House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

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

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

PRAYER
The Reverend Whit W. Grace, First United Methodist Church, Long Beach, Mississippi offered the following prayer:

Mr. Speaker, Members of the House of Representatives, and honored guests, let us take this moment to bow for a moment of prayer.

Almighty Father, Wonderful Counselor, we come to You this morning as mere people whom You have chosen to be Your vessel in this place of power. We come from different backgrounds and different places, yet we are joined together for a united goal. This goal will allow You to lead our Nation in a way which will bring a sense of opportunity to each one of our citizens.

The work which we do in this Chamber will affect the lives of people we may never see. O God, would that You bless us and enlarge our horizons, that Your hand might be with us, and that You may keep us from hurt and harm.

And at the end of this day, allow all thoughts and all work not to be pleasing to parties or certain groups, but pleasing to You, Almighty Father. Amen.

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. BALLINGER) come forward and lead the House in the Pledge of Allegiance.

Mr. BALLINGER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore. The Chair announces there will be five 1 minute and to revise and extend his remarks.

Mr. TAYLOR, Mr. Speaker, today we are privileged to have been joined in the House by Reverend Whit Grace, who is the pastor of the First United Methodist Church in Long Beach, Mississippi.

I have to confess it was not until I was elected to Congress that I fully appreciated just how tough a job our priests and preachers and rabbis and ministers have.

See, Mr. Speaker, I have discovered that when something goes wrong, the local Congressmen usually are the second or the third call. The first call is to the local priest or the preacher and minister. It has to be an incredibly tough job when all you do is hear someone has gotten in trouble with the law or someone is ill or someone has just died or someone is near death.

So, Reverend, for what you do and for what all of our priests and preachers do on a daily basis, to listen to our problems and to help as best as you can, to ask for divine intervention, I want to thank you, and I want to thank everyone who chose to serve our Nation in the ministry.

YUCCA MOUNTAIN DOES NOT SOLVE THE ENERGY CRISIS
(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, we need to address the energy crisis in our Nation; however, before this country can embrace increases in nuclear energy production, we need to solve the problem of what to do with the high level nuclear waste.

Because burying it in Yucca Mountain, an area already rocked by earthquakes on a regular basis, is not the answer.

() This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.
Studies have shown that a repository site at Yucca Mountain is at least 10 times more prone to earthquakes and lava flows than government scientists previously estimated. Nevada ranks third in the Nation for earthquake activity, experiencing over 650 earthquakes in the last 20 years; that means with over 30 earthquakes a year alone in this area.

Clearly, Yucca Mountain is one of the worst places to store the deadlier material ever created by man.

Mr. Speaker, we need to find a solution to the energy crisis, but we need to base it on true science and not misinformation and conjecture.

The DOE plans to buy nuclear waste in Yucca Mountain is not only misguided but immeasurably dangerous for all Americans.

TRIBUTE TO PASTOR JO ANN LONG

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

Mr. RUSH. Mr. Speaker, I rise today to salute Pastor Jo Ann Long as she celebrates her ministerial anniversary of 30 years. She is the founder and pastor of the New Covenant Life Church located in the heart of my district.

As a young woman, Pastor Jo Ann was called to the gospel ministry. Since 1962, she has remained a dedicated and dynamic leader.

Over the years, her ministry has taken her all over the world as she served in almost every position within the Church of God and Christ.

Drawing on both professional and personal experiences, Pastor Jo Ann identifies with the issues and needs of women, children and youth. Most of her work has been ministering to these same people.

In addition to serving as pastor, teacher, and mentor, Pastor Jo Ann is a respected and renowned voice on the radio and television. Seizing on every God-opportunity to positively impact a life, she began her radio ministry some 20 years ago. Tirelessly, she has hosted a number of pastoral counseling programs and has undoubtedly brought spiritual, mental, and emotional healing to thousands of listeners and viewers in the Midwest.

Today, together with the assistance of the flock at the New Covenant Life Church, Pastor Jo Ann holds various uplifting forums, sponsors informative workshops, and runs several community-based organizations.

Mr. Speaker, I ask my colleagues today to join me in saluting a woman of vision with a mission and holistic gospel ministry, Pastor Jo Ann Long.

NO CHILD LEFT BEHIND ACT REWARDS PROGRESS, CORRECTS FAILURE

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

Mr. BALLENGER. Mr. Speaker, the overarching goal of H.R. 1, the No Child Left Behind Act, is to narrow the achievement gap between disadvantaged students and their more affluent peers. The bill takes a two-track approach, expanding flexibility for States and local school districts while holding them strictly accountable for increasing student achievement.

The No Child Left Behind plan will tie Federal funding to results for the first time in the Elementary and Secondary Education Act that was enacted in 1965. Since then, the Federal Government has spent more than $130 billion, including more than $80 billion in the last 10 years, and created more than 50 programs on the landmark Title I program to close the achievement gap between disadvantaged students and their more affluent peers.

