring role as leader of the free world in its search for peace and justice.

IMPROVING AMERICA’S VOTING SYSTEMS

HON. STEVEN R. ROTHMAN
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. ROTHMAN. Mr. Speaker, I am proud today to join my colleague and friend, the gentle- man from Virginia, TOM DAVIS, and the gentle- man from Rhode Island, PATRICK KENEDDY, in introducing legislation to improve our Na- tion’s voting systems.

Our message today is simple: While we will never have a perfect system for electing our leaders, we must always seek improvements to that system so the will of the American people always prevails. Improving our voting sys- tems will not be a simple task. But we will achieve our goal in our nation’s best traditions of open debate and bipartisan consensus. One encouraging development from this year’s Presidential election, is that it has prompted an important debate, about the problems with our various voting systems across the country and how we must work together to improve them. We believe one way to improve the sys- tem is by creating a strong, bipartisan council, to be known as the “Commission on Electoral Administration.” The Commission would be charged with reviewing how we conduct our elections across the country, and issuing rec- commendations to make sure that the difficul- ties experienced by the voters of Florida do not occur again.

The Commission would be funded with $100 million. The money would be dispersed as vol- untary matching grants, to states and local
members of Denver Community Television, the Five Points Media Association and the Cable Television Coordinating Committee. In health care, she served as a board member for the Denver Mental Health Association, the Denver Board for the Developmentally Disabled, and the Denver Visiting Nurses Association.

Kay Schomp was an accomplished businesswoman and was the co-owner and operator of KWS Investments, a firm specializing in urban properties. Kay also found time to serve on the Mayor’s Child Care Advisory Commission, the Denver Youth Commission, and was a member of the board of directors of the Denver Art Museum.

Kay Schomp lived a life of meaning and one that was rich in consequence. It is the character and deeds of Kay Schomp, and all Americans like her, which distinguishes us as a nation and ennobles us as a people. Truly, we are all diminished by the passing of this remarkable woman.

Please join me in paying tribute to the life of Kay Schomp. It is the values, leadership and commitment she exhibited during her life that has served to build a better future for all Americans. Her life serves as an example to which we should all aspire.

UKRAINIAN CARDINAL MYROSLAV LUBACHIWSKY (1914-2000)

HON. MARCY KAPTUR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Ms. KAPTUR. Mr. Speaker, Ohioans, particularly those of Ukrainian ancestry, were saddened to hear of the passing yesterday of Cardinal Myroslav Lubachiwsky, the head of Ukraine’s Greek Catholic Church. Cardinal Lubachiwsky was born in 1914 in the town of Dolyna in the Western Ukrainian province of Galicia and died not far from there in the city of Lviv, where he served as Archbishop and Metropolitan for millions of Ukrainian Catholics worldwide, including many in Ohio. Although the Cardinal was born in Western Ukraine and served his people as their spiritual leader until his last days, he spent more than half his life outside his native land, including 33 years in the United States.

Cardinal Lubachiwsky left Ukraine in 1938 as a young priest to study in Austria. After the outbreak of World War II, he came to America, where he spent more than twenty years serving as assistant pastor at Sts. Peter & Paul Ukrainian Catholic Church in Cleveland’s Tremont neighborhood. There he celebrated mass, presided over the marriages of happy couples, baptized their newly-born infants and served his people as their spiritual leader until his last days, he spent more than half his life outside his native land, including 33 years in the United States.

Mr. CONYERS. Mr. Speaker, today I rise to commend Larry D. Kramer, professor of law at New York University, who eloquently points out in a December 12, 2000 New York Times editorial that the Supreme Court, under the leadership of Chief Justice Rehnquist, has steered the court towards “conservative judicial activism.” Mr. Kramer points out that the Rehnquist Supreme Court’s recent decision to step into the Florida Presidential vote controversy should be no surprise, given the recent Supreme Court’s past judicial behavior. Mr. Kramer offers a litany of examples that show how the Rehnquist Supreme Court has a conservative judicial activist agenda. For example, the Supreme Court cast aside nearly
70 years of precedent in the area of federalism, by ruling that Congress could no longer address violence against women, could not impose liability on state governments for age discrimination, or could not hold states accountable for violating copyright laws. The Florida case was one of a series of judicial precedents, not states’ rights grounds, at the Rehnquist Court. The recent Supreme Court ruling to vacate the Florida Supreme Court’s decision to allow for the recount of uncounted ballots during the Bush-Gore Presidential election unfortunately will forever taint the Supreme Court as a deliberative and partisan judicial body. The Rehnquist Court, which had stepped into this thicket. They legal experts seemed surprised when the court stepped into this thicket. They shouldn’t have been.

The Rehnquist Court has been using law to reshape politics for at least a decade. We keep seeing examples of “judicial constructionists” who (as George W. Bush put it during the debates) oppose “liberal judicial activism.” That’s because conservative judicial activism is the order of the day. The Warren Court was retiring compared to the present one.

Warren Court activism was largely confined to cases involving individual rights, mainly racial equality and the treatment of criminal defendants. The Rehnquist Court has been just as active in this domain. To list a few examples, it has disowned affirmative action, finding no difference between Jim Crow and laws designed to help disadvantaged minorities. It has overturned decades of jurisprudence that protected religious minorities from laws that intruded on their rituals. And it has all but eliminated the right to federal review of state criminal cases.

Individual rights are important, but they actually affect only a small portion of what governs the daily lives of our citizens. The real guts of our democracy lie in the system’s structure and the way powers are allocated. And here the Warren Court was extremely deferential to other branches of government. Not so the Rehnquist Court, which has abandoned restraint in this area as well.

The court cast aside nearly 70 years of precedent in the area of federalism, holding that Congress cannot use its powers under the Commerce Clause or the 14th Amendment to regulate economic activity that affects the economy of the country and the community. He is survived by his wife, Mr. Carrasco and his family.

Mr. Carrasco could also be found in his brother's Joe and Samuel, who also served in the U.S. Armed Forces. Joe served under General Dwight D. Eisenhower and was among the first wave of soldiers to storm the beaches of Normandy on June 6, 1944. Samuel was dispatched to the Pacific Islands and served his country valiantly. Mr. Carrasco and his family are truly a distinguished part of our nation's military history.

Chaplains and those who manufacture this drug, and the problem was not state’s rights guides the Rehnquist Supreme Court. The recent Supreme Court ruling to reduce the amount of pseudo-ephedrine that can be purchased in a single transaction from 24 grams to 9 grams. At the present time, the 24 grams of pseudo-ephedrine that can be legally purchased equates to about 900 tablets. It seems obvious that a person in Nevada who seeks pseudo-ephedrine for its intended purpose to relieve cold symptoms does not need this quantity of the drug.

I also strongly support the provisions of the bill that strengthen the sentencing penalties for those who manufacture this drug, and the provision that provides for the distribution of the drug. There is no federal law requiring retail outlets to sell pseudo-ephedrine and I’m all too familiar with the frustrations they face on a daily basis. There is evidence that drug wholesalers from other states come into the State of Nevada and sell pseudo-ephedrine by the caseload to retail outlets. When the distributors are asked why they traveled such distances to sell their drug in Las Vegas, they simply say that their home state “does not have a methamphetamine problem.” This is shameful, and the problem must be rectified.

There is no federal law requiring retail outlets that sell limited amounts of pseudo-ephedrine to keep records of transactions. Without federal regulation, there is no uniform, reliable method for tracking the distribution of this drug. Illegal methamphetamine laboratory operators may continue to buy this drug by the caseload without a single record of transaction being documented. And because there is no federal regulation, law enforcement agencies do not have authority over the exchanges.

Representing the number of grams for purchase and increasing fines and penalties are a step in the right direction. But more needs to be done. We need to have greater accountability and we need to give law enforcement agencies the authority to intervene when drugs are being used for the manufacture of the drug. Methamphetamine is a growing problem already plaguing many cities and it is spreading across the nation. We must make common
HONORING BOBBIE HOUSEHOLDER

Mr. DUNCAN. Mr. Speaker, I would like to take this opportunity to recognize an outstanding citizen of East Tennessee, Mrs. Bobbie Householder. She has recently been given the 2001 Pride of Tennessee Award, an award presented annually to a person with a history of dedication to the community of Blount County.

Mr. Speaker, I can think of no better person this could be awarded to than Bobbie Householder. She is the jack of all trade. As executive director of the Blount County Chamber of Commerce for 33 years, her service to the people in her community did not end there. Since her retirement, Bobbie has served as President of the Friends of the Library. In addition, she is also a member of the Keep Blount Beautiful Board and a member of the Blount County Bicentennial Committee, just to name a few. I commend Mrs. Householder for her dedication and tireless work for the community in Blount County. This country would be a better place if there were more people like Bobbie Householder.

No one individual's life is as entwined in the history of the Blount County Chamber of Commerce as that of Barbara Ann "Bobbie" Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

[From The Daily Times, Dec. 5, 2000]

BOBBIE HOUSEHOLDER'S WORK AS VOLUNTEER IS UNEQUALLED IN BLOUNT

No one individual's life is as entwined in the history of the Blount County Chamber of Commerce as that of Barbara Ann "Bobbie" Householder and few, if any, have been as involved in the community.

As most of you know, Bobbie is the recipient of the 2001 Pride of Tennessee Award presented annually by Blount County Executive Bill Clabough to someone who has a history of community involvement and always has been willing to work for a better place for all of us to live and work. Bobbie and husband Glen, married for 53 years, have three off-spring. Glenda Eastrige is a teacher at La Niary Elementary; Alan, the outdoors man, works at Southern Safari in Asheville, N.C., has his own trail, the Black Pac Crest Trail, and the Mountain to Sea Trail from Newfound Gap to the Outer Banks in North Carolina, as well as across England; and Glenda will have her own trail.

Bobbie worked with five executives, Bob Caldwell and then almost 18 years with Bill Dunavant. During that time she worked with 34 chamber presidents from J. P. Hudson, through the first part of the term of Brad Sayles in 1994.

When she began work, the office was in Maryville Municipal court building, but it moved in 1979 to her home on Lakeview Drive. She served as vice president of all except the industrial board. Bobbie worked with five executives, Bob Caldwell and later, more than a dozen people sat down to talk about changing the idea. Those at the table included: State Sen. Bill Clabough; Representative-elect Doug Overbye, Blount County Health Department director; and大理石先生. Mr. Speaker, I can think of no better person than Mr. McConnell for a discussion about how to handle those situations.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

Yount said babies being surrendered must be unharmed and released within 72 hours of birth. However, she said there is a period in which the mother may change her mind and keep the baby. That's what the law was designed to provide a family medical history since many diseases are hereditary, but she is not required to do so.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

The end of the "umbrella" administrative office included the Blount County Chamber of Commerce, Blount County Industrial Board, and Blount County Tourism. Mrs. Householder was responsible for 91 percent of all chamber business.

Yount said babies being surrendered must be unharmed and released within 72 hours of birth. However, she said there is a period in which the mother may change her mind and keep the baby. That's what the law was designed to provide a family medical history since many diseases are hereditary, but she is not required to do so.

She said babies in Mobile go immediately to adoptive parents who allow them to bond with someone as soon as possible.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

As most of you know, Bobbie is the recipient of the 2001 Pride of Tennessee Award presented annually by Blount County Executive Bill Clabough to someone who has a history of community involvement and always has been willing to work for a better place for all of us to live and work. Bobbie and husband Glen, married for 53 years, have three off-spring. Glenda Eastrige is a teacher at La Niary Elementary; Alan, the outdoors man, works at Southern Safari in Asheville, N.C., has his own trail, the Black Pac Crest Trail, and the Mountain to Sea Trail from Newfound Gap to the Outer Banks in North Carolina, as well as across England; and Glenda will have her own trail.

Bobbie worked with five executives, Bob Caldwell and then almost 18 years with Bill Dunavant. During that time she worked with 34 chamber presidents from J. P. Hudson, through the first part of the term of Brad Sayles in 1994.

When she began work, the office was in Maryville Municipal court building, but it moved in 1979 to her home on Lakeview Drive. She served as vice president of all except the industrial board. Bobbie worked with five executives, Bob Caldwell and later, more than a dozen people sat down to talk about changing the idea. Those at the table included: State Sen. Bill Clabough; Representative-elect Doug Overbye, Blount County Health Department director; and大理石先生. Mr. Speaker, I can think of no better person than Mr. McConnell for a discussion about how to handle those situations.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

When she began work, the office was in Maryville Municipal court building, but it moved in 1979 to her home on Lakeview Drive. She served as vice president of all except the industrial board. Bobbie worked with five executives, Bob Caldwell and later, more than a dozen people sat down to talk about changing the idea. Those at the table included: State Sen. Bill Clabough; Representative-elect Doug Overbye, Blount County Health Department director; and大理石先生. Mr. Speaker, I can think of no better person than Mr. McConnell for a discussion about how to handle those situations.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

The end of the "umbrella" administrative office included the Blount County Chamber of Commerce, Blount County Industrial Board, and Blount County Tourism. Mrs. Householder was responsible for 91 percent of all chamber business.

Yount said babies being surrendered must be unharmed and released within 72 hours of birth. However, she said there is a period in which the mother may change her mind and keep the baby. That's what the law was designed to provide a family medical history since many diseases are hereditary, but she is not required to do so.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

As most of you know, Bobbie is the recipient of the 2001 Pride of Tennessee Award presented annually by Blount County Executive Bill Clabough to someone who has a history of community involvement and always has been willing to work for a better place for all of us to live and work. Bobbie and husband Glen, married for 53 years, have three off-spring. Glenda Eastrige is a teacher at La Niary Elementary; Alan, the outdoors man, works at Southern Safari in Asheville, N.C., has his own trail, the Black Pac Crest Trail, and the Mountain to Sea Trail from Newfound Gap to the Outer Banks in North Carolina, as well as across England; and Glenda will have her own trail.

Bobbie worked with five executives, Bob Caldwell and then almost 18 years with Bill Dunavant. During that time she worked with 34 chamber presidents from J. P. Hudson, through the first part of the term of Brad Sayles in 1994.

When she began work, the office was in Maryville Municipal court building, but it moved in 1979 to her home on Lakeview Drive. She served as vice president of all except the industrial board. Bobbie worked with five executives, Bob Caldwell and later, more than a dozen people sat down to talk about changing the idea. Those at the table included: State Sen. Bill Clabough; Representative-elect Doug Overbye, Blount County Health Department director; and大理石先生. Mr. Speaker, I can think of no better person than Mr. McConnell for a discussion about how to handle those situations.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.
DEREGULATION CALLED BLOW TO MINORITIES

HON. JOHN CONyers, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. CONyers. Mr. Speaker, today I rise to voice concern about the increasingly insurmountable barriers that minorities and women in the telecommunications and broadcasting marketplace are experiencing since passage of the Telecommunications Act of 1996. Recent studies have shown that since deregulation, minority- and women-owned companies have had more difficult time getting financing for starting new ventures and expanding, and when they have received financing, it is often on less favorable terms than comparable businesses owned by white men.

The barriers to entry have been raised so high that, left standing, they appear virtually insurmountable," the study concludes. "Minority, women and small-busi-ness ownership in these industries is diminish- ing at a rate that many we spoke with felt we had passed the point of no return."

While it has long been known that minorities and women face difficulties in a wide range of industries, the five studies to be released on Tuesday by the Federal Communications Commission conclude that barriers imposed by both the government and the marketplace have taken a particular toll in telecommunications and the so-called new economy companies, where the lifeblood is the government license to use a part of the airways.