Today the gap remains wide, and in some cases it is getting wider. We cannot keep perpetuating a system that accepts such mediocrity, not at the expense of our least fortunate children.

One feature of accountability in H.R. 1 is a plan to help low performing schools, a designation that will be made by the States, to improve their performance. The bill increases the set-asides for States’ school improvement funding to 5 percent.

Let us please support the No Child Left Behind bill.

ANOTHER ATTACK ON SCHOOL PRAYER

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

Mr. TRAFICANT. Mr. Speaker, another attack on school prayer, this time at the Virginia Military Institute. For 157 years, VMA students said a prayer before dinner; not anymore.

Presenting two minds, two students stated it was unconstitutional. Unbelievable. Schools without prayer, schools without God. And what really frosts my pumpkin, experts around the country say it has solved the problem.

Congress should give them more money. Beam me up. Schools do not need more money; schools can use God. I yield back all the guns, drugs, murder and rape in our schools. And I ask what is next, church without prayer?

VOTE YES ON H.R. 1, NO CHILD LEFT BEHIND ACT

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

Mr. KELLER. Mr. Speaker, I rise today as an original cosponsor and strong supporter of the No Child Left Behind Act.

Mr. Speaker, I say to my colleagues, let me be crystal clear, this act does three things. First, we invest $5 billion in reading for children in grades K through 2. The reason is, 70 percent of the fourth graders in our inner city schools cannot read. We must address this issue head on.

Second, we measure the performance of each child in grades 3 through 8. Why? We do not want to have a situation where a child falls through the cracks and goes to college where he cannot read. We want to measure that performance and fix it. Again, we are addressing that issue head on.

Third, and for those children trapped in a failing school or unsafe schools, they will have a safety valve in the form of immediate public school choice.

This is a good bill that will make a meaningful difference in the lives of young children.

Mr. Speaker, I ask my colleagues to vote yes on H.R. 1 this week.

CLEANING UP AFTER THE CLINTON-GORE ADMINISTRATION

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

Mr. STEARNS. Mr. Speaker, the Bush administration has been in office less than 100 days, and they are unveiling a comprehensive energy policy. The Clinton-Gore administration was in office 8 years and provided this country with a comprehensive energy crisis.

The energy issue is not about a clean environment, it is about developing a policy. The administration had 8 long years to provide this country with a coherent energy policy and they did not.

Clinton-Gore Energy Secretary Bill Richardson said it best when he admitted that the Clinton-Gore administration had been caught napping on energy policy. Mr. Speaker, now this country is waking up to the nightmare of a full-blown energy crisis, complete with blackouts and high gas prices as a result.

The Clinton-Gore administration had no policy for 8 years. The Bush-Cheney administration now has one within 100 days.

LOOKING AT ISSUES REGARDING ENERGY POLICY

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

Mr. SMITH of Michigan. Mr. Speaker, tomorrow the President is going to announce this administration’s energy policy. I say Bravo. For the last 8 years, like the gentleman from Florida (Mr. STEARNS) mentioned, we have not had an energy policy except close to the election, former President Clinton released some of the strategic oil reserves. Of course, that only made a short-term difference. Petroleum imports over the last 8 years have risen from 50 percent of our need to 58 percent.

We are now faced with a dramatic and challenging future as we try to reduce our dependence on imported oil,
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especially from OPEC. So the opportunity to look at some of the other oil-producing countries in the world is something we must pursue. But even more than that, as chairman of the Subcommittee on Research, we must look at renewable and alternative sources of energy including clean coal technology.

We must push for the kind of research necessary to increase efficiency and conservation in this country. I think also it is time to review President Bush’s increase of 4.3 cents on the gas tax that he implanted in 1993 to be a temporary measure for deficit reduction. The balanced budget is accomplished; let us discontinue that tax increase even if we maintain the Highway Trust Fund.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the pending business is the question of agreeing to the Speaker’s approval of the Journal of the last day’s business.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 348, nays 53, answered “present” 1, not voting 29, as follows:

[Roll No. 114]

JEANS—348

ABERCOMBIE OF Hawaii (for himself and Mr. HERSEY), Mr. Speaker, yesterday the first vote was rollcall vote 109.

Amendment No. 4 offered by Mr. HYDE:

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1646.

So the Journal was approved.

PERSONAL EXPLANATION

Mr. STUPAK. Mr. Speaker, yesterday the first vote was rollcall vote 109. It was on H.R. 1696, calling for the World War II memorial to be expeditiously built on the Mall in Washington, D.C. I arrived late for the vote, as I was in a meeting. I was under the impression that the first vote was approving the journal; thus I voted no. Had I realized the vote was calling for the World War II memorial being expeditiously built on the Mall, I would have voted yes. I ask the RECORD reflect how I wish to have voted on the World War II memorial on rollcall vote 109, H.R. 1696.

FOREIGN RELATIONS AUTHORIZA-
TION ACT, FISCAL YEARS 2002

The SPEAKER pro tempore (Mr. GUTENKEIT). Pursuant to House Resolution 138 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1646.

ACCORDINGLY, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, with Mr. LAHODA in the chair.

The Clerk read the title of the bill. The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 107–62.

Mr. NYLLES. Mr. Speaker, I offer an amendment made in order by the rule.

The CHAIRMAN. The Clerk will designate the amendment. The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HYDE:
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Page 27, strike line 9 and all that follows through line 2 on page 30.

The CHAIRMAN. Pursuant to House Resolution 138, the gentleman from Illinois (Mr. HYDE) and a Member opposed, the gentleman from California (Mr. LANTOS) each will control 30 minutes.

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

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

I rise in strong support of the Hyde-Barcia-Smith-Oberstar amendment. This amendment will greatly improve the bill by deleting a provision that would require the United States to subsidize abortionists and abortion lobbyists in foreign countries. That provision was adopted by a very close vote in committee; and it would overturn President Bush’s benign and sensible policy, the Mexico City policy as it is called, that puts a wall of separation between U.S. family planning programs and the international abortion industry. Taxpayer dollars should not be used to export abortions.

Mr. Chairman, opponents of our amendment have had some harsh and misleading things to say about the Mexico City policy. First, they say, without any evidence, that it is an anti-family planning policy; yet the Mexico City policy does not cut by one penny the $425 million the United States spends every year promoting family planning overseas. And the Mexico City policy strengthens family planning programs by ensuring that U.S. funds are directed to groups that provide genuine family planning, which is something entirely distinct from abortion.

The proponents of the Mexico City policy like to call it a gag rule. They say it violates the right of free speech, although a Federal appellate court has held it is fully consistent with the first amendment. If one says, as I do, that it is a bookkeeping trick, itigor deo
ing grantees should be allowed to perform and promote abortion so long as the abortion-related activities are carried out with their own money rather than U.S. grant money. This is nothing other than a bookkeeping trick. It ignores the fact that money is fungible.

When money is given to an organization, it inevitably enriches and empowers all its activities. Therefore, U.S. support also enhances the domestic and the international prestige of the organization by giving it an official U.S. seal of approval. And remember, the people we are trying to reach, poor women and men who have need for family planning, are not very likely to see the difference, so they do not know which activities are funded from which spigot. So when the very same organization offers U.S. family planning assistance with one hand and abortion assistance with the other, the message is the United States and its partners are perfectly comfortable with abortion as a method of family planning.

The most outrageous claim made by proponents of the amendment, and this is a brand new one, as far as I can remember they have never claimed this in more than 20 years of debate about this Mexico City policy, is that it will interfere with efforts to address the HIV-AIDS epidemic. This claim is outrageously false. For one thing, the United States currently spends over 1⁄2 of a billion dollars per year on fighting AIDS, $482.5 million in direct U.S. expenditures in fiscal year 2001, plus millions more in contributions to organizations such as the World Health Organization and UNDP, part of which funds anti-AIDS programs.

The President’s Mexico City Policy has absolutely no application to this half-billion dollars. It only applies to population assistance which is a different set of accounts from HIV/AIDS programs.

The proponents of the Lee amendment argue that population assistance has an incidental effect of reducing exposure to the HIV virus because part of the same money can be used to pay for devices which may prevent infection. This argument misses the whole point of the Mexico City policy. The same identical amount of money will be available for contraceptive devices with or without the Mexico City policy. The same number of contraceptives will be available for distribution. The only difference is whether we hire abortionists or non-abortionists to distribute them.

There have always been plenty of organizations willing to administer U.S. programs around the world that are very good that are in the business of family planning, not abortion.

The claim that Members have to oppose the President’s pro-life policy in order to support efforts to eradicate AIDS is total nonsense.

Mr. Chairman, I remind my colleagues, this amendment would make it clear that abortion decisions are to be made by the women and men in the United States and the United States policy will not make those decisions.

When this bill was originally introduced, it said nothing at all about abortion. It was a foreign relations authorization bill, pure and simple. Unfortunately, supporters of an international right to abortion decided to use this bill as a vehicle for their attack on the President’s authority in this area.

So a vote for our amendment is a vote to restore the bill to its original abortion-neutral position. A “yes” vote will simply uphold the authority of the President to set reasonable terms and conditions on the distribution of U.S. foreign aid as the courts have held he has the power to do.

I urge my colleagues to vote “yes” on the Hyde-Barcia-Smith-Oberstar amendment.

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

Ms. LEE. Mr. Chairman, I rise in strong opposition to this amendment because I believe strongly that we must maintain our support for democracy, free speech, and human rights globally.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), our lead speaker.