"These studies confirm that small minority and women-owned businesses are encountering significant obstacles in participating in the new economy," said William E. Kennard, chairman of the F.C.C. "With con- solidation in the past few years it's clear that it's become harder for any business that is small to participate as an owner of infras-tructure, whether it is cable systems or whether it is phones or broadcasting. But it's still a very important part of our economy, and we have to make sure that we are creating opportunity for small minority- and women-owned businesses."

In his opening statement as the agency's general counsel and then its chairman, Mr. Kennard, the first African-American to head the F.C.C., has struggled against a hos-tile Republican Congress and a lukewarm ad-ministration in trying to find new opportunitys for minorities and women. An earlier study he commissioned showed that minority broadcasters often cannot command the same advertising revenues as other broad-casters."

Mr. Kennard said he had hoped that the studies would provide a blueprint for a Gore administration to take new steps on behalf of small companies. He also acknowledged that the prospect of a Bush administration may significantly diminish the impact of the studies on future policy makers.

Regulators and courts have long described the spectrum as a public trust that needs to be managed in the best interests of the public, but the studies conclude that minorities and women have had a difficult time for the regulations. But after some businesses were espe-cially difficult for them to win licenses and get financing for their ventures on a footing comparable to their rivals.

In one study, entitled "Whose Spectrum Is It Anyway?" researchers found that the 1966 law, following other adverse trends in the courts and in Congress, had been particu larly hard on those small companies.

In 1995 Congress eliminated a tax program intended to encourage investments in small, minority- and women-owned telecommunica-tion companies. Around the same time, the United States Supreme Court and other federal courts began to hand down a series of decisions derailing affirmative action. It was a more difficult for the federal government to carry out affirmative action programs and take steps to assist minority businesses.

The studies concluded that in the area of broadcast ownership, ownership-defaulted on those loans, the rules were changed.

On Tuesday the agency will begin what many expect will be the largest auction in its history, for licenses to operate mobile telephones, and all winners will have to make their payments upfront.

The studies also show that officials at the F.C.C. have been inconsistent in their application of equal opportunity guidelines, and that the agency "often failed in its role of public trustee of the broadcast and wireless spectrum by not properly taking into account the effect of its programs on small, minority- and women-owned businesses."

The studies, which are expected to be made public by the F.C.C. on Tuesday, were conducted by KPMG; Ernst & Young; the Ivy Group, a consulting group based in Rome, Md.; and researchers from Santa Clara University and the University of Washington.
HON. STENY H. HOVER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. HOYER. Mr. Speaker, I rise today in honor of John T. Daugherty, a distinguished and extraordinary member of the Southern Maryland community and a personal friend for many years. His contributions to his community of Lexington Park and the Southern Maryland area will continue to pay dividends and be fondly remembered for decades to come.

Mr. John T. Daugherty was best known as Jack throughout Southern Maryland. He was born January 18, 1919 in Bath County, Kentucky. He went on to attend school at the University of North Carolina, Chapel Hill; Center College in Danville, Kentucky; and Morehead State Teachers College. He later was trained to fly Navy airplanes in Pensacola, Florida. He joined the Marine Corps and saw service in the South Pacific during World War II, where his courageous prowess earned him the Distinguished Flying Cross for a bombing raid on Rabaul Harbor. He went on to become a pioneer and product of the Patuxent River Naval Air Station Test Pilot School even before the first of the class was formed. On leaving active duty, he continued to proudly serve his country as a Lieutenant Colonel in the Marine Corps Reserve. Jack Daugherty remained in St. Mary's County to began life as a civilian and his entrepreneurial instincts led him to create many small businesses in Southern Maryland. His early business pursuits were not based on personal gain, rather, he created many new ventures to meet the needs of a fledgling and fast growing upstart Navy town. He is perhaps best known for founding Citizen's Bank, later known as Maryland Bank and Trust. His efforts to bring desperately needed capital resources to the Lexington Park community were critical in building a town to support the growing Navy base at Patuxent. Jack Daugherty became president of this bank and continued to run the local community bank.

Mr. Salmon. Mr. Speaker, after years of devotion to a community that will last for generations to come. He was a giant among his peers whose leadership provided countless opportunities for thousands of individuals reaching far beyond his local community. His rugged independence and fierce commitment to his community should distinguish him forever for the important role he has had in attracting the very significant U.S. Navy investment at Patuxent River Naval Air Station we have today. Repeatedly, he was a critical force in mobilizing the necessary resources to retain and attract federal investments at Pax River. Whenever a threat appeared on the horizon to either Pax River or St. Inigoes, it was Jack Daugherty who mobilized the local community to fight it.

Mr. Speaker, Jack Daugherty's presence will be sorely missed. Right up until his death on August 10, 2000, he played an active role in the Southern Maryland Navy Alliance, providing the same firm and steady leadership to that organization as he continued to support and protect the interests of Southern Maryland and the U.S. Navy. I ask my colleagues to join me in honoring a great American whose success and love of life will long be remembered in Southern Maryland. Every community in America needs a Jack Daugherty. He knew the importance of community spirit and set the example for all of us to follow. He would have been proud to know that this bill is unworkable; (2) the bill runs afoul of the main arguments against the legislation: (1) the bill is unworkable; (2) the bill runs afloat of the Constitution; and (3) the bill would pressure states to ratify up penalties on murder, rape and child molestation offenses. I will address the concerns of the bill's critics in further detail. The small band of congressional opponents to the bill, and the state advocacy groups that opposed it, lodge three main arguments against the legislation: (1) the bill is unworkable; (2) the bill runs afoul of the Constitution; and (3) the bill would pressure states to ratify up penalties on murder, rape and child molestation offenses. I will address the last charge first. Shouldn't we celebrate a law that incentivizes states to increase penalties for violent crimes? We have in the past. The truth is that most violent crimes are committed by repeat offenders, and the trend of reduced crime is welcome, but more, much more, needs to be done. According to the FBI's Uniform Crime Report released last month, one violent crime occurs every 22 seconds. A forcible rape occurs every 6 minutes and a murder every 34 minutes. The success enjoyed in reducing crime over the past several years does make further reductions challenging. Targeting recidivist crime among the most dangerous criminals—murderers and rapists—as well as pedophiles, who are most likely to reoffend if given the opportunity, is smart public policy. The time served for these crimes is outrageous low. The average time served by a rapist released from state prison is just 5½ years. For molesting a child it is about 4 years. And for homicide it is 8 years. My constituents and I consider those figures to be shockingly low, and we have no doubt most Americans would agree.

Mr. Speaker, I am happy to report that the机制 has been highly effective in reducing violent crime in all 23 Southern Maryland towns. The average time served by a rapist released from state prison is just 5½ years. For molesting a child it is about 4 years. And for homicide it is 8 years. My constituents and I consider those figures to be shockingly low, and we have no doubt most Americans would agree.

Mr. Speaker, I am happy to report that the mechanism has been highly effective in reducing violent crime in all 23 Southern Maryland towns. The average time served by a rapist released from state prison is just 5½ years. For molesting a child it is about 4 years. And for homicide it is 8 years. My constituents and I consider those figures to be shockingly low, and we have no doubt most Americans would agree.

Mr. Speaker, I am happy to report that the mechanism has been highly effective in reducing violent crime in all 23 Southern Maryland towns. The average time served by a rapist released from state prison is just 5½ years. For molesting a child it is about 4 years. And for homicide it is 8 years. My constituents and I consider those figures to be shockingly low, and we have no doubt most Americans would agree.
encourage states to increase these murderously low sentences misses the point—this is one of the central purposes of the legislation. The following comments were offered by opponents of Aimee’s Law, and while I do not agree with everything contained within them, they deserve replication here because they point to the value of the law. It will ratchet up sentences.

Senator JOE BIDEN: “As a practical matter, this bill can only promote a ‘race to the top’ as States feel compelled to ratchet up their sentences.

Senator RUSS FEINGOLD: “Here, of course, we are not preparing to pass a new federal murder, rape, or sexual offense statute. But we might as well do that because in Aimee’s Law we are forcing the states through the use of federal law enforcement assistance funds to increase their penalties for these offenses.

. . . . Basically, this policy could force states to either enact the death penalty or never re-release a person convicted of murder on parole.”

Senator FRED THOMPSON: “If you remember what I said a while ago, the name of the game is for the States to keep ratcheting up their incarceration time so they are within the national average. . . . The safest thing for it to do would be to give life sentences without parole.

. . . . For some people, I think that is a good idea anyway.”

Representative JERROLD NADLER: “Here we are telling them, you had better keep ratcheting up your terms of imprisonment, no matter what you think is right, to match everybody else. I am not sure that is wise or good for you.”

It’s not as if murderers, rapists and child molesters become Boy Scouts after their release from prison. The recidivism rates for sex offenders are especially high. As the best experts who have studied this issue will tell you, “Once a molester, always a molester.” The Department of Justice found in 1997 that, within just three years of release from prison, an estimated 52 percent of discharged rapists and 48 percent of other sexual offenders were rearrested for a new crime, often another sex offense.

Of course, states have the right to release convicted murderers, rapists and child molesters into their cities and neighborhoods. However, the question is, who should pay when one of these violent predators commits another murder, rape or sex offense in a different state? Should Pennsylvania, which has already paid a huge human cost with the loss of Aimee Willard, have to pay for the prosecution and incarceration of her killer, Arthur Bomar? Or should Nevada, which knew that Bomar was a vicious killer but decided to release him anyway, pay for the costs of wrongfully inflicted on the state of Pennsylvania? The answer is obvious.

And it is not merely a question of fairness. Aimee’s Law will also lead to more sensible decisions by states on which criminals to release, and which to keep behind bars. Previously, when a state released a murderer or sexual predator, it actually received at least a perceived economic benefit in the form of reduced incarceration costs. Moreover, since these criminals sometimes left the state, the state was rid of its problem. By reducing this perverse incentive, it may force the decision purely where it should be, on the community safety issue: will release of this prisoner pose a danger to the community?

As to the concern that the bill is unworkable, I ask the critics this: what effort did you make to smooth out the edges you claim are rough? If half the effort spent trying to derail this legislation had been spent on perfecting the bill, I have no doubt a cleaner product would have emerged. But the perfect should never be the enemy of the good. The bodies continue to pile up and some of the states’ groups—the National Governors Association, the National Conference of State Legislatures, and the Council of State Governments—aggressively tried to be a bill that will protect the citizens.

But they failed, in part, because it is clear to the Congress that the states need to do more to protect the public from second attacks committed by convicted murderers, rapists and child molesters.

I will now address the operational and constitutional concerns raised about the bill. I will first begin with the premise behind Aimee’s Law.

Aimee’s Law targets an extremely narrow category of crimes: murder, rape, and child molestation. We’re not targeting jaywalkers, shoplifters, or even drug dealers. We’re targeting the worst of the worst. Any opponent of this bill must answer the following: “Should a pedophile have a chance to live in your neighborhood?” Or, as so often is the case, a third or fourth chance, to live in your constituent’s neighborhood? How about a rapist? Should they be given another chance to violate women? Do you believe that a murderer living next door would enhance the quality of your life or improve the safety of your community?

The definitions attached to murder, rape and dangerous sexual offenses could not be clearer. For murder and rape, you use the definition of these crimes found in the FBI’s Uniform Crime Report. All 50 states are familiar and comfortable with these definitions. Out of recognition that states have varying laws when it comes to child molestation offenses, Aimee’s Law adopts the definition for dangerous sexual offenses found in chapter 109A of title 18. Given that the U.S. Department of Justice is tasked with administering the law, using federal definitions for the crimes covered is sensible.

The next issue is when Aimee’s Law applies. It was my intent, and is my interpretation, that the law applies to all second convictions that occur after the law takes effect on January 1, 2002. If this is judged not the case I would support the broadest possible reach that respects constitutional boundaries. Applying the law to all second convictions has at least four salutary effects: (1) From this day forward, states will begin the process of reforming their systems to end the revolving door for these most heinous crimes; (2) States can be encouraged to adopt Stephanie’s Law, which has been constitutionally upheld as a way for states to keep dangerous sexual predators off of the streets after their prison sentences have expired; (3) States will find it useful to tighten dangerous loophole in the Interstate Compact on Offenses and Probation for example, including changes consistent with the proposal submitted by the National Institute of Corrections; and (4) States will have a powerful incentive to work with the Department of Justice to better account for and monitor the use of the release of sex predators already roaming the streets. America has been lax for far too long. Delay in implementing the law fully will cost additional lives.

This is how Senate Judiciary Chairman ORRIN HATCH explained the operation of Aimee’s Law during Floor debate:

Aimee’s Law operates as follows: In cases in which a State convicts a person of murder, rape, or a dangerous sexual offense, and that person has a prior any one of those offenses in a designated State, the designated State must pay, from Federal law enforcement assistance funds, the incarceration and prosecution of the other State. In such cases, the Attorney General would transfer the Federal law enforcement funds from the designated State to the subsequent State.

A State is a designated State and is subject to penalty under Aimee’s Law if (1) the average term of imprisonment imposed by the State on persons convicted of the offense for which that person was convicted is less than the average term of imprisonment imposed for that offense in all States; or (2) that person had served less than 85 percent of the prison term to which he was sentenced for the prior offense.

Senator HATCH also offered this observation: “The purpose of Aimee’s Law is to encourage States to keep murderers, rapists, and child molesters incarcerated for long prison terms.

* * * This legislation withholds Federal funds from certain States that fail to incarcerate criminals convicted of murder, rape, and dangerous sexual offenses for adequate prison terms. * * *. In this regard, Aimee’s Law is similar to the Violent-Offender-and-Truth-in-Sentencing Programs and the Sentencing Reform Act of 1984.” Senator HATCH adds that the effect of truth-in-sentencing and sentencing reform is a more than 12 percent increase in the average time served by violent criminals in state prisons. That, I submit, is a positive development.

All that is needed in determining the expenses involved in a fund transfer is a hand held calculator. The calculations required to determine if a state is exempt from the fund transfer in Aimee’s Law is more complicated, but certainly within the grasp of the professionals at the Department of Justice.

The state organizations’ claim that the safe harbor provision makes Aimee’s Law unworkable is a hollow gesture from an agency seeking for such protection. The FBI already collects detailed statistics on rape and murder, which make a national average easy to identify. As for dangerous sex offenses against children, this will take additional work, but it’s worth it to protect kids from the lifetime devastation caused by molestation. I suspect that nearly all Americans would desire annual reporting of statistics that measure where their state ranks in comparison with other states for the specific crimes covered in Aimee’s Law.

I believe that DOJ will annually compile a national average for the crimes of murder, rape and child molestation. DOJ will also compile the average term of imprisonment for those crimes in each state. If a state is above the national average for a particular crime it will be exempt in cases in which the released offender served 85 percent of his sentence. The numbers that DOJ produces for any given year will be the number used for all convictions that occur during that year. Remember, this section was added at the insistence of the states to protect states that are doing at least as well as their peers and neighboring citizens. The original bill contained no such language. There is no need or desire on the part of the author of Aimee’s Law to
make this section any more complicated than necessary.

As an example, let’s say Offender 1 commits a covered offense in state A in 1999 and then is released in 2003 and commits a covered offense in state B in 2005 and is convicted in that same year. DOJ should authorize a fund transfer if State A’s term of imprisonment for the covered offense is less than the national average, using the latest sentencing data (probably from 2004). I do not expect DOJ to search back to 1999 to determine whether State A was behind the national average. Again, the national average is simply a benchmark to provide some relief to states, that did not feel like the age job of keeping certain violent offenders behind bars. Even if this state is average or better on sentences imposed, Aimee’s Law would apply in this case if the criminal had failed to serve 85 percent of his sentence for his prior offense in 1999.

I am more interested in murderers, rapists, and child molesters serving appropriately long sentences than serving any particular percentage of their term. Most can agree, however, that a murderer, rapist, or child molester released before 85 percent of the expiration of a (minimum) sentence has been prematurely released. Most probably would agree that this would be true of those released after 85 percent of their maximum.

As to payment schedule, the Attorney General and the state affected have great latitude in arranging the transfer. Any federal crime funds (excludes funds designated to victims) can be used so long as the funds have not already been distributed. There is also flexibility as to the time of the payment.

As has been the case for administering the truth-in-sentencing grant program and other DOJ programs, the agency will presumably need to issue guidelines. I am confident that the U.S. Department of Justice can implement the law in a manner consistent with a congressional intent that is both workable and fair.

Unable to defeat Aimee’s Law in the court of public opinion or in Congress, some critics are girding for a constitutional challenge. Again, I would implore them not to spend their time or efforts on such a challenge. If successful, would be welcomed by the child molester community. In any event, a careful review of Supreme Court decisions suggest that a challenge would be futile.

Some critics contend that Aimee’s Law could run afoul of the spending clause because it coerces states, is not unambiguous and cannot induce the states to take an unconstitutional action. The suggestion has also been raised that there could be a violation of the ex post facto clause.

Finally, Aimee’s Law unambiguously imposes a condition on Federal money that passes constitutional muster. The language only affects federal money not yet distributed. The expectations are clear: A state will lose future federal crime dollars if it fails to protect other states from certain released criminals. The mechanism Aimee’s Law uses may be novel, but it is not constitutionally prohibited. The leading Supreme Court case on this matter, Pennhurst State School and Hospital v. Halderman, 451 U.S. 1 (1981) states: ”Legislation enacted pursuant to the spending power is much in the nature of a contract: in return for federal funds, the States agree to comply with federally imposed conditions. The legitimacy of Congress’ power to legislate under the spending power thus rests on whether the State voluntarily and knowingly accepts the terms of the ‘contract.’”

Inarticulate concerns are similarly misplaced, since the clause applies to laws criminallyizing behavior after that behavior has already taken place. The Supreme Court recently ruled in Johnson v. United States, 120 S. Ct. 1795 (2000) that for a law to have problems with this clause it must apply to conduct occurring after the law’s effective date and not raise the penalty from whatever the law provided when it acted. Aimee’s Law will have no effect on any particular criminal sentence already meted out. Aimee’s Law does create an incentive for states to properly monitor those out of prison still under its jurisdiction. The bill should also spur states to develop laws similar to Stephanie’s Law that provide for the post-incarceration civil confinement of certain dangerous sexual predators. Additionally, Aimee’s Law should encourage states to increase penalties for crimes not yet committed, which is proper, constitutional, and necessary given the outpour of violent crimes currently perpetrated by the average murderer, rapist, and child molester.

In conclusion, Aimee’s Law will make America safer. While the safe harbor provision—added at the insistence of the states—has added complexity to the legislation, Aimee’s Law is still a workable, constitutional effort to protect innocent citizens from a completely preventable type of interstate crime. The safe harbor was added as a way to offer relief to states with an above average criminal sanctioning system. If their is concern about its applicability, it could easily be removed. But perhaps we should watch this law in action before we begin tinkering with it. And for those who would seek to undermine, weaken, or repeal it, be warned that victims from around the country, the National Fraternal Order of Police, and the supermajorities in the House and Senate who support the bill stand ready to expose and block any effort to undo the benefits of Aimee’s Law.

ENVIRONMENTAL COMPLIANCE

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WALDEN of Oregon. Mr. Speaker, I would like to share with my colleagues some information about a new approach being explored to transition environmental compliance from what is widely perceived as an adversarial process to a cooperative, results-oriented effort between companies and state regulators.

So far, fourteen states have formed a Multi-State Working Group (MSWG), whose focus is to develop regulatory incentives that get companies to take a more proactive, systematic approach in managing their environmental impacts.

Oregon was one of the first states to implement an incentive-based environmental regulation program, which is uniquely tied to its permitting process. Through its Green Permits Program, Oregon Department of Environmental Quality will be awarding one of its first incentive based permits to a Louisiana Pacific (LP) building products plant in Hines, Oregon.

A key component of the Green Permits program is the adoption of an environmental management system that has enabled LP’s facility in Hines to go the extra mile in exceeding the operating standards set by the state of Oregon. The Hines plant has kept their air emissions to only 10 percent of the total annual levels allowed by its Oregon Department of Environmental Quality air permit and proactively works with a Community Advisory Council in addressing community concerns. In addition, more than $90,000 is generated each year through the plant’s planer shavings recycling effort. These improvements have led to better cooperation with Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency.

The Green Permits Program has several benefits including addressing a wider range of potential environmental impacts on a regular basis and increasing communication and involvement between environmental agencies, communities and companies. Also, companies can improve credibility with stakeholders in addition to potential cost saving and operational improvements.
MIT and Caltech join forces to develop new voting machine that will prevent a recurrence of the problems that threatened the 2000 presidential election. The announcement was made in a joint video news conference at MIT and Caltech on Thursday.

"It is embarrassing to America when technology fails and conduces to such things as a paper ballot," said Caltech President David Baltimore, who opened the hour-long live teleconference in Pasadena, California. "It was America's responsibility to help repair the voting process so that we don't see anything like this again."

This project is intended to protect the system from the kind of failure that occurred in the last election," Dr. Baltimore said.

MIT President Charles M. Vest, speaking from Cambridge, echoed Dr. Baltimore's concern with the reliability of the voting process. "We must find a solution. Each of us must be confident that his or her vote has been reliably recorded and counted."

A country that has put a man on the moon and an ATM machine on every corner has no excuse," said Dr. Vest. "America needs a uniform balloting procedure. This has become painfully obvious in the current national election, but the issue is deeper and broader than one series of events," said Vest and Baltimore in a Dec. 12 letter to President Vartan Gregorian of Carnegie Corporation of New York.

Gregorian said, "I want to congratulate the two presidents for charting one of the most distinguished universities for their leadership in this welcome and timely initiative on behalf of our election system. Voting is the heart and soul of a democracy, integrity, and efficiency of future Federal elections."

The "Federal Election Standards Act" would establish a National Advisory Commission on Federal Election Standards to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards of best practice for the conduct of Federal elections. The commission would have one year to complete its work.

Once the commission has issued its report, the bill would authorize Federal grants and technical assistance to States that wish to adopt measures for reform of their election procedures in a manner consistent with the standards.

The Act would not mandate changes in State practices, nor would it federalize election procedures. Rather, it would encourage State and local election officials to upgrade and modernize procedures. Rather, it would encourage State practices, nor would it federalize election procedures. The commission would have one year to complete its work.

One of the commission's tasks would be to bring together a team of leading experts in technology, design, and political science to develop technological solutions to the problems that have occurred not only in Florida but throughout the country.

This is a very promising development, Mr. Speaker, and I hope we will do all we can to foster such private sector initiatives. But we must also be sure that State and local election officials have the wherewithal to take advantage of new technologies. That is why when the 107th Congress convenes in January, I will join with Congressman Graham and a number of our colleagues in introducing bipartisan legislation to ensure the accuracy, integrity, and efficiency of future Federal elections.

The "Federal Election Standards Act" would establish a National Advisory Commission on Federal Election Standards to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards of best practice for the conduct of Federal elections. The commission would have one year to complete its work.

Once the commission has issued its report, the bill would authorize Federal grants and technical assistance to States that wish to adopt measures for reform of their election procedures in a manner consistent with the standards.

The Act would not mandate changes in State practices, nor would it federalize election procedures. Rather, it would encourage State and local election officials to upgrade and modernize procedures. Rather, it would encourage State practices, nor would it federalize election procedures. The commission would have one year to complete its work.

This is a very promising development, Mr. Speaker, and I hope we will do all we can to foster such private sector initiatives. But we must also be sure that State and local election officials have the wherewithal to take advantage of new technologies. That is why when the 107th Congress convenes in January, I will join with Congressman Graham and a number of our colleagues in introducing bipartisan legislation to ensure the accuracy, integrity, and efficiency of future Federal elections.

The "Federal Election Standards Act" would establish a National Advisory Commission on Federal Election Standards to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards of best practice for the conduct of Federal elections. The commission would have one year to complete its work.

Once the commission has issued its report, the bill would authorize Federal grants and technical assistance to States that wish to adopt measures for reform of their election procedures in a manner consistent with the standards.

The Act would not mandate changes in State practices, nor would it federalize election procedures. Rather, it would encourage State and local election officials to upgrade and modernize procedures. Rather, it would encourage State practices, nor would it federalize election procedures. The commission would have one year to complete its work.

This is a very promising development, Mr. Speaker, and I hope we will do all we can to foster such private sector initiatives. But we must also be sure that State and local election officials have the wherewithal to take advantage of new technologies. That is why when the 107th Congress convenes in January, I will join with Congressman Graham and a number of our colleagues in introducing bipartisan legislation to ensure the accuracy, integrity, and efficiency of future Federal elections.

The "Federal Election Standards Act" would establish a National Advisory Commission on Federal Election Standards to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards of best practice for the conduct of Federal elections. The commission would have one year to complete its work.

Once the commission has issued its report, the bill would authorize Federal grants and technical assistance to States that wish to adopt measures for reform of their election procedures in a manner consistent with the standards.

The Act would not mandate changes in State practices, nor would it federalize election procedures. Rather, it would encourage State and local election officials to upgrade and modernize procedures. Rather, it would encourage State practices, nor would it federalize election procedures. The commission would have one year to complete its work.

This is a very promising development, Mr. Speaker, and I hope we will do all we can to foster such private sector initiatives. But we must also be sure that State and local election officials have the wherewithal to take advantage of new technologies. That is why when the 107th Congress convenes in January, I will join with Congressman Graham and a number of our colleagues in introducing bipartisan legislation to ensure the accuracy, integrity, and efficiency of future Federal elections.

The "Federal Election Standards Act" would establish a National Advisory Commission on Federal Election Standards to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards of best practice for the conduct of Federal elections. The commission would have one year to complete its work.

Once the commission has issued its report, the bill would authorize Federal grants and technical assistance to States that wish to adopt measures for reform of their election procedures in a manner consistent with the standards.

The Act would not mandate changes in State practices, nor would it federalize election procedures. Rather, it would encourage State and local election officials to upgrade and modernize procedures. Rather, it would encourage State practices, nor would it federalize election procedures. The commission would have one year to complete its work.
problems with punch cards registering preferences.”

Asked to comment on the project as scientists, both university presidents noted the convergence of history and technology as being especially promising for the development of a new voting machine. “This is a project we could have tackled any time, but the unexpected result of the recent presidential election put it on the front burner. We are also at a technological point where a solution is highly likely,” said Dr. Vest. “There are times when events overtake us. This is a good time and a necessary time to be doing this,” said Dr. Baltimore.

The Massachusetts Institute of Technology and the California Institute of Technology have a relationship dating back to 1920 when MIT scientists helped shape the chemistry and physics departments of the new California Institute of Technology. Dr. Baltimore, a 1975 Nobel laureate, served on the MIT faculty from 1968 to 1994, when he was appointed president of Caltech.

THE INTRODUCTION OF THE COMMISSION ON ELECTIONS PROCEDURES ACT

HON. RUSH D. HOLT OF NEW JERSEY IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HOLT. Mr. Speaker, even at the dawn of the twenty-first century, there are many states and localities that conduct their elections in ways that are outdated, slow, unreliable, inaccurate, and inaccessible to many.

One need not look further than the turmoil surrounding the 2000 Presidential election to see the disparities of our electoral process. For instance, while some counties in Florida have modern voting machines that leave little room for error, others use dated punch-card ballots, that can lead to the now-famous hanging and dimpled chads.

I wish to introduce the “Commission on Elections Procedures Act,” which establishes a bipartisan commission to study the Federal, State, and local electoral process and to make recommendations on the implementation of standardized voting procedures.

The long national nightmare of the 2000 Presidential vote counting has taught us, Republicans and Democrats alike, that we need to improve the instruments of voting and the means of electing our office holders. Even the Supreme Court Justices spoke of the need for uniform voting procedures.

Let me be clear: unlike some legislation that has been introduced in this regard, this is not a federal mandate of election standards. This bill simply calls for a study to determine if standardization is necessary and to recommend what changes can be made to improve our electoral process.

I understand that a rural state like North Dakota has voting problems that are different than those faced by a more urban state like New Jersey. Urban and rural areas have unique difficulties with voting. My legislation recognizes these differences and will work to find a common solution. While all areas could face problems of the cost of transition to a new system that may be able to be found to assist the states in this area.

By establishing a commission to study the issue and to review the unique circumstances of each state, we have a chance to find a solution that will work for everyone.

I urge my colleagues to join me in supporting this important bill.

RECOGNIZING INTERNATIONAL DAY OF THE VOLUNTEER

HON. NANCY PELOSI OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. PELOSI. Mr. Speaker, on December 5th, I spoke to volunteers and staff at the Peace Corps headquarters here in Washington, D.C. to mark the International Day of the Volunteer. In 1985, the United Nations General Assembly declared December 5th as “International Volunteer Day” to honor the accomplishments of volunteers and volunteer organizations.

It is a day to recognize volunteers, promote the concept of volunteerism, and provide an opportunity for volunteer organizations to come together for joint planning, service, and other activities.

Today I’d like to salute the 161,000 Americans who have served as volunteers in the Peace Corps since 1961. For 40 years, Peace Corps Volunteers have worked in over 130 countries to answer President John F. Kennedy’s call to service: “Ask not what your country can do for you, ask what you can do for your country, and to the citizens of the world, ask not what America can do for you, but what we can do working together for the freedom of mankind.” Volunteers have answered his call and helped pave the way for progress for countless individuals who want to build a better life for themselves, their children, and their communities.

This year, Peace Corps Volunteers, Trainees, and Peace Corps staff members will be participating in activities with other local and international volunteer organizations in their countries to mark this day, which takes on special significance this year as the launch for the United Nations International Year of Volunteers 2001—a year dedicated to recognize, support, and promote volunteering.

In Lesotho, a Peace Corps volunteer will speak at a ceremony attended by members of the government. In Tanzania, there will be a special swearing-in ceremony of new volunteers. In Moldova, volunteers will raise funds for children’s charities. In Washington, Peace Corps staff from headquarters will volunteer at Food and Friends to help deliver meals and groceries to families of people living with HIV/AIDS.

In honor of the International Year of Volunteers 2001, other international volunteer sending organizations such as Australian Volunteers International, Canada World Youth, United Nations Volunteers, and the United Kingdom’s Voluntary Services Overseas are joining with the Peace Corps to mark a commitment to expand their HIV/AIDS education efforts worldwide.