Ms. LEE. Mr. Chairman, I rise in strong opposition to the Hyde-Smith amendment which will overturn the pro-family planning language that the Committee on International Relations and the House have included in a bipartisan vote of 26-22, and I want to thank the gentleman from California (Mr. LANTOS), the ranking member, for his tremendous leadership.

Mr. Chairman, I wanted to begin first by asking Members to put themselves in the shoes of someone who will be affected if we reinstate the dangerous gag rule with the Hyde-Smith amendment.

Imagine being a 20-year-old woman living on $300 per year in Africa, and going to the only health clinic hundreds of miles from home to try to get family planning counseling, and being denied access to the truly lifesaving information needed to decide when to have children or how to prevent HIV and AIDS. The use of condoms and information about sexually transmitted diseases is essential in preventing AIDS. Also, this is central to family planning counseling. We will be compromising the health and the lives of millions of women and children and especially those in developing nations, who want and need to plan their families, if this Hyde-Smith amendment passes.
Mr. Chairman, I ask my colleagues what they oppose about the current language in the bill. Do they not support access to family planning which is proven to reduce the number of abortions? Do they not support access to HIV-AIDS prevention and treatment which could be eliminated at clinics under this amendment? Do they not support free speech and medical ethics and allowing health care providers in other nations to give complete information to their patients, as is the law in their country?

Mr. Chairman, I want to remind my colleagues that not one penny of United States funds can go to providing abortions overseas as per the 1973 Helms amendment. The law states, and I have the law right here, the law states, “None of the funds made available to carry out subchapter I of this chapter may be used for the performance of abortions as a method of family planning or to motivate or coercive family practice abortions.” This has been law since 1973.

Mr. Chairman, I urge a “no” vote on the dangerous Hyde-Smith amendment which will put the lives of millions of women and children at risk.

Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise to express strong support for the Hyde-Barcia-Smith amendment. When President Bush took office, he reinstated the Mexico City policy. This policy does not reduce by one penny the $425 million allocated for population assistance. In fact, the U.S. does not reduce the amount of money we receive from organizations that violate the Mexico City policy, an amendment to reinstate Ronald Reagan’s executive order prohibiting American taxpayer dollars to go to groups which violate foreign abortion laws.

Mr. Chairman, clearly, by claiming that organizations performing abortions and receiving funds for lobbying activities are not using Federal funds in support of abortion is to engage in a shell game. Currently 100 countries restrict abortion, and it should not be the policy of the United States to undermine others. The Clinton Administration opposed the Mexico City policy as anti-family. Yet their objections to this policy have nothing to do with families. This current attempt to repeal President Bush’s executive order banning U.S. Government aid for U.S. and foreign contraception groups that help provide the global movement’s support will be another disturbing sign of the pro-abortion movement’s contempt for the vast majority of Americans who oppose the spending of their tax dollars on abortions. The President’s executive order protects the desires of millions of Americans who ethically and morally oppose Federal funding of abortion. The current misconception being spread that the Mexico City policy hurts family planning efforts overseas is simply not true. This measure will strip from this bill the provisions that are going to try to over-turn pro-life laws in foreign countries, the provisions which the Mexico City policy positively affects.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).
Mexico City policy increases family planning.

From 1984 to 1993, when the Mexico City policy was in effect, U.S. family planning spending increased dramatically. This year, funding for U.S. international family planning is $425 million, and reimplementation of the Mexico City policy will not reduce this.

The only change that will take place under the Mexico City policy is that funding will be provided through representatives who are not in the abortion business.

Mr. Chairman, abortion is not needed for family planning, and we must respect the views of millions of Americans who do not want their tax dollars spent overseas to promote abortion. The Mexico City policy continues family planning funding while respecting the views of millions who cherish life and oppose abortion.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KIRK), my distinguished Republican colleague.

Mr. KIRK. Mr. Chairman, I reluctantly rise today to urge my colleagues to oppose this amendment. Recent research shows that voluntary family planning reduces abortion. Two separate studies, one by the RAND Corporation in Bangladesh and one by Princeton demographers in Kazakhstan, show the same conclusion: Abortion rates fall when contraception is prevalent.

Mr. Chairman, across the former Soviet Union, abortion was the principal method of birth control under Communism. Princeton University studied Kazakhstan through the 1990s, looking at the effect of increased access to voluntary family planning. The results are clear. Contraceptive prevalence increased by 50 percent since the beginning of 1990 while abortion decreased by the same amount.

“The proposition that the occurrence of abortions can be reduced by increases in the use of contraception has been demonstrated again in the analysis of the 1990 Kazakhstan Demographic and Health Survey,” said Charlie Westoff, Princeton University’s demographer.