Throughout the world, and particularly Africa, HIV/AIDS is having a devastating effect on people of all ages by threatening the future of development and well being of their communities. This year the Peace Corps launched a special initiative to retain all 2,400 volunteers serving in Africa to become HIV/AIDS prevention educators. In a sign of solidarity and support, the leaders of Australian Volunteers International, Canada World Youth, United Nations Volunteers and the United Kingdom’s Voluntary Services Overseas have joined with the Peace Corps in committing the best and most effective strategies to meet the enormous challenge of halting the spread of HIV/AIDS.

Today, I commend the Peace Corps and other volunteer organizations for being committed to spreading the concept of volunteerism. In honor of International Volunteer Day and the International Year of Volunteers 2001, it is my privilege to salute the important work of the Peace Corps and volunteers throughout the world.

FUNDRAISING SOLICITATIONS BY NONPROFIT ORGANIZATIONS

HON. ROBERT L. EHRLICH, JR. OF MARYLAND IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. EHRLICH. Mr. Speaker, I wish today to announce the introduction of legislation that will help clarify the law regarding fund-raising solicitations by nonprofit organizations. I also want to recognize the efforts of my colleagues, House Government Reform Chairman Dan Burton and House Postal Service Subcommittee Chairman John McHugh, for their leadership on postal service issues.

Mr. Speaker, as you may know, Congress recognized the many important and worthwhile activities of nonprofits by establishing a nonprofit mail rate for charities, churches, educational, advocacy, and other nonprofit organizations. These are enumerated in the Postal Reorganization Act of 1970. One of Congress’ objectives was to make it more affordable for nonprofits to solicit donations to fund their activities.

For a mail piece to be eligible for the lower nonprofit rate, Congress prescribed two requirements: first, the organization or mailer must be qualified to mail at the nonprofit rate; and second, the qualified organization must own the mail piece.

Over the last several years, the United States Postal Service, which has made great strides under Postmasters Runyon and Henderson, has increasingly applied the statutory standard of “ownership” in a way that may have a chilling effect on the use of nonprofit mail rates to solicit donations for charity, education, and advocacy.

The purpose of the bill I am introducing today is to clarify ambiguities existing in both law and Postal Service regulations with respect to fundraising. The bill clarifies the law so that the Postal Service can read the statutory “ownership” test so literally as to disqualify solicitation mail sent by otherwise eligible nonprofit organizations that negotiate a risk-sharing agreement with respect to their solicitation mail.

In my view, it is imperative that otherwise qualified nonprofit organizations be able to solicit donations at the lowest possible cost. When nonprofits conduct activities that further the purposes enumerated in the statute, for example to provide “safety net” social services, they ease the burden on government and taxpayers.

During a time in which Congress is attempting to allow taxpayers to keep more of their
Mrs. MINK of Hawaii. Mr. Speaker, on December 13, 2000, I introduced H.R. 5655, to designate the Post Office on Lanai as the Goro Hokama Post Office.

Mr. Hokama has dedicated his life to the communities of Lanai and Maui and to the State of Hawaii. Mr. Hokama’s leadership abilities and sense of public duty were apparent even in high school, where he was Student Body President. After serving two years in the Army, he returned to Lanai, and in 1954 he began his public service career which continues till this day. He worked for the Dole Pineapple Company from 1946 to 1991 and was a Republican politician for nearly 40 years, representing the Lanai community for 16 years in the Maui County Council and its predecessor, the Maui Board of Supervisors. He was Chairman of the Maui County Council for 16 years. He served as Chairman or Vice-Chairman of the Committee on the Whole, Finance Committee, Legislative Committee, Planning and Land Use Committee, and Federal, State and Interlocal Committee.

Mr. Hokama was a Board Member of the Lanai School PTA, a Lanai Volunteer Fireman, President of the Lanai Little League. In 1987, he won the Hawaii State Little League Baseball Outstanding Volunteer Award.

Mr. Hokama is currently the Chairman of the Maui County Hospital Management Advisory Committee and since 1998 has been Vice Chairman of the Maui Civil Service Commission. He also remains on the Board of Directors of the Maui Economic Opportunities, Inc., the Board of Trustees on both the Lanai Community Hospital and Maui Memorial Hospital, and has been President of the HAPCO, Lanai Federal Credit Union for over 30 years.

Mr. Hokama has given himself, his time, and his life to our community and to our State. He is married and has two children, Riki and Joy. The naming of the Lanai Post Office as the Goro Hokama Post Office would be a way to honor and pay tribute to a great public servant.

Mr. UPTON. Mr. Speaker, I want to bring to the attention of the House of Representatives a very momentous event which occurred on September 25, 2000 and involved two constellations of mine: Willy and Thekla (Stein) Nordwind of Kalamazoo, Michigan. After more than one Michigander, avoidance and legal maneuvering, Germany— for the first time—returned to the rightful heirs, a major work of art previously confiscated by the Third Reich. On September 25, the Lovis Corinth painting, Walchensee, Johannianacht (The Walchensee on Saint John’s Eve) was returned to the heirs of Gustav and Clara Stein Kirstein in a ceremony which took place in the shadow of the Brandenburg Gate in Berlin. Thekla (Stein) Nordwind, niece of the Kirsteins, was the representative selected by her aunt and uncle of all the rightful heirs to whom the art was returned. Both Thekla (Stein) Nordwind and her husband, Willy Nordwind, were in Berlin for the ceremony.

As a result of this event, Ronald S. Lauder, Chairman of the World Jewish Congress’ Commission for Art Recovery, stated, “After one year of negotiations, we hope this first step will correct some past injustices and that all works of art belonging to families of Holocaust victims will be returned. We will never forget the millions of lives that were broken or lost. We honor that memory by contributing to closing one of the darkest chapters in 20th-century cultural history.”

Thekla (Stein) Nordwind said she accepted the painting, “Not only on behalf of the heirs of her aunt and uncle but also of so many others who want and need some acknowledgement and recognition of the devastation suffered by their families. Although no one can restore what was truly lost to so many families, the return of this painting is a symbol of the wish of the German Government to be alone for the sins of the past.”

I commend Willy and Thekla (Stein) Nordwind for their pursuit of justice and their perseverance, and I wish them all the best in the future.

Mr. Speaker, the Jesuit High School Crusaders, located in the heart of my district in Beaverton, were able to pull out a 38–28 win over North Medford High School. Led by Coach Ken Potter, the Crusaders captured their third Division 4A state title. The win came on the backs of Jesuit running back K.J. Jackson who rushed for 159 yards and two touchdowns, quarterback Mike McGrain, and linebacker Mike Hass who had a 52-yard interception return and kicker John Dailey.

The Scappoose High School Indians, earned their first Division 3A state title with an unbeaten season and a 28–14 win over Pleasant Hill. With a sensational defense and a star performance by senior quarterback Derek Anderson, Scappoose dominated the division and the championship game.

Coach Scan McNabb should be extremely proud of his team’s achievement and I am sure that this title will be followed by more in the years to come. Finally Mr. Speaker, the Amity Warriors, won their third straight division 2A-state title...
with a 49–15 win over Regis High School. This is the only time an Oregon public school has managed to win three straight state championships. The Warriors amassed an amazing 583 yards of total offense and held Regis to 67 rushing yards. I want to extend my warm congratulations to Coach Jeff Flood for another successful year.

The players, their families, their coaches, and their communities have all contributed to this fabulous football season. It is an honor and privilege to represent such talented athletes and I with them continued success in academics, sports, and their future lives.

TRIBUTE TO DR. ROBERT C. PROPHATER

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BARCIA. Mr. Speaker, I rise today to urge my colleagues to join me in honoring the life and work of Dr. Robert C. Prophater following his half-century service to his fellow man, as a physician, a leader and as a father. During his fifty year career, Dr. Prophater worked to improve the health and quality of life of his community both as a doctor and as Vice President of Corporate Medical Affairs for Bay Health Systems in his home town of Bay City, Michigan.

For more than five decades, Dr. Prophater has applied his healing hands to the medical needs of those under his care. His dedication and devotion to the precepts of the Hippocratic oath serve as a model for younger physicians and those considering entering this honorable profession. Indeed, one has to look no farther than Dr. Prophater’s family to find an example of his influence in drawing others to the medical profession. His son, Dr. Robert C. Prophater Jr., has followed in his footsteps and is also practicing medicine and saving lives.

During his long and venerable career, Dr. Prophater has applied his healing hands to the medical needs of those under his care. His dedication and devotion to the precepts of the Hippocratic oath serve as a model for younger physicians and those considering entering this honorable profession. Indeed, one has to look no farther than Dr. Prophater’s family to find an example of his influence in drawing others to the medical profession. His son, Dr. Robert C. Prophater Jr., has followed in his footsteps and is also practicing medicine and saving lives.

While Dr. Prophater above all deserves our praise for his dedication to medicine, he has also made a tremendous positive impact on Bay City, where he has lived and worked since moving from Ohio in 1958. His civic involvement epitomizes the spirit of public service to which all citizens should aspire, but few ever achieve. During his time serving Bay City, Dr. Prophater volunteered his talents and intellect to the Bay Area Chamber of Commerce, the local advisory board for a professional football league, to the board of a local college and a host of other activities. In the classic American civic tradition, he also served his community in the political arena, including a stint as President of the Bay City Commission. His accolades are many, including the Michigan State Medical Society Community Service Award and induction into the Saginaw Valley Chapter of Commerce Hall of Fame in 1989.

Mr. Speaker, I earnestly hope my colleagues will join me today in publicly honoring Dr. Robert C. Prophater with the official gratitude of the United States House of Representatives for a lifetime of contributions to the health and welfare of his community, his state and his family.

CONTINUING HEALTH CARE ACTIVITIES OF THE GOVERNMENT REFORM COMMITTEE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BURTON of Indiana. Mr. Speaker, as we close out the 106th Congress, the Government Reform Committee, which I am proud to serve as Chairman, is continuing several health care oversight activities.

Last year we began a review of this nation’s vaccine immunization program. While childhood immunizations have been lauded as one of the greatest advances in public health of the twentieth century, we have learned that the vaccines used to protect children against the long term safety of these vaccines, particularly as they are currently given to babies, six shots in one day. We also have learned that the epidemic rise in pervasive developmental delays including autism may be unrecognized adverse effect of vaccines. Research conducted in England discovered that autistic children, who also suffer with chronic diarrhea and bowel disorders, have the measles virus in their bowel. We also learned that many of these vaccines are made with the preservative thimerosal. Thimerosal is a derivative of mercury, which is a known neurotoxin. We learned that mercury toxicity has very similar symptoms to autism. Many children who are treated for mercury toxicity show an improvement in the autistic symptoms. I have asked the Department of Health and Human Services to recall vaccines that contain thimerosal since most of the vaccines on the childhood immunization schedule are now available without thimerosal. However, thus far, they are satisfied with allowing companies to continue to sell these vaccines and putting 8,000 children in the United States at risk for mercury toxicity. As part of this investigation we looked at the advisory committees at the Centers for Disease Control and at the Food and Drug Administration and found that many of the individuals appointed as advisory council members had significant financial ties to the pharmaceutical companies that manufacture the vaccines under consideration. The report of our findings is on the Committee website.

As part of our vaccine investigation, we looked at the Defense Department’s Anthrax Vaccine Immunization Program. We found that this well-intentioned program had many problems and I have supported legislation that would halt the program. The existing anthrax vaccine manufactured by Bioport Inc. in Lansing, Michigan was licensed in 1970 to protect against cutaneous exposure to the anthrax. It was not originally licensed to protect against inhalation anthrax. While the label states that less than one percent of individuals who receive the vaccine will suffer an adverse event, each of the prospective studies that have been done have shown that in excess of twenty percent of those who receive the vaccine suffer an adverse event. Many of these events have proven difficult to treat and are very similar to those seen in Gulf War Syndrome. An investigation conducted by the General Accounting Office indicates that the mandatory AVIP program has resulted in a significant morale and retention problem.

There are some that think that because I have dared to initiate an oversight investigation into vaccines, that I am an enemy of the vaccine. Nothing could be further from the truth. I believe that safe and effective vaccines should be made available to everyone with full declaration of the benefits and the risks involved. I also believe that we need to do more research to determine who will be at risk for adverse events and that just because a vaccine is licensed does not mean it needs to be added to the children’s immunization schedule to be mandated at the state level. We saw with the rotashield vaccine investigation that the move to put this vaccine on the schedule took place before the vaccine was even licensed. There is concern we have gone too far in our desire to protect the public at large from infectious diseases by mandating every vaccine that is licensed instead of only those that have truly significant health concerns in this country. There is a tremendously difference between the consequences of polio and those of chicken pox.

Also during the 106th Congress, we have conducted an investigation into the role of complementary and alternative medicine in our health care system. Americans are increasingly turning to therapies such as acupuncture, massage therapy, chiropractics, naturopathy, touch and energy therapies, herbal medicine, traditional healing systems such as Ayurveda, Tibetan Medicine, Traditional Chinese Medicine, Native American medicine, mind-body techniques, aromatherapy, nutrition, and music therapy to improve their health. We have conducted numerous hearings looking at ways to improve cancer care through the integration of complementary and alternative medicine in oncology.

I was pleased to introduced H.R. 3677 the Thomas Navarro FDA Patients Rights act this past spring. Four year old Thomas, who was shown to the world by Ambassador Alan Keyes during the Republican debates, was diagnosed with medulloblastoma, was denied access to a non-toxic cancer treatment by the FDA because he had not first gone through and failed chemotherapy and radiation. After his initial surgery, Thomas’ parents, Jim and Donna Navarro, looked at the benefits and drawbacks of these two treatments and thought that the success rates had been overestimated and that the risks were too much to ask of them without first trying something less risky. We learned that of the three chemotherapy drugs which are routinely recommended to treat this cancer, two of them clearly state on their label that they have not been proven to be safe and effective in the pediatric population. In other words, the drug had not gone through the rigors of an FDA approval process for treating medulloblastoma or for use in children. I am very concerned that the FDA will label patients and drug companies as an agency have not evaluated while denying them access to a clinical trial that the FDA is monitoring. I was pleased that many of my
colleagues joined me in support of this legislation. This issue points to something that we are lacking in this country—medical freedom. In the United States, a country based on freedom, we are not guaranteed the freedom to make our own health care choices. Americans are tired of this and I will continue working to change this.

We also looked at the role of improving care at the end of life. We learned that 38,000 World War II veterans die each month. Many of them die alone and in pain. Our veterans deserve better from us and I will continue to work to improve this.

We learned that the hospice approach to care, which many of us know from personal family experience has great benefit, that has been underutilized. We also learned that many complementary therapies such as music therapy, touch therapy, aromatherapy, massage, whole life review, and acupuncture offer a great benefit to the terminally ill. The importance of the hospice team approach was stressed as well. That is a team of patient, and care givers, doctor, nurse, chaplain, home health aid, social worker, and the tireless hospice volunteer working to offer care to the terminally ill and their family. Comfort rather than curative care is offered and oftentimes when spiritual, relationship, and personal healing can take place.

We will continue working on these issues as well as working with the White House Commission on Complementary and Alternative Medicine Policy and improving our health care system with the integration of complementary and alternative therapies.

IN MEMORY OF DR. CONRADT

HON. RALPH M. HALL
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, I rise to pay tribute to an outstanding citizen of the Fourth District of Texas, the late Dr. L.W. "Bob" Conradt of Terrell, who died on November 8. Dr. Conradt was an active and beloved member of his community—and he will be dearly missed.