This amendment will not reduce abortion but the real way to reduce abortion is to increase voluntary family planning.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, today as we consider a bill to authorize funding for foreign relations, I find it puzzling that some of my colleagues would wish to include language to repeal President Bush’s Mexico City policy. The issue of abortion as a method of family planning is one of the most divisive and controversial that we face as a Nation. Why should we be thrust into that debate in other countries?

President Bush was right to remove the United States from promoting abortions in developing nations. After all, abortion is legal only in a fraction of these countries. Those who want American taxpayers to fund abortions overseas should consider the destructive impression that it gives others about the United States. As a Nation, the image we project to the rest of the world should be one of life, health, and hope.

The Mexico City policy allows the U.S. to support overseas family planning programs without tying those dollars to support for abortion. If my colleagues support President Bush’s Mexico City policy.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to my good friend, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong opposition. First and foremost this is not about abortion. It is about women dying to the tune of 660,000 a year. That is equal to one or two jumbo jets crashing each day. And it is about saving women’s lives. Since 1973, no U.S. Federal funds have been or are used for abortions around the world. During the time that we are debating this amendment, 65 women will die from pregnancy-related complications.

The global gag rule restricts foreign NGOs from using their own funds. In America, this language would be unconstitutional. It is unconscionable that we would impose it on the world’s poorest women. The global gag rule is enough to make you gag. The rule puts the U.S. in the position of deciding what speech is acceptable and what speech is unacceptable.

Current Mexico City policy is not abortion neutral. Organizations receiving U.S. funds can use their own money to lobby against abortion but cannot use their own money to lobby to make abortion legal. Vote no on this amendment.

Mr. Chairman, as a supporter of family planning, I rise in strong opposition to the Hyde-Smith amendment which reinstates the anti-woman antidemocratic Global Gag Rule.

First and foremost, this is not about abortion. It’s about women dying, to the tune of 600,000 a year. That is equal to one or two jumbo jets crashing every single day. And, it is about saving women’s lives.

Since 1973, no U.S. Federal funds have been or are used around the world for abortion. The United States is on the record supporting the Global Gag Rule. During the time that we are debating the gag rule, 65 women will die from pregnancy-related complications.

The Global Gag Rule restricts foreign NGOs from using their own funds. In America, this language would be unconstitutional. It’s unconscionable that we would impose it on the world’s poorest women. The gag rule is enough to make you gag. It cripples foreign NGO’s ability to practice democracy in their own countries.

We can afford to stifle the international debate on family planning by tying the hands of NGO’s with an antiwoman gag rule.

The gag rule forces NGO’s to choose between their democratic rights to organize and determine what is best in their own countries and desperately needed resources of U.S. family planning dollars.

We know that family planning reduces the need for abortions. We know that it saves lives. The gag rule reduces the effectiveness of family planning organizations and should be eliminated.

I urge my colleagues to support the Lee language and oppose the Hyde-Smith amendment.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Illinois (Mr. HYDE) and the gentleman from New Jersey (Mr. SMITH) and I commend their efforts in this important matter.

Mr. Chairman, much has been said this day about the effects of the Mexico City policy. Our opponents claim that this is a gag on the first amendment and that it is an attack on family planning.

Mr. Chairman, these claims are false and are simply an effort to change the focus away from the real issue here which is federally funded abortions and abortion lobbying around the world.

Regardless of one’s personal stance on the sanctity of life, this body should be able to agree that the millions of pro-life taxpayers that have a moral objection to the practice of abortion should not be forced to pay for abortions or abortion advocacy internationally. America has always and should ever stand for life and liberty across the globe.

Mr. Chairman, I urge all of my colleagues to choose life today and to vote for the Hyde-Barcia-Smith amendment to force taxpayer funding of abortion and abortion advocacy internationally.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my good friend, the gentleman from New York (Mrs. MALONEY).

Mr. CROWLEY. Mr. Chairman, I rise in strong opposition to the Hyde-Smith amendment. What we are talking about today is not abortion. No U.S. tax dollars are used for abortions. Zero. Zilch. That has been the fact since 1973 and it is the same today. The Lee amendment does not change that one single bit.

Mr. Chairman, we have all read stories in the newspaper and seen on television reports on the ravages of HIV/AIDS throughout the world. It is easy to forget those stories and the plight of millions of people around the world who are so far removed from today’s debate. Last year I visited one of those far-off places, Malawi, in sub-Saharan Africa. I saw how in one location in a small village family planning is provided in the same place as immunizations for kids and HIV and TB testing for adults.

With up to 35 percent of the population in some countries in sub-Saharan Africa infected with HIV/AIDS and...
with India and the South Asia region on the horizon as the next HIV time bomb, the U.S. must be more actively involved in funding programs.

A one-size-fits-all solution is not what we need. What we need to do is work with the local NGOs and health care organizations to provide the highest quality of service, education, and care that we can possibly provide.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Missouri (Mr. GEPHARDT),

Mr. GEPHARDT. Mr. Chairman. I think the fundamental issue with the Mexico City policy is whether or not we will use our American tax dollars to promote the abortion industry overseas.