Dr. Bob Conradt served Terrell as an excellent doctor. After closing his office where he practiced medicine for 26 years, he joined Blue Cross-Blue Shield as a Vice-President and medical director and served in that capacity until he retired in 1986. His community endeavors included membership in the Kaufman County Medical Society and the Texas Medical Association, as well as serving as President of the Terrell Independent School District School Board from 1963 to 1970. He also was a member of the Executive Committee of the Texas Association of School Boards, and active member of the Episcopal Church of the Good Shepherd, and a Scout Master for the Terrell Boy Scouts. As evidenced in all of these commitments, Dr. Conradt gave his time and energy to helping make Terrell a better place in which to live.

Dr. Bob Conradt was born in Lometa, Texas on March 9, 1921, to the late Albert Herman and Lena J. Mae Conroy Conradt. He attended Tarleton State University, the University of Texas, Baylor College of Medicine and graduated in the very first class of the University of Texas Southwestern School of Medicine in 1944. He served in the U.S. Army while attending medical school, and upon graduation he was stationed at Fort Bliss in El Paso, Texas as the General Medical Officer. In 1947, his military service was completed and Dr. Conradt moved his family back to Terrell, where he began his medical practice.

Throughout his distinguished career as a doctor in Terrell, Dr. Conradt received many recognitions, including Terrell Rotary Citizen of the Year in 1965, President of the Society of Life Insurance Medical Directors in 1985, and Advisory Trustee to the Episcopal Church and the Diocese of Texas from 1965 to 1967.

He is preceded in death by his wife, Montie K. Conradt and his daughter, Montie Cathleen Conradt. He is survived by his son, Bill Conradt; a daughter, Patricia Conradt; grandchildren, Tracy and Rob Morgan; son-in-law, Joe Morgan; and many other family members and friends.

Mr. Speaker, Bob was one of a kind—and we will miss him. As we adjourn today, let us do so in memory of Dr. L.W. "Bob" Conradt.

TRIBUTE TO CONGRESSMAN CANADY

HON. ROBERT B. ADERHOLT
OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. ADERHOLT. Mr. Speaker, today I would like to pay tribute to a man who has not only been an outstanding Member of the U.S. House of Representatives, but also a good friend and a hero during my time in Congress. CHARLES CANADY, first elected in 1992, has been a leader on Judiciary issues, and a shining example of a citizen legislator who kept his word, and now returns to his home state of Florida to pursue other endeavors.

There are two issues on which I have especially appreciated Congressman CANADY's legal knowledge and leadership. The first is the issue of partial-birth abortion. Congressman CANADY has been an eloquent and persistent voice on behalf of the most innocent and defenseless in our society. Although the outcome of his diligent efforts may not yet be what we would have hoped, his vigilance will be the foundation on which we will one day build the law that will outlaw this barbaric procedure.

The other issue is Congressman CANADY's effort to protect religious liberty in America. Responding to the constant attacks on the free exercise of religion, Congressman CANADY has led the fight to restore the Constitutional protections for religious expression that our Founders intended, and to ensure that people of faith need not live as second class citizens in a nation that was founded on the principle that religion was an integral part of societal life.

For these reasons, and for many more, I thank Congressman CANADY for his service in Congress, and for his friendship. I wish him Godspeed in his pursuits upon his return home to Florida.

COMMEMORATING THE ARDENNES AMERICAN CEMETERY AND MEMORIAL

HON. RON KIND
OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. KIND. Mr. Speaker, on December 4, 2000, 1 and my good friend from California, Representative SAM FARR, paid the honor and privilege of visiting the Ardennes American Cemetery and Memorial, near the village of Neupre in Belgium. The visit was an extremely moving experience, and I am grateful to have had the opportunity not only to view the beautifully maintained cemetery and memorial, but to lay a wreath in honor of the Americans who gave their lives in protection of their nation and the liberation of Europe.

The Ardennes American Cemetery is one of 14 permanent American World War II military cemeteries constructed on foreign soil by the American Battle Monuments Commission. It lies among the battlefields of the Ardenne plateau, across which American and Allied forces courageously fought their way first to the German frontier, then to the Rhine River, and eventually into the very heart of Nazi Germany. On December 16, 1944, a major German counteroffensive stalled the Allied advance across the Ardennes. The "Battle of the Bulge," as the Ardennes-Alsace Campaign has come to be known, proved to be a furious struggle in bitter cold and harsh conditions, and in the first days of 1945, all attacks ground to a halt. On February 2, 1945, the First U.S. Army struck out to the Roer River. Six days later, the Canadian First Army advanced to the southeast converging attack in the northeast by the Ninth U.S. Army. In the following weeks, the Allies found success and continued their march eastward toward the Rhine River. By the end of March, Allied armies, including French forces, advanced into Germany across a broad front.

Allied forces liberated the site of the Ardennes American Cemetery in September 1944, and a temporary cemetery was established on February 8, 1945. After the war, the remains of American military personnel buried in temporary cemeteries were moved to the new permanent foreign cemeteries upon the request of next of kin. Many of those interred at the Ardennes American Cemetery died during the Battle of the Bulge and the subsequent offenses and counter-offenses in the region.

The beauty and grandeur of the cemetery and memorial at Ardennes quietly convey the courage and sacrifice of the Americans who lost their lives on foreign soil while fighting for the highest principles on which their nation was established. The grounds and visitor center are wonderfully maintained by a diligent and knowledgeable staff. In particular, I would like to thank the Cemetery Superintendent, Hans Hooker, and his wife Virginia, for the wonderful treatment our delegation received on our visit. I would also like to recognize Vincent Joris for his valuable contribution in the upkeep of cemetery.

One of the more interesting and heart-warming aspects of the Ardennes cemetery is the support and commitment given to it by the people of Belgium. In fact, 85 percent of the soldiers’ graves at Ardennes are “sponsored” by a Belgian family, who watch over...
Before earning his Doctorate in Higher Education in 1977 from the University of South Carolina, he held a number of administrative posts in student services. Following receipt of his doctorate he became an Associate Professor in the College of Education and later served as a member of the University of South Carolina system.

In 1953, Dr. Alexander, his wife Leslie, and their son Robert moved to Aiken.

From the beginning, Dr. Alexander used his management experience to magnify the University of South Carolina at Aiken’s (USC-Aiken) already vital role in South Carolina. He worked tirelessly with leaders from business, government, and the education communities to forge new avenues of cooperation that benefited USC-Aiken and the people it serves.

Under Dr. Alexander’s leadership, USC-Aiken, once a small branch of the University of South Carolina, is now thriving. Enrollment has doubled, and student/faculty ratios are among the lowest in the state. South Carolina’s state assisted four year public institutions. Undergraduate degree programs have tripled, and several graduate programs have become a part of the university.

USC-Aiken has seen dramatic improvements in its infrastructure during Dr. Alexander’s tenure. Among them are the expansion of the Gregg-Granville Library and the Etheredge Center for Fine Arts in 1986, and the Ruth Patrick Science Education Center and the School of Nursing Building in 1999; construction of a state-of-the-art Sciences Building in 1989; the Children’s Center and the Ruth Patrick Science Education Center in 1991; the Business Education Center in 1994; the DuPont Planetarium in 1995, the mathematics in 1997; relocation of the historic Pickens-Salley House to the USC-Aiken Campus; and acquisition of Pacer Downs student apartments.

Due in large part to his efforts, the endowment of USC-Aiken is now more than $11 million. The 13 endowed chairs allow USC-Aiken to offer programs and services not usually found at state-assisted institutions of similar size.

He worked diligently with the US Department of Agriculture and the BeltSouth Foundation to create the Rural Alliance for Teaching Enhancement. This Alliance significantly enhances the educational opportunities of students in rural public schools in a 10 county area by providing technological support.

Recently, USC-Aiken received significant awards from the National Endowment for Humanities, the John Olin Foundation, and the National Science Foundation. These awards will contribute to the operations of the Ruth Patrick Science Education Center and the Economic Enterprise Institute.

Perhaps the most significant legacy of Dr. Alexander is the enhanced regional, state, and national reputation USC-Aiken has developed during his tenure. In 1999, U.S. News and World Report recognized USC-Aiken as one of the top 100 institutions of liberal arts colleges in the Southeast. In their 2000 rankings, USC-Aiken is ranked second. The Southern Association of Colleges and Schools, the National League of Nursing, and the National Council for Accreditation of Teacher Education also recognize the many quality educational programs offered at USC-Aiken.

Dr. Alexander’s commitment to the community does not end with the university. He is an honorary member of the USC-Aiken Alumni Association. He also is an active member in the Aiken Rotary Club where he served as a member of the Rotary International District Scholarship Committee and on its board of directors. He also served on the Executive Committee of Security Federal Bank, the Executive Committee of the Development Partnership of Aiken and Edgefield Counties, as a member of the board of trustees for Aiken Regional Medical Centers, on the vestry of St. Thaddeus Episcopal Church, and continues his work with the Diocese of North Carolina and the South Carolina Synod.

He once served as Chairman of the Savannah River Regional Diversification Initiative created by the US Department of Energy. He served on the board of directors for the Greater Aiken Chamber of Commerce where he was president in 1987, the United Way of Aiken County, and the Business Technology Center. Dr. Alexander held positions on the advisory board of Citizens and Southern National Bank of South Carolina, and the Aiken County Commission on the Future. He is also a trustee of Hopeland Gardens and a chairman of the Peace-Fall Atlantic Conference.

He served as the Chairman of the South Carolina Council of State College and University Presidents as well as their representative on the Business Advisory Council of the South Carolina Commission on Higher Education, on the executive committee of South Carolina 2000 where he spearheaded the development of the South Carolina University Research Consortium, as a member of the Commission on the Future of South Carolina, the South Carolina Council of Economic Education, Vice President of the Strom Thurmond Foundation, Board of Visitors for the Kanuga Conference Center in Hendersonville, North Carolina. Nationally, Dr. Alexander was appointed to the National Advisory Committee on Student Financial Assistance in 1991 and served as the chair of the Modernization Task Force of the American Association of State Colleges and Universities, past member of board of director for the Institute for Continuing Education for the National University Continuing Education Association, and past member and institutional representative for the Association for Higher Continuing Education.

Through all of his hard work and determination to make a difference, Dr. Alexander has collected many deserving awards and honors. In 1999, he received the Earl Kaufman Award from the USC-Aiken Academy for Lifelong Learning for his commitment to providing educational opportunities for senior citizens. This recent Personnel was honored by the University of South Carolina awarded him the Distinguished Alumnus of the Year in 1996. In 1990, the University of South Carolina Black Faculty and Professional Staff Association honored him with an honorable mention award for Affirmative Action. The South Carolina Association of Higher Continuing Education presented him with the Outstanding President’s Award in 1987. In 1985, Dr. Alexander was selected as Man of the Year by the Greater Aiken Chamber of Commerce.

He reached the pinnacle of service to the State of South Carolina in May of this year when he was bestowed the Order of the Palmetto, the highest designation the governor awards to an individual.
Dr. Alexander’s retirement as Chancellor of USC-Aiken closes a successful chapter in the school’s history. He developed the university and its students in every way by surpassing his required duties in all areas. His years of service leave an indelible mark on the institution. Dr. Alexander’s accomplishments will benefit countless others in the future, and his legacy will be solidified by the successes of future generations. A leader in the higher education field and a dedicated community citizen, Dr. Alexander will be sorely missed as Chancellor of USC-Aiken.

TRIBUTE TO MAJOR MICHAEL L. MURPHY

HON. MIKE McINTYRE
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. McINTYRE. Mr. Speaker, today I pay tribute to Major Michael L. Murphy of the United States Marine Corps for his distinguished service and courageous leadership on behalf of the citizens of this great nation.

Major Murphy gave his life in the line of duty on the evening of December 11, 2000. By riskin his life to ensure the safety of others, he made the ultimate sacrifice that any citizen of this nation can make. He left behind not only a loving family, but also a community and a country who will forever be grateful for his heroism.

As an aviator in the Marine Corps, Major Murphy had dedicated his career to defending the values this nation holds dear. With over 16 years of experience in the military, he had received the Meritorious Service Medal and the Navy and Marine Corps Achievement Medal with a gold star for his integrity and courage.

Major Murphy’s valiant actions and his outstanding service to this nation serve to remind us of the gratitude we all feel toward this brave individual, along with all other servicemen and women who have lost their lives serving as guardians of this great country.

President John F. Kennedy once said, “For those to whom much is given, much is required. And when at some future date when history judges us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage . . . Second, were we truly men of judgment . . . Third, were we truly men of integrity . . . Finally, were we truly men of dedication?”

Major Michael L. Murphy would truthfully have been able to answer each of these questions in the affirmative. He was indeed a man of courage, judgment, integrity, and dedication. May the memory of this brave individual live on in our hearts, and may God’s strength and peace always be with his family and friends.

IN RECOGNITION OF MAJOR EDWARD J. MARTY

HON. RALPH M. HALL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, today I honor and pay tribute to a great American, Major Edward J. Marty of Tyler, TX, to whom I had the privilege recently to present the Purple Heart Medal which he earned more than twenty years ago.

Major Edward Marty proudly and courageously served in the U.S. Army for 20 years, 8 months and 16 days. On January 1, 1969, 1st Lieutenant Edward Marty was wounded by a land mine while leading his platoon of the 1st Cavalry Division through the marshlands and rice paddies of Vietnam. Due to fractures in his legs and arms and a traumatic eye injury, Lt. Marty was transferred to multiple hospitals and was never presented the Purple Heart Medal, as is traditional. After many months in hospitals, and exactly two years after he was wounded, Lt. Marty was sent back to Vietnam as an advisor to Vietnamese Rangers, but through some unfortunate oversight, he still never received the much-deserved Purple Heart while on active duty in the Army, or any time shortly following his retirement.

It was not until this year that Major Marty finally received his award, and I was honored to make the presentation on November 10, during a Veterans’ Day program at John Tyler High School in Tyler, TX, where Major Marty serves as Smith County Assistant District Attorney. It was a moving moment for Major Marty—and myself—and I believe the ceremony had a special impact on students at John Tyler who know about the Vietnam conflict only through textbooks or personal testimony. Certainly, most of the students had never met a distinguished Purple Heart recipient.

As we all know, the Purple Heart is an honor launched by George Washington to recognize those who gave above and beyond the call of duty who wear the scar of battle. Major Edward Marty is among this elite group of Purple Heart recipients who risked their lives and suffered injuries for the cause of freedom. So it is with great admiration that I recognize Major Marty today, and as we prepare to adjourn the 106th session of Congress, I ask my colleagues to join me in paying tribute to this true American hero—Major Edward Marty.

THE RESPONSIBLE MONITORING ACT OF 2000

HON. CHRIS CANNON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. CANNON. Mr. Speaker, I rise today to introduce the “Responsible Monitoring Act of 2000.” This bill is intended to make the Internet a better, safer place by encouraging voluntary efforts to detect and stop illegal activities. This legislation would provide real incentives for responsible monitoring by “E-commerce” businesses that host consumer-to-consumer transactions on their web sites. Allowing e-companies to monitor their sites and remove illegal goods and services offered for sale by others, is the right approach for a better Internet. Unfortunately, current law actually discourages E-commerce companies from even looking for illegal activity on their sites. Under current law ignorance is bliss, and those companies most active in protecting their users are most at risk. This situation must be changed.