We are known for our exports, beautiful cars, commercial jets, music, and movies. The Lee amendment will add abortion to our list of exports and does so at taxpayer expense. I believe this is the wrong message to send the world. Instead, let us promote life, the arts, new jobs, not the industry of death. And above all, not with taxpayer dollars.

I encourage my fellow Members of Congress to support the Hyde amendment and raise the standard of exports from this country.

Mr. LANTOS. Mr. Chairman, I am honored to yield 2 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader.

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

Mr. GEPHARDT. Mr. Chairman, I rise to urge my colleagues to vote against the Hyde amendment and for international family planning assistance that we know makes a difference in the lives of women and children across the globe.

Our international family planning assistance should not be encumbered. It should be enhanced. Overpopulation leads to the suffering of women and children, poverty and environmental degradation. Family planning is critical for the survival of the planet and the people on it, and it plays a critical part in preventing the spread of diseases like HIV/AIDS, which I believe is the moral issue of our time.

In one of his first official actions, President Bush decided to restore the so-called Mexico City policy and reinstate controversial restrictions on U.S. family planning assistance. The President said he wanted to make sure U.S. taxpayer dollars were not being spent on abortions abroad. Respectfully, I believe this is a misunderstanding of our law. Since 1973, U.S. policy has prohibited taxpayer funds from being used in any way, shape, or form to provide abortions. But under the Mexico City policy, nongovernmental organizations, with their own funds, cannot inform women about their options, nor can they advocate their own government-approved reproduction policies. I believe these Presidential restrictions are harmful and will reduce the availability of family planning services to some of the world's poorest and most needy women.

There is talk about compassion. In my view, this is not compassionate. In fact, these restrictions placed on overseas family planning organizations would be lethal to this country. We are imposing restrictions on free speech, putting on a gag order that would not be allowed in the United States of America. We are asking nongovernmental organizations in other places, in other countries, to live under restrictions we would not impose here in the United States.

So the issue is simple. Do we empower women and families across the globe with the ability to plan for the number of children they will have, as is the case here in America? Or do we pull the rug out from under these important efforts? For me, the choice is clear. We must continue to work with the local NGOs and health care organizations to provide the highest quality of service, education, and care that we can possibly provide.

I was in Cambodia recently and we visited a family planning clinic. There were no abortions going on. There was no effort at abortion. They were simply giving women needed advice and education and respect. As they desperately wanted, which was family planning. I could not see that without coming to the floor here today to try to change this policy. I think it is the right thing to do morally. I think it is the right thing to do for our leadership role in the world. I ask Members to examine their conscience and to examine the facts. If they will do that, I believe a majority here today will vote to override the President's ill-advised order on international family planning.

Mr. HYDE. Mr. Chairman, I am pleased to yield 6 minutes to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank the gentleman for yielding me this time. With my colleagues, I urge my distinguished chairman of the full committee for yielding me this time and I urge him to resist. I ask you to stand against the ill-advised order. I urge my distinguished chairman to stand against this ill-advised order. I urge my distinguished chairman, it is high time we overrule the President's ill-advised order on international family planning. The Bush executive order, like the original Reagan-Bush executive order, permits funding only to those organizations that provide family planning. Abortion is not family planning, and by funding only family planning, innocent children are not put at risk. As one of my previous colleagues pointed out so well, an overwhelming number of organizations, including some Planned Parenthood affiliates, accepted the Mexico City policy. For several years, there was a wall of separation between abortion and family planning. And the Bush policy ensures that as well. Who we subsidize, not just what, but who we give millions upon millions of dollars to has profound consequences.

The simple fact of the matter is, Mr. Chairman, that as far back as 1984, we recognized that the longstanding law that said no funds could be used directly to pay for abortion was very important, it was incomplete and it was not working. [115]

Money is fungible. The millions of dollars we gave to a family planning group to perform abortions immediately freed up millions more that were used for the performance and promotion of abortion.

It should matter to us, not just what an organization does with our specific subsidy, but what else they do. It is a package deal. Many groups, regretfully, use family planning as a Trojan horse to conceal their real agenda, which is abortion on demand.

Mr. Chairman, I know that Members of Congress are getting blitzed by Planned Parenthood and other abortionists who oppose the Hyde-Baccia-Oberstar-Smith amendment. I appeal to you to resist. I ask you to stand with the victims, both mother and child, and against the abortionists. When we subsidize and lavish Federal funds on abortion organizations, we empower the child abusers; and Planned Parenthood, make no mistake
about it, both here and overseas, is “Child Abuse, Incorporated.”

Here in the United States, for example, and I would say parenthetically, this is not a domestic amendment, but the example gives you an insight as to what is happening overseas. Planned Parenthood both lobbies and litigates against virtually every child protection initiative, including parental notification, women’s right to know laws, and even bans that will not add to the body count. That is 2.6 million individual dreams and talents and creativity the world will never see.

The loss of children’s lives directly attributable to Planned Parenthood is staggering—2.6 million dead babies and counting. And if that is not enough, Planned Parenthood both lobbies and litigates against virtually every child protection initiative, including parental notification, women’s right to know laws, and even bans that will not add to the body count. That is 2.6 million individual dreams and talents and creativity the world will never see.

Sadly, they do exactly the same thing overseas; and these non-governmental organizations will be affected by this legislation we pass today. Members should be aware that the International Planned Parenthood Federation, which is based in London, is leaving no stone unturned in its misguided, obsessive campaign to legalize abortion on demand. If they succeed, millions of babies will die from the violence of abortion. I urge Members, please, let us not add to the body count.

Mr. Chairman, Planned Parenthood’s Vision 2000 strategic plan makes it very clear that they want family planning organizations to bring pressures on governments to campaign for abortion on demand. They do not cloak it; they do not disguise it. They wanted to undermine Central and South American countries that protect their babies, as well as Ireland and many other countries.

Mr. Chairman, I urge a strong vote in favor of the Hyde amendment, in favor of family planning and against abortion promotion.

Mr. Chairman, Title I Subtitle C of the pending Foreign relations Act, inserted by amendment over the Prime Sponsor’s objection during committee markup, is breathtakingly misleading.

Subtitle C hides its sole purpose—providing federal funds to organizations that perform and/or promote abortion overseas, under the seemingly benign title of “Global Democracy Promotion Act of 2001.”

Don’t be fooled, I say to my colleagues. Subtitle C has nothing whatsoever to do with building democracy and the rule of law. It has nothing whatsoever to do with protection of human rights—all causes to which I have devoted my entire life.

The legal language is not about protecting people. The absolute contrary is true.

As Chairman of the Commission on Security and Cooperation in Europe, former Chairman of the International Operations and Human Rights Subcommittee, and today as Vice Chairman of the International Relations Committee—I not only have traveled on numerous human rights trips and chaired over 160 hearings on human rights and democracy building in the People’s Republic of China, Russia, Vietnam, France, Sudan, Rwanda, Indonesia, Cuba, the Middle East, Northern Ireland, and the Ukraine (to name a few)—I am also the prime sponsor of:

Public Law 106–386—the “Victims of Trafficking and Violence Protection Act of 2000,”


Public Law 104–319—the “Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996,” as well as:

Public Law 105–113, Division B—the “Admi-

ral James W. Nance and Meg Donovan For-

eign Relations Authorization Act, Fiscal Years 2000 and 2001,” which is filled, like the other bills I have listed, with human rights and de-


cracy provisions.

In addition to authoring human rights legisla-

tion, I have offered scores of amendments to boost the Child Survival Fund, Refugee Pro-


And, I am sure, many others find it highly of-

ensive when a legislative proposal that seeks to abolish the most fundamental human right on the face of the earth—the right to life—is euphemistically cloaked as a democracy build-

It is not.

Amazingly, no specific mention is made of abortion in either the findings or operative clause of the amendment. Why the unwilling-

teness to be candid and transparent?

Abortion is referred to as “a particular issue” or “medical service.”

But I guess one would have to be blind to not understand the precise nature of this section. It is designed to repeal the pro-life, pro-

life Mexico City Policy—recently reinstated by President Bush to ensure that we do not fund the killing of unborn babies, either directly or indirectly.

Mr. Chairman, abortion is violence against children.

Abortion methods are cruel. Abortion proce-

dures—referred to this section as “medical services”—rip and dismember the innocent child, or chemically poison the baby with some toxic substance.

This—and only this—is the “particular issue” referred to in the section we seek to strike.

Today, Mr. Chairman, the pro-life laws and policies of approximately one hundred countries that restrict abortion are under continuous siege and the forces behind the pro-abortion push are non-governmental organizations funded by the US Government.

The Bush executive order—like the original Reagan-Bush executive order—permits the funding of only those organizations that pro-

vide family planning—and abortion isn’t family planning. Innocent children, therefore, are not put at risk.

Who we subsidize—not just what—but who, we give millions of dollars to has profound consequences.

The simple fact of the matter is that as far back as 1984, the longstanding law stipulating that no U.S. funds can directly be used for abortion was found to be infirm and incom-

plete. Money is fungible. The millions of dol-

lars we give to a group immediately frees up other non-U.S. funds that can be used—and have been used—for performing and aggres-

sively promoting abortion. It should matter greatly to each of us not just what an organi-

zation promotes but what it is being funded to do, by whom, and how.

The loss of children’s lives directly attributable to Planned Parenthood is staggering—2.6 mil-

lion dead babies and counting.