I realize that this bill will not be acted upon in the 106th Congress prior to adjournment, but I believe it is crucial to put this issue before the House now to get members thinking about a solution. As long as e-companies remain under the threat of litigation they will be reluctant to self monitor. I will reintroduce similar legislation in the 107th Congress and request hearings. I am aware, however, that content providers, privacy advocates, and others have concerns about this issue. I would like to invite all concerned parties to work with us in the next Congress to find a workable solution that addresses all concerns and encourages voluntary, responsible monitoring on the Internet.

A TRIBUTE TO TONY RUDY, A GOOD FRIEND AND A TRUE BELIEVER

HON. TOM DeLAY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. DeLAY. Mr. Speaker, I rise today to pay tribute to a friend and colleague who, after eight years of service to the House of Representatives, is moving on. Each member of this House knows how important it is to have good staff. These are the people who run this institution from day to day. They are the people who do the grunt work, draft the bills, work long nights—all in service of the American people. And we, as Members of Congress, place our trust and careers in their capable hands every day.

I am very lucky. I have always been blessed with great staff. But every once in a while a truly special person comes along and inspires and energizes an office. I was lucky enough to have one of the best, one of the most committed, one of the brightest staffers on Capitol Hill working for me for the past five and half years. His name is Tony Rudy.

Tony came to work for me in 1995, just as I was beginning my time as Majority Whip in the House of Representatives. Being the Whip is hard work, and a lot of that work falls on my staff. These staffers devote a large part of their lives to making sure we get our work done, pass legislation and make the House of Representatives a livable place for Members of Congress.

And Tony is one of the best. He has held virtually every position in my office as he worked his way up the ladder. He started out as a Press Secretary and moved on to Policy Director and finally Deputy Chief of Staff. And he was superb in each of those positions.

As my Press secretary, Tony’s hallmark was his ability to form real friendships with the Washington press corps. The people covering politics and Capitol Hill know that they can call Tony anytime and they can always trust what
CONGRESSIONAL RECORD — Extensions of Remarks
December 15, 2000

HON. RALPH M. HALL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, today I speak on behalf of Johnny Cace of Longview, TX, who died recently at the age of 83. Johnny Cace was a long-time and much-admired member of the Longview community.

Johnny Cace was born on November 22, 1917 in Shreveport, Louisiana. He served as a mess sergeant of officers’ mess at the Army Ordnance School in 1944, opening Johnny Cace’s Seafood & Steak House. The restaurant moved to its present location in 1964 and expanded several times to its current seating capacity of 450. It is a popular location for various civic luncheons and special events in Longview, and its reputation for excellence has attracted patrons from all over the state of Texas.

Johnny was active and involved in the restaurant until his recent hospitalization. He served as president of the Texas Restaurant Association in 1967 and received the distinguished service award that year. He also served on TRA’s State Advisory Council and was a longtime member of the board of directors of the East Texas Chapter of TRA and the state board of TRA. He was chosen as Texas Restaurant Association Man of the Year in 1985 and was selected as Outstanding Restaurant in 1961 by the East Texas Restaurant Association and as Outstanding Restaurateur in the State in 1970.

Johnny was an active member of St. Mary’s Catholic Church. As a member of the Longview Council of Knights of Columbus, Johnny was a Past Grand Knight of the Third Degree and Past Faithful Navigator of the Fourth Degree. Johnny’s other honors include the Boy Scouts of America Silver Beaver Award for Distinguished Service to Boyhood; the Headliner Award from the Professional Journalists; Man of the Year Award by the Longview Federation; the East Texas Heritage Award from the Festival in the Piney Woods; and in 1999, the Longview Partnership Chairpman’s Award.

Johnny was an active member of St. Mary’s Catholic Church, the Elks Club, Pinecrest Country Club and the Delta Fishing Club. He was survived by his wife, Greggy Cace of Longview; son John III and daughter-in-law Linda of San Antonio; son Ger and daughter-in-law Cathy of Longview; and son Danny and daughter-in-law Sarah of Tyler; seven grandchildren; a sister, Rose Cace Sanders of Shreveport; and numerous nieces, nephews and cousins.

Johnny Cace genuinely liked people and always had a smile and a kind word to say to those he met. He was a friend to so many from all walks of life—and he was liked by all who knew him. He was truly one of Longview’s most influential “goodwill ambassadors,” and he leaves a legacy of goodwill that will be remembered for many years to come. He also leaves a powerful family legacy.

Mr. HALL. Mr. Speaker, this is a man who will be remembered for many years to come. And it is my honor to present a resolution in his memory.

Mr. Speaker, on behalf of Mr. Wilfrid A. Granquist, Jr., his wife Margaret; his children, Marilyn, John, and Joyce, his grandchildren and great grandchildren, please join me in saluting the life of this remarkable gentleman and great-grandfather. In many ways, too numerous to list here, he made my life in Washington, DC tolerable.

Mr. Granquist served his country in defense of the United States of America and gave of himself so many from all walks of life. Born Jan. 8, 1920, young Jay became, by necessity, independent at an early age. Using his own resources, he sur

Mr. Granquist transports fowl and venison for use in the restaurant. He is an avid woodworker, building fine furniture, refinishes wood and metal, and creating special gifts, especially for family and friends. His generosity is unmatched, and his selfless dedication to the greater good continues to motivate him to help his fellow man.

Mr. Speaker, on behalf of Mr. Wilfrid A. Granquist, Jr., his wife Margaret; his children, Marilyn, John, and Joyce; his grandchildren and great grandchildren, please join me in saluting the life of this remarkable gentleman and in wishing him a happy 80th birthday.

Thank you.

HON. KAREN M CARTHUR OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Ms. McCARTHY of Missouri. Mr. Speaker, I rise today to pay tribute to a very special husband, father, and grandfather, Mr. Wilfrid A. "Jay" Granquist, Jr., who celebrated his 80th birthday on November 22, 2000.

Born to Wilfrid A. Granquist, Sr. and Leona Ellis Granquist on November 22, 1920, young Jay became, by necessity, independent at an early age. Using his own resources, he survived and thrived during his adolescent years. Mr. Granquist served his country in defense of freedom in World War II and fought valiantly in the infantry during the Battle of the Bulge. Upon completing his service to our country, he became a metallurgical engineer of quality control with Westinghouse, which later merged with Bendix Corporation in Kansas City. He retired as a senior metallurgical engineer in 1981 after 21 years of service to the company.

Mr. Granquist met and fell in love with Margaret Lang while roller skating in 1939. During their first encounter, he cut his finger and asked his future bride to kiss it and make it better for him. On September 21, 1940 they were married by Justice of the Peace William W. Moon at a ceremony attended by 2 sisters and I brother. On September 24 along with his 13 grandchildren and 8 great grandchildren.

One remarkable milestone that should be noted is Jay’s 3 half siblings who was he recently reunited with—2 sisters and 1 brother. His half brother James, celebrated his 50th birthday in 1999 and his wife, Rhonda, took it upon herself to invite Jay and Margaret to join them. This was most touching and heart-warming for all of the siblings.

Mr. Granquist has spent much of his retirement years volunteering for organizations such as the Shriners, St. Joseph Hospital, and the Red Bridge Lions Club. He has served as a lay minister in his parish, St. Thomas Moore, and is president of his homes association, Klatte Meyer Estates. His volunteer work at St. Joseph Hospital includes driving the Jinney to transport patients and visitors from the parking lot to the hospital. His friendly manner is appreciated, and it is noteworthy that Jay has never met a stranger. Other volunteers who appreciate his myriad skills fondly refer to Mr. Granquist as a “Jack of All Trades.” His efforts were rewarded in 1967 when he received the Lifetime Achievement Award from the Center. He is an avid woodworker, building food shelves and other essential constructions needed at the Center. He revels in restoring airplanes and is a member of a Connie. Mr. Granquist is an advocate for neighborhood concerns and active in local political campaigns in Kansas City. In his spare time, he enjoys square dancing with Margaret, refinishing fine furniture, and creating special gifts for family and friends. His generosity is unmatched, and his selfless dedication to the greater good continues to motivate him to help his fellow man.

Mr. Speaker, on behalf of Mr. Wilfrid A. Granquist, Jr., his wife Margaret; his children, Marilyn, John, and Joyce; his grandchildren and great grandchildren, please join me in saluting the life of this remarkable gentleman and in wishing him a happy 80th birthday.

Thank you.

TRIBUTE TO WILFRID A. GRANQUIST, JR. IN HONOR OF HIS 80TH BIRTHDAY

HON. RALPH M. HALL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, today I speak on behalf of Johnny Cace of Longview, TX, who died recently at the age of 83. Johnny Cace was a household name in East Texas. His restaurant that bears his name is part of the culture of Longview, and Johnny was known as Longview’s most influential “goodwill ambassadors.”
in his sons, who are carrying on the family restaurant business and will help keep the Cace legend alive. Gerard operates the Longview establishment; Danny operates the restaurant in Tyler, and John operates the restaurant in San Antonio.

Mr. Speaker, it is an honor for me to pay my last respects in the CONGRESSIONAL RECORD to an outstanding American and an exemplary individual who was beloved by his family, friends, and the citizens of Longview, and who will be truly missed—Johnny Cace.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF
HON. HOWARD L. BERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 8, 2000

Mr. BERMAN. Mr. Speaker, on Wednesday I had the unwelcome honor of participating in the funeral service for our beloved late colleague, JULIAN DIXON. I submit the remarks I made therein the RECORD.

It is said that grief and mourning are in reality selfish emotions, because we are really overcome by what we have lost. I’m feeling pretty selfish right now because I’ve lost my closest friend in public office.

It’s a sunny morning in November, 1972, as I board the flight to Sacramento to attend freshman orientation for the newly elected members of the State Assembly. As fate would have it, my seatmate is Julian Dixon, whom I’ve never met before, also newly elected. It is the start of a deep and enduring friendship, an “odd couple” relationship between the slightly self-righteous Jewish guy from the San Fernando Valley—who cut his political teeth in the left of center reform movement, deferring to his judgment and deferring to his leadership— and the slightly self-righteous Jewish guy from Los Angeles, who cut his political teeth in the left of center reform movement, deferring to his judgment and deferring to his leadership.

And Julian was a throwback to a different political era, where discourse was civil, where clashed with whom was benefitted; action was defined by whom was benefitted; where its critical national security issues. Little interest or passion or commitment to a progressive pro-civil rights, activist agenda. For a lack of passion or commitment to a focus on the people we serve, on the people of color, on the people of California, on the people of this country.

But I’ve chosen not to even attempt to enumerate, most of his myriad legislative accomplishments. He achieved behind the scenes, with little fanfare.

In the Spring, 1999, Justices Thomas and Souter appeared before his subcommittee to testify on the 1999-2000 federal budget request. The nearly complete absence of minorities and the under-representation of women as law clerks to the Supreme Court justices deeply disturbed Julian. In typical fashion, Julian did not seek to rectify the situation by crafting an amendment (which would never have passed), nor did he hold a high profile public conference. He did not hurl insults. Rather, with appropriate deference and a deft and direct explanation of just why this was so intolerable, he made his case and thanked the members of his subcommittee for their appreciation of the way he chose to deliver his message and to hold, in the next term the increase in minority and female clerks. It is not yet adequate—classic Julian Dixon.

As the Cold War ended, Julian left the foreign assistance subcommittee (where he had fought for foreign aid generally and aid to Israel specifically) and joined the defense appropriations subcommittee. As California’s representative on the Senate Appropriations Committee, he worked with Jerry Lewis to fight for California jobs and defense conversion projects. He persuaded his colleagues and the Pentagon to fund joint school district—National Guard mathematics and technology—enrichment programs in high schools throughout Los Angeles. What good is it, he said, to have high tech weapons and inadequate training for the kids who will be using them. He was particularly proud of his success in initiating and coordinating a program to move at risk inner-city youth from the inner city. He went where the money was, and produced for the people about whom he cared so much.

This week’s Congressional Quarterly headlined its article on Julian’s passing—“Remembered for Selflessness, Taking on Thankless Tasks.” He chaired the Ethics Committee for six years and has been the ranking Democrat on the highly sensitive House Intelligence Committee, where he grappled on a bipartisan basis with our country’s critical national security issues. Litter, publicity, less glory and no fund-raising potential. Add to the “thankless tasks” his many years chairing the District of Columbia Appropriations subcommittee, where he fought for the city in which he was born and raised, particularly because its residents to this day are denied equal political representation.

Now this latter position did carry some clout. In the mid-1990s, I accompanied Julian to an anti-apartheid demonstration in front of the South African embassy, a sure ticket to jail. When we were booked I remarked the jail looked rather spiffy. Julian indicated that he had been to jail before, that the only demonstrations he had authored his to key D.C. officials that they might want to give it a new paint job to impress the many Congressmen who were through.

Julian’s loyalty to and love for the House was apparent to anyone who knew him. When Minority Leader Dick Gephardt asked me to take a slot on the Ethics Committee, Julian told me I had no choice—it was my obligation to the institution in which I had the honor to serve.

Julian’s friends in L.A.—he loved them dearly and they loved him in return. When he first ran for Congress in 1978, he started as a district underdog; competing much less of the district than one of his opponents, much less well-known than the other. Julian had mastered the art of remaining relatively unknown to the general public—or so I thought until today. His friends came through for him like gangbusters. They set new records for fund-raising within the African American community, providing the resources and the volunteers to send him to a substantial victory. He never forgot them.

Mr. Speaker, it is an honor for me to pay my last respects in the CONGRESSIONAL RECORD to an outstanding American and an exemplary individual who was beloved by his family, friends, and the citizens of Longview, and who will be truly missed—Johnny Cace.
It has come to our attention that a clerical error occurred during the preparation of the final version of H.R. 4868, the Tariff Suspension and Trade Act of 2000. H.R. 4868 was enacted as Public Law 106-476 in November of this year.

The error occurred in Section 1425 of the bill. Section 1425 was intended to exempt certain entries of roller chain from additional dumping duties assessed by Commerce more than 2 years after importation. Unfortunately, as passed, a phrase was inadvertently omitted from Section 1425. We therefore wish to clarify for the record Congressional intent.

Section 1425 was intended to direct the U.S. Customs Service to liquidate certain entries of roller chain “as the rate of duty in effect at the time of entry,” “at the rate of duty in effect at the time of entry,” and “terminated by the government, for any future imports. It was our intent that the entries at issue in Section 1425 be reliquidated by Customs at the rates of duty in effect at the time of entry.

IN HONOR OF THE LATE JUDGE JOSEPH N. FALBO
HON. ROBERT MENENDEZ
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. MENENDEZ. Mr. Speaker, today I honor Judge Joseph N. Falbo, who passed away on October 27, 2000. Mayor Brian Stack and the Union City Board of Commissioners will hold a memorial service today to honor Judge Falbo and his distinguished career.

Judge Joseph N. Falbo was born and raised in Union City. After graduating from John Marshall Law School, he served in the Army Airforce during World War II. In the 1960s, Judge Falbo served as municipal and county prosecutor, and was appointed to serve as municipal judge in 1969 by Mayor William V. Musto.

At 83 years of age, Judge Falbo was one of the oldest judges in the State of New Jersey. While state judges are required to retire at the age of 70, there is no age restriction for municipal judges.

Judge Falbo served with great honor and integrity. Throughout his career, he continually demonstrated the deepest commitment to the laws of the United States and to the residents of Union City. He was a deeply compassionate man, who understood the differences and challenges faced by the people he served.