And if that wasn’t enough, Planned Parent-

hood both lobbies and litigates against virtually every child protection initiative including paren-


tal notification, women’s right to know laws, abortion funding bans, partial birth abortion bans and the Unborn Victim of Violence Act. Sadly—they do the same overseas, and those non government organizations would be af-

ected by what we do today.

Members should be aware that the Interna-

tional Planned Parenthood Federation is leaving no stone unturned in its misguided, obsessive campaign to legalize abortion on demand around the world. If they succeed, millions of babies will die from the violence of abortion on demand. Please, let’s not add to the body count.

Planned Parenthood’s Vision 2000 strategic plan says that family planning organizations should “bring pressure on governments and campaign for policy and legislative change to remove restrictions against abortion.” Can anything be more clear? “Pressure” govern-

ments to nullify their pro-life policies. “Cam-

paign” for abortion on demand. And Subtitle C of this bill would compel us to provide millions of dollars to these abortionists.

A headline in the Philippine Daily Inquirer a few years ago succinctly underscores our con-

cern, “Flavier Hits U.S. Pressure on Abortion.”

The article quotes Senator Juan Flavier:

“We had just celebrated our 50th anniver-

sary of independence from America, but we can still see insensitive methods of impe-

rialism trying to subvert our self-determina-

tion by using [population control] funds as subtle leverage . . . I strongly opposed abor-

tion. It is prohibited by our laws and the Filipino Constitution. Hence, we should be prepared to lose foreign funding rather than
The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. LANTOS. Mr. Chairman, reserving the right to object, and I will not object, I would like to ask my friend, Mr. HYDE, is he going to agree to an additional 10 minutes on each side?

Mr. HYDE. Yes.

Mr. LANTOS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to an additional 10 minutes of debate on this amendment on each side? There was no objection.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of the Hyde amendment. I would encourage all of my colleagues who support the right-to-life and who also are opposed to Federal funding for abortion to support the Hyde amendment, to support the Hyde language.

As most people know, I practiced medicine for many years before I came to the U.S. Congress. Though I never performed abortions, I did have the opportunity to witness abortion being performed in my medical training.

While I know some people who defend the right to abortion do so more or less seeing it as the better of two evils, protecting the right of the woman for reproductive autonomy, I do not think the right to life, there is no question if you ever actually go into the operating suite and actually see an abortion being performed, really in any of the techniques that are used, that it is extreme violence against an unborn baby. It is brutal. It is most certainly very painful.

The anatomical data, the embryology, what we know about the fetus in the womb based upon our understanding of what we see using ultrasound techniques. I just spoke to a radiologist recently in my district who described to me how you can clearly see when you do amniocentesis and some of these other procedures in the womb, you can see these babies reacting.

This is clearly, I think for me personally, a no-brainer. Keeping in mind that there are millions of Americans who are pro-life, should we be using taxpayer dollars to go to these international family planning organizations who perform abortions? Now they will tell us, and we are going to hear it on the floor today, oh, they use the American money, the Federal money, for fax machines and IUDs and other contraceptive purposes, and use this other money we all know, money is fungible, you can move it around.

I think this is a very, very good amendment. It is a very, very well thought out amendment; and I would highly encourage all of my colleagues, this is consistent with our long-established policy in not funding abortions. We should not be funding abortions overseas.

Furthermore, these organizations use their money to lobby foreign countries to repeal their pro-life laws. Should American taxpayer dollars be used for something like that? I say no.

Support the Hyde language. Support this amendment on each side.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, by lifting the global gag rule, this bill does not send U.S. funds overseas to pay for abortions. The 1975 Helms amendment prohibits Federal funding of abortions as a method of family planning.

This amendment remedies a hypocritical double standard imposed by the global gag rule which would be unconstitutional if it were applied to family planning organizations in the United States.

Although it is constitutionally permissible for the U.S. government to restrict how a U.S. organization spends Federal funds, the Constitution does not permit the government to impinge upon an organization’s rights to free speech and association by restricting how it spends funds received from other non-Federal sources.

The Hyde amendment, by prohibiting, foreign organizations that receive U.S. family planning funds cannot use their own non-U.S. funds to provide medical counseling, which includes information about abortion or abortions or to lobby their own governments on the subject. These restrictions, if applied to U.S. organizations, would quickly be struck down as violating the right to free speech and association.

The United States should respect the rights of citizens of other countries to freedom of speech. It is arrogance for us to attempt to limit the rights of free speech abroad in a way we would never do at home. I urge the defeat of this amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to my friend the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, I rise in opposition to the Hyde-Smith amendment. As a member of the Russia Duma Study Group, I have seen firsthand how important these funds are to women around the world. I have met with family planning providers from around the world; and they consider this aid to be very important assistance that they receive from the United States, especially the providers in the former Soviet