Today, I ask my colleagues to join me in honoring the life and career of Judge Joseph N. Falbo. This is a great loss for the community, and he will be deeply missed.

IN THE FARRI FAMILY
HON. VAN HILLERY
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. HILLERY. Mr. Speaker, over three years ago I proudly announced the birth of Richard Vincent Farrí, born to my good friend, U.S. Capitol Police Officer Vincent Farrí and his wife, Christina. I am especially pleased to announce the birth of their second child, Paul Christopher Farrí, on November 13, 2000, at 11:54 AM. Paul Christopher weighed 7 pounds, 15 ounces.

As Vincent, Christina and their toddler, Richard, adjust to the new addition to the family, I want wish them the best. Paul Christopher is a lucky young man. Not only does he have a terrific mother and father raising him, but he has a big brother who will be his lifetime friend.

Sgt. Farrí is a valued friend. It gives me pleasure to submit these remarks into the CONGRESSIONAL RECORD recognizing the Farrí family.

IMPOSING AMERICA’S VOTING SYSTEM
HON. THOMAS M. DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I, along with my fellow colleagues, Representatives STEVE ROTHMAN, PATRICK KENNEDY and HEATHER WILSON, are pleased to introduce meaningful, bipartisan legislation to reform the administration of our nation’s elections. The Election Reform Act will ensure that our nation’s electoral prices is brought up to twenty-first century standards.

The Election Reform Act will establish an Election Administration Commission to study federal, state local voting procedures and election administration and provide grants to update voting systems. The legislation combines the Federal Election Commission’s Election Clearinghouse and the Department of Defenses’ Office of Voting Assistance, which facilitates voting by American civilians and servicemen overseas, into the Election Administration Commission, creating one permanent commission charged with electoral administration.

The Commission will be comprised of four individuals appointed by the President, with the advice and consent of the Senate. The Commission will conduct an ongoing study and make recommendations on the “best practices” relating to voting technology, ballot design and polling place accessibility. Under this legislation, the Commission will recommend ways to improve voter registration, verification of registration, and the maintenance and accuracy of voter rolls.

It is vital that we establish this Commission as a permanent body. Many issues and concerns surrounding elections necessitate a continual review of ever-changing technologies. A permanent Commission will be best suited to facilitate the sharing of information about new, cost-effective technologies that can improve the way we administer elections in America.

HONORING DOMINIC D. FRANCESCO FOR FIVE DECADES OF SERVICE
HON. GEORGE W. GEKAS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. GEKAS. Mr. Speaker, I rise today to honor Dominic D. DiFrancesco for five decades of service to the United States of America. Dominic served his country as a Korean War veteran and was the past National Commander of the American Legion. He also served as Pennsylvania’s National Executive Committeeman.

On the national level of the American Legion, Dominic served as chairman of the Membership and Post Activites Committee and the Legislative Committee. He was also a member of the Public Relations Commission, The National Security Council and the Resolutions Sub-committee. Dominic has been an active participant in veteran affairs in the 17th Congressional District where he has been a strong advocate for the improvement of services to veterans.

Dominic also served as representative to Saudi Arabia prior to Desert Storm to gather information about the needs and concerns of U.S. soldiers.

Dominic has recently been honored in my district by having the Dauphin County veterans building named in his honor. The Dominic D. DiFrancesco Veterans Memorial Office Building stands as a testimony of the service of Dominic and the many veterans like him who have given so much to their country.

Dominic, thank you for your service to this great land of ours and to the 17th Congressional District, I know the entire United States House of Representatives joins me in honoring your many accomplishments.
INTRODUCTION OF H.R. 5668, SWEETEST ACT—SACCHARIN WARNING ELIMINATION VIA ENVIRONMENTAL TESTING EMPLOYING SCIENCE AND TECHNOLOGY

HON. JOE KNOLLENBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. KNOLLENBERG. Mr. Speaker, today I submit legislation that would eliminate needless bureaucratic regulations in the labeling of the sweetener saccharin. I’ve called it the “SWEETEST Act” which stands for Saccharin Warning Elimination via Environmental Testing Employing Science and Technology.

Saccharin was first discovered in 1879 and it has been safely employed as a no-calorie sweetener for over one hundred years now. Concerns over saccharin’s safety were first raised twenty years ago after a flawed study that administered huge quantities of the artificial sweetener to laboratory rats produced bladder tumors in rats. New and better scientific research has decisively shown that the earlier rat studies are not at all applicable to humans.

Earlier this year, the National Toxicology Program (NTP) removed saccharin from its 9th Report on Carcinogens. In doing so NTP joined numerous other world health agencies in recognizing the safety of saccharin.

NTP’s action negated the need for the current warning label mandated by the Saccharin Study and Labeling Act of 1977 (SSLA) on all products containing saccharin. The Food and Drug Administration recognized that the mandated warning label is inappropriate and agreed to support its repeal.

This legislation removes Section 403, paragraph (o) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 343) and Section 4, paragraph (c) of the Saccharin Study and Labeling Act (P.L. 95–203). Those requirements formed the basis for the unnecessary warning statements found on common packets of sweeteners used every day in thousands of households and restaurants across the nation.

Given saccharin’s favorable synergistic properties in combination with other sweeteners and its low cost, many food, beverage, and health care manufacturers are very interested in developing new products utilizing this sweetener.

UKRAINE AT THE DAWN OF THE 21ST CENTURY

HON. SANDER M. LEVIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. LEVIN. Mr. Speaker, today, as we conclude the work of the 106th Congress, it is appropriate that we mark an important milestone in Ukraine: This afternoon, at 1:16 local time, the Chernobyl nuclear power plant was shut down for good.

On April 26, 1986, Reactor Number Four at the Soviet-designed Chernobyl nuclear facility exploded, releasing more than 100 tons of lethally radioactive material into the environment. The human cost of this disaster is staggering. It is unlikely we will ever know how many deaths can be directly attributed to Chernobyl, but surely the loss of life is measured in the thousands. Hundreds of thousands more were subjected to radiation poisoning.

Nearly 15 years later, the consequences of the world’s worst nuclear accident continue to plague Eastern Europe. Chernobyl has been especially impacted. Vast tracts of once prime farmland remain dangerously contaminated. Thyroid cancer among children living near Chernobyl has risen to levels 80 times higher than normal. The concrete and steel sarcophagus that encloses Reactor Number Four is leaky and in need of repair. In addition, the loss of Chernobyl’s generating capacity exacerbates an already difficult energy shortage in Ukraine, which depends heavily on energy imports, especially during its harsh winters.

It is fitting that the first year of the new century should see the closure of this apparatus from a dangerous past. At the same time, we must be mindful that Chernobyl’s legacy remains a heavy burden for the people of Ukraine and the President does not end with the shutdown of this facility today. The fatally flawed nuclear technology that build Chernobyl was truly a kind of Pandora’s Box that, once opened, released lasting harm and grievous sickness into the world. The sole consolation is that we can yet hope to redress the damage.

The final closure of Chernobyl ends a tragic chapter in Ukraine’s history, and begins a new one. I call on every member of the House to join with me in remembering the victims of this tragedy. Let us resolve to do our part to help Ukraine build a brighter future.

INTRODUCTION OF UNIFORM POLL CLOSING ACT

HON. EDWARD J. MARKEY
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, December 15, 2000

Mr. MARKEY. Mr. Speaker, I am pleased to join with my colleagues Senator STEVENS and Senator INOUYE, along with Representatives TAUZIN and DINGELL and 20 other Democratic and Republican House and Senate Members to introduce the bipartisan Uniform Poll Closing Act.

Over the years, both the Democratic and Republican parties have been concerned about the fact that the news media frequently projects a particular Presidential candidate to be the victor in key battleground states before all the polls have closed nationally.

In 1980, many Democrats were outraged when Ronald Reagan was proclaimed the victor of the Presidential race on network television at 5:15 p.m. Pacific time. At that moment, polls were still open in approximately half the states, in every time zone—including many in the eastern and central time zones, and all the polls in the Mountain, Pacific, Alaskan, and Hawaiian time zones. As a result of the networks’ decision, many voters felt there was no longer any point in going to the polls, a development which may have affected the outcome of many state and local elections. In 1984, the networks’ projections in the early evening that the Republican candidate was going to be the overwhelming electoral college winner may have again affected voting in many states.

This year, many Republicans were angered when the networks projected Al Gore the victor in Florida, prior to the closing of polls in the Florida Panhandle. At the same time, some GOP lawmakers raised concerns that network projections regarding the likely victors in many key Presidential primaries in the East or Midwest may have affected voter turnout in other states in which the polls were still open.

I believe that there is a relatively straightforward way to reduce a repeat of these concerns: adoption of a uniform poll closing time for Presidential elections. That is why today, we will introduce legislation which would establish a uniform poll closing time. Under this bill, for Presidential elections, polls in all 50 states would close at 9 p.m. eastern standard time, which is 8 p.m. central standard time and 7 p.m. mountain time. In the Pacific time zone, in Presidential elections, in order to achieve a 7 p.m. poll closing time, daylight savings time would be extended for two weeks. This will allow the polls on the West Coast to close at 7 p.m. Pacific daylight time.

The House approved identical legislation in 1986, 1987, and 1989, but it was never enacted into law. We have an opportunity now to rectify this situation, establish a uniform poll closing time, and minimize the potential that future premature projections by the television networks regarding the winners of a Presidential election will influence voter behavior in other states.

While the public may be divided over whom they want to see become our next President, both Democratic and Republican voters agree on the need to establish a uniform poll closing time. In fact, a recent CBS poll reports that 71% of the American public would like to see a uniform national poll closing time established. This reflects the public’s recognition that standardizing poll closing times for Presidential elections would reduce the likelihood that the television networks declare a winner in one state, they may depress voter turnout in any remaining precincts in the state in which the polls remain open, or affect voter turnout in other state across the country.

I look forward to working with Senator STEVENS, Representative TAUZIN, DINGELL, and other interested Members to advance this proposal. Over the last several days, I have spoken to Senator STEVENS, who has long been a leader on this issue in the Senate, and who had a strong interest in a formulaulation that would accommodate Alaska and Hawaii. With this bill, we have been able to accomplish that goal by allowing those states to open their polls on Monday afternoon and then bring them into the framework of the nationwide uniform poll closing time we are establishing for election Tuesday at 9:00 p.m. Eastern Standard Time.

In introducing this bill today, we are hoping to begin a debate on this issue by putting onto the table the main proposal that the House has previously approved, and we are open to considering other reasonable alternatives. Whatever we decide, it is critical that this time, the Congress acts to reform the rules governing poll closing times in Presidential elections.
Mr. Speaker, I am proud to recognize Dr. Hugh C. Bailey of Valdosta, Georgia, on his retirement from Valdosta State University.

Mr. CHAMBLISS. Mr. Speaker, I would like to honor Dr. Hugh C. Bailey an exceptional citizen from Valdosta, Georgia, on his retirement as President of Valdosta State University.

Dr. Hugh Bailey was first appointed president of Valdosta State University in 1978 and has served admirably for twenty-two years. As a long time educator, Dr. Bailey is currently a member of the American History Association, American Red Cross, the South Georgia Chamber of Commerce, the Georgia Council on Economic Education and has served as the national president of Pi Gamma Mu.

Dr. Bailey was born in Berry, Alabama, and earned his master's and doctoral degrees from the University of Alabama. Furthermore, Dr. Bailey presided over the transformation of Valdosta State College into Valdosta State University and he oversaw the growing of Valdosta State University to be one of Georgia's two regional universities. I am very proud that my daughter, Liza, was in the second of Dr. Bailey's Valdosta State Universities graduating classes.

Mr. Speaker, I am proud to recognize Dr. Bailey for his dedication to the future of our young people. He is an extraordinary citizen, and I am proud of his achievements and accomplishments, which have done so much to improve the lives of so many people in the Valdosta community and throughout Georgia. Dr. Bailey is a very good personal friend and I salute him for his dedicated service to the field of public education in our great state.

Mr. OWENS. Mr. Speaker, the words of William Shakespeare's King Lear are ringing loudly in the ears of many Americans: "Fool me not to bear it tamely; touch me with noble anger." The old trusting king had just been grossly betrayed by two of his daughters. Collectively this nation has reason for an anger comparable to that of King Lear. In America the democratic process has just been mugged by the U.S. Supreme Court. As loyal citizens we must obey any decision of the court. But we are not required to refrain ourselves from vomiting. Thomas Friedman, on the New York Times Op-Ed page (December 15, 2000) provides a summary of the Supreme Court's election "fix" which is as accurate as any that I have seen thus far: "... The five conservative justices essentially ruled that the sanctity of dates, even meaningless ones, mattered more than the sanctity of votes, even meaningful ones. The Rehnquist court now has its legacy: In calendars we trust."

So much was outrageous about this blatantly partisan decision that it would be unpatriotic if we fail to keep the review and scrutiny of all the factors surrounding this decree alive and active. It is our duty to be conciliatory in going forward with the governance of the nation. It is also our duty to support the peoples "noble anger". I submit that the following RAP poem is one of many literary missiles that should be fired at this evil dragon decision into the CONGRESSIONAL RECORD.

The Florida mob just made a hit—American Democracy mugged! Scalia was the bulldog in the pit.

Call 911, FBI, the CIA, Priceless voting rights, just been snatched away; By robbers wrapped in fine black robes; de- nat nations must now launch probes.

Achtung! Now hear this! Attack bulldog Scalia, Unarmed but dangerous; Beware of his tenacious bite, Any good patriots got assaulted.

Tell your kids about the Supreme Court, at supper before they eat; Don't let young minds discover, Obscene decisions out in plain sight.

Our voices were precious gems, Won with faith and sacred hymns.

Call 911, FBI, the CIA, Priceless voting rights, just been snatched away.

American Democracy mugged!
HIGHLIGHTS

Senate and House agreed to H.J. Res. 133, Continuing Resolution.
Senate and House agreed to the Conference Report on H.R. 4577, Consolidated Appropriations.
Second Session of the 106th Congress Adjourned Sine Die.

Senate

Chamber Action

Routine Proceedings, pages S11807–S11943

Measures Introduced: Eight bills and seven resolutions were introduced, as follows: S. 3280–3287, S. Res. 388–393, and S. Con. Res. 162.

Measures Reported:

Report to accompany S. 2508, A bill to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, and for other purposes. (S. Rept. No. 106–513).

Measures Passed:

Lincoln Highway Study Act: Senate passed H.R. 2570, to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, clearing the measure for the President.

Dillonwood Giant Sequoia Park Expansion Act: Senate passed H.R. 4020, to authorize the addition of land to Sequoia National Park, after agreeing to the following amendment proposed thereto:

Domenici (for Murkowski) Amendment No. 4365, in the nature of a substitute.

Adjournment Resolution: Senate agreed to H. Con. Res. 446, providing for the sine die adjournment of the second session of the One Hundred Sixth Congress.

medal for public safety officers who act with extraordinary valor above and beyond the call of duty, to enhance computer crime enforcement and Internet security, and the bill was then passed, after agreeing to the following amendment proposed thereto:

**Stevens (for Hatch) Amendment No. 4366, in the nature of a substitute.**

**Technical Corrections:** Committee on the Judiciary was discharged from further consideration of S. 3276, to make technical corrections to the College Scholarship Fraud Prevention Act of 2000 and certain amendments made by that Act, and the bill was then passed.

**Multiple Sclerosis Awareness:** Senate agreed to H. Con. Res. 271, expressing the support of Congress for activities to increase public awareness of multiple sclerosis.

**Hawaiian National Park Language Correction Act:** Senate passed S. 939, to correct spelling errors in the statutory designations of Hawaiian National Parks, after agreeing to committee amendments, and the following amendment proposed thereto:

**Stevens (for Murkowski) Amendment No. 4367, to add provisions authorizing the Secretary of the Interior to conduct a theme study on the Peopling of America, and to provide further protections for the watershed of the Little Sandy River in Oregon.**

**Lake Tahoe Basin Land Conveyance:** Senate passed H.R. 4656, to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site, clearing the measure for the President.

**Jamestown 400th Commemoration Commission Act:** Senate passed H.R. 4907, to establish the Jamestown 400th Commemoration Commission, clearing the measure for the President.

**Guam/Mariana Islands Time Zone Establishment:** Senate passed H.R. 3756, to establish a standard time zone for Guam and the Commonwealth of the Northern Mariana Islands, clearing the measure for the President.

**Federal Physicians Comparability Allowance Amendments:** Senate passed H.R. 207, to amend title 5, United States Code, to make permanent the authority under which comparability allowances may be paid to Government physicians, and to provide that such allowances be treated as part of basic pay for retirement purposes, clearing the measure for the President.

**Commemorating Gwendolyn Brooks:** Senate agreed to S. Res. 393, commemorating the life of Gwendolyn Brooks of Chicago, Illinois, poet laureate of Illinois since 1968.

**Installment Tax Correction Act:** Senate passed H.R. 3594, to repeal the modification of the installment method, clearing the measure for the President.

**Computer Crime Enforcement Act:** Senate passed H.R. 2816, to establish a grant program to assist State and local law enforcement in deterring, investigating, and prosecuting computer crimes, clearing the measure for the President.

**Consolidated Appropriations:** Senate agreed to the conference report on H.R. 4577, making consolidated appropriations for fiscal year ending September 30, 2001.

**California Trail Interpretive Act:** Senate concurred in the amendments of the House to S. 2749, to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the setting of the western portion of the United States, clearing the measure for the President.

**Lower Rio Grande Valley Water Resources Conservation and Improvement Act:** Senate concurred in the amendment of the House to S. 1761, to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley, clearing the measure for the President.

**Appointments:**

**Advisory Committee on Forest Counties Payments:** The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–291, announced the appointment of the following individuals to the Advisory Committee on Forest Counties Payments: Tim Creal, of South Dakota, and Doug Robertson, of Oregon.
the President of the Senate, the President of the Senate pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Nominations Confirmed: Senate confirmed the following nominations:

David W. Ogden, of Virginia, to be an Assistant Attorney General.

Randolph D. Moss, of Maryland, to be an Assistant Attorney General.

Eric D. Eberhard, of Washington, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship & Excellence in National Environmental Policy Foundation for a term expiring October 6, 2002.

Luis J. LaReado, of Florida, to be Permanent Representative of the United States to the Organization of American States, with the rank of Ambassador.

Rust Macpherson Deming, of Maryland, to be Ambassador to the Republic of Tunisia.

Ronald D. Godard, of Texas, to be Ambassador to the Co-operative Republic of Guyana.

Michael J. Senko, of the District of Columbia, to be Ambassador to the Republic of Marshall Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati.

Howard Franklin Jeter, of South Carolina, to be Ambassador to the Republic of Nigeria.

Loretta E. Lynch, of New York, to be United States Attorney for the Eastern District of New York for the term of four years vice Zachary W. Carter, resigned.

Daniel Marcus, of Maryland, to be Associate Attorney General.

Lawrence George Rossin, of California, to be Ambassador to the Republic of Croatia.

Arthur C. Campbell, of Tennessee, to be Assistant Secretary of Commerce for Economic Development. (New Position)

Ella Wong-Rusinko, of Virginia, to be Alternate Federal Cochairman of the Appalachian Regional Commission.

Gordon S. Heddell, of Virginia, to be Inspector General, Department of Labor.

Barbara W. Snelling, of Vermont, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001.

Brian Dean Curran, of Florida, to be Ambassador to the Republic of Haiti.

Mark D. Gearan, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term of two years. (New Position)

Barry Edward Carter, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

Mark S. Wrighton, of Missouri, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2006.

Glenn A. Fine, of Maryland, to be Inspector General, Department of Justice.

Robert S. LaRussa, of Maryland, to be Under Secretary of Commerce for International Trade.

Marc E. Leland, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2003.

Harriet M. Zimmerman, of Florida, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2003. (Reappointment)

Donald J. Sutherland, of New York, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2002. (Reappointment)

Lisa Gayle Ross, of the District of Columbia, to be an Assistant Secretary of the Treasury.

Lisa Gayle Ross, of the District of Columbia, to be Chief Financial Officer, Department of the Treasury.

Holly J. Burkhalter, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001.

Richard A. Boucher, of Maryland, to be an Assistant Secretary of State (Public Affairs), vice James P. Rubin.

Ruth Martha Thomas, of the District of Columbia, to be a Deputy Under Secretary of the Treasury.

Everett L. Mosley, of Virginia, to be Inspector General, Agency for International Development.

Marjory E. Searing, of Maryland, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Leslie Beth Kramerich, of Virginia, to be an Assistant Secretary of Labor.

Seymour Martin Lipset, of Virginia, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

Frederick G. Slabach, of California, to be a Member of the Board of Trustees of the Harry S Truman...
Scholarship Foundation for a term expiring December 10, 2005.

Michael Prescott Goldwater, of Arizona, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2005.

Betty F. Bumpers, of Arkansas, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001. (New Position)

Betty F. Bumpers, of Arkansas, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2005. (Reappointment)

Barbara W. Snelling, of Vermont, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2005. (Reappointment)

Holly J. Burkhalter, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2005. (Reappointment)

John M. Reich, of Virginia, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years.

Mora L. McLean, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001. (Reappointment)

Mora L. McLean, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2005. (Reappointment)

Claude A. Allen, of Virginia, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2005.

Willie Grace Campbell, of California, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2005. (Reappointment)

Maria Otero, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2003.

Routine lists in the Foreign Service.

Nominations Received: Senate received the following nominations:

Islam A. Siddiqui, of California, to be Under Secretary of Agriculture for Marketing and Regulatory Programs.

Edwin A. Levine, of Florida, to be an Assistant Administrator of the Environmental Protection Agency.

Sarah McCracken Fox, of New York, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2005.

Julie E. Samuels, of Virginia, to be Director of the National Institute of Justice.

Nominations Withdrawn: Senate received notification of the withdrawal of the following nomination:

Stuart E. Weisberg, of Maryland, to be a Member of the Occupational Safety and Health Review Commission, which was sent to the Senate on February 3, 2000.

Stuart E. Weisberg, of Maryland, to be a Member of the Occupational Safety and Health Review Commission, which was sent to the Senate on February 3, 2000, which was sent to the Senate on May 11, 1999.

Messages From the House:

Communications:

Petitions:

Statements on Introduced Bills:

Additional Cosponsors:

Amendments Submitted:

Additional Statements:

Adjournment Sine Die: Senate met at 12 noon, and, in accordance with H. Con. Res. 446, adjourned sine die at 8:03 p.m. until 12 noon, on Wednesday, January 3, 2001.

Committee Meetings

No committee meetings were held.
House of Representatives

Chamber Action

Bills Introduced: 16 public bills, H.R. 5666–5681; and 6 resolutions, H. Con. Res. 446–447, and H. Res. 677–680 were introduced. Pages H1231–32

Reports Filed: Reports were filed today as follows:


Suspension—Installment Tax Correction Act of 2000: The House agreed to suspend the rules and pass H.R. 3594, to repeal the modification of the installment method. Pages H12097–H12100

Recess: The House recessed at 10:25 a.m. and reconvened at 4:47 p.m. Page H12100

Sine Die Adjournment of the Second Session of the One Hundred Sixth Session: The House agreed to H. Con. Res. 446, providing for the sine die adjournment of the second session of the One Hundred Sixth Congress. Page H12441

Making Further Continuing Appropriations: The House passed H.J. Res. 133, making further continuing appropriations for the fiscal year 2001. Earlier, agreed by unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution to the end that the joint resolution be hereby passed; and that a motion to reconsider be hereby laid on the table. Page H12441

Consolidated Appropriations Act, 2001: The House agreed to the conference report on H.R. 4577, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001 by a yea and nay vote of 292 yea's to 60 nays, Roll No. 603. Pages H12100–H12439, H12442–H12502

The conference report was considered pursuant to a unanimous consent request made earlier by Chairman Young of Florida. Pages H12441–42

Enrollment Correction: The House agreed to S. Con. Res. 162, to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577, Consolidated Appropriations Act, 2001. Page H12529


Committee to Notify the President: The House agreed to H. Res. 679, providing for a committee of two Members to be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them. Subsequently, the Chair announced the appointment of Representatives Armey and Gephardt to the committee. Page H12503

Resignations—Appointments: Agreed that notwithstanding any adjournment of the House until Monday, December 4, 2000, the Speaker, Majority Leader and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. Page H12503

Extension of Remarks—Chairmen and Ranking Members: Agreed that the Chairman and Ranking Minority Member of each standing committee and each subcommittee be permitted to extend their remarks in the record, up to and including the record’s last publication, and to include a summary of the work of that committee or subcommittee. Page H12503

Extension of Remarks: Agreed that Members may have until publication of the last edition of the Congressional Record authorized for the second session by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the second session sine die. Page H12503

Expressing Support for President-Elect Bush: The House agreed to H. Res. 677, expressing the commitment of the Members of the House of Representatives to fostering a productive and collegial partnership with the 43rd President. Pages H12503–04
Speaker pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the second session of the One Hundred Sixth Congress.

Malaria Control: Agreed to the Senate amendment to the House amendments to S. 2943, to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis clearing the measure for the President.

Annual Day of Peace and Sharing: The House agreed to S. Con. Res. 138, expressing the sense of Congress that a day of peace and sharing should be established at the beginning of each year.

American POW Slave Labor in Japan During World War II: The House agreed to S. Con. Res. 158, expressing the sense of Congress regarding appropriate actions of the United States Government to facilitate the settlement of claims of former members of the Armed Forces against Japanese companies that profited from the slave labor that those personnel were forced to perform for those companies as prisoners of war of Japan during World War II.

Computer Crime Grant Program: The House passed H.R. 2816, to establish a grant program to assist State and local law enforcement in deterring, investigating, and prosecuting computer crimes. Agreed to the amendment offered by Representative McCollum.

AMVETS Charter Amendment: The House passed H.R. 604, to amend the charter of the AMVETS organization. Agreed to the amendment offered by Representative McCollum.

Internet False Identification Protection: The House passed S. 2924, to strengthen the enforcement of Federal statutes relating to false identification. Agreed to the amendment in the nature of a substitute offered by Representative McCollum.

Multidistrict Litigation: The House passed H.R. 5562, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial. Agreed to the amendment offered by Representative McCollum.

Dillonwood Giant Sequoia Grove: Agreed to the Senate amendment to H.R. 4020, to authorize an expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove—clearing the measure for the President.

Wolf Trap National Park for the Performing Arts: The House passed H.R. 2049, to rename Wolf Trap Farm Park for the Performing Arts as “Wolf Trap National Park for the Performing Arts.” Agreed to the amendment in the nature of a substitute offered by Representative Radanovich.


Support for Mentoring Programs: The House agreed to H. Res. 552, urging the House to support mentoring programs such as Saturday Academy at the Oregon Graduate Institute of Science and Technology. Agreed to the amendments offered by Representative Goodling to the text and preamble. Agreed to amend the title.

Pat King Post Office Building, Long Branch, New Jersey: The House passed H.R. 3488, to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the “Pat King Post Office Building.”

Resolutions Laid on the Table: Agreed that H. Res. 674, 675, and 676 be laid on the table.

National Moment of Remembrance: The House passed S. 3181, to establish the White House Commission on the National Moment of Remembrance—clearing the measure for the President.

Commending Army Nurse Corps: The House agreed to H. Res. 476, commending the present Army Nurse Corps for extending equal opportunities to men and women, and recognizing the brave and honorable service during and before 1955 of men who served as Army hospital corpsmen and women who served in the Army Nurse Corps.

Honoring Members of the Marine Corps who died on December 12: The House agreed to H. Res. 673, honoring the four members of the United States Marine Corps who died on December 11,
2000, and extending the condolences of the House of Representatives on their deaths. Pages H12520–21

Senate Messages: Messages received from the Senate today appear on pages H12502, H12503, H12528–29.

Re-referrals: H.R. 420 and H.R. 4694 were re-referred to the Committee on the budget and H.R. 167 was re-referred to the Committee on the Budget and in addition, the Committee on Ways and Means.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of the House today. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 8:41 p.m., in accordance with the provisions of H. Con. Res. 446, the Second Session of the One Hundred Sixth Congress adjourned sine die.

Committee Meetings

No committee meetings were held.
Extensions of Remarks, as inserted in this issue

DeLay, Tom, Tex., E 2233
Ehrlich, Robert L., Jr., Md., E 2228
Gekas, George W., Pa., E 2236
Gilman, Benjamin A., N.Y., E 2208, E 2217
Graham, Lindsey O., S.C., E 2232
Green, Mark, Wisc., E 2214
Hall, Ralph M., Tex., E 2233, E 2234
Hilleary, Van, Tenn., E 2226
Holt, Rush, D., N.J., E 2228
Hoyer, Steny H., Md., E 2224
J ohnson, Eddie Bernice, Tex., E 2218
Kaptur, Marcy, Ohio, E 2220, E 2238
Kasich, J ohn R., Ohio, E 2215
Kind, Ron, Wisc., E 2231
Knollenberg, J oey, Mich., E 2237
Lantos, Tom, Calif., E 2234
Leach, J ames A., Iowa, E 2216
Lee, Barbara, Calif., E 2217
Lewin, Sander M., Mich., E 2237
McCarthy, Karen, Mo., E 2234
McCollum, Bill, Fla., E 2236
McIntyre, Mike, N.C., E 2233
Markey, Edward J., Mass., E 2237
Menendez, Robert N., J ., E 2236
Mink, Patsy T., Hawaii, E 2229
Owens, Major R., N.Y., E 2238
Pascrell, Bill, J ., N.J., E 2220, E 2212, E 2213
Pelosi, Nancy, Calif., E 2228
Rangel, Charles B., N.Y., E 2235
Rothman, Steven R., N.J., E 2219
Roybal-Allard, Lucille, Calif., E 2217
Salmon, Matt, Ariz., E 2224
Sanchez, Loretta, Calif., E 2221
Smith, Christopher H., N.J., E 2216
Spence, Floyd S., C., E 2218
Stupak, Bart, Mich., E 2215
Upton, Fred, Mich., E 2229
Walden, Greg, Ore., E 2226
Walsh, James T., N.Y., E 2213
Watkins, Wes, Okla., E 2216
Waxman, Henry A., Calif., E 2207, E 2210
Wolf, Frank R., Va., E 2206
Wu, David, Ore., E 2229

The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶ Public access to the Congressional Record is available online through GPO Access, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512-1661; type swais, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512-1661; type swais, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512-1661; type swais, then login as guest (no password required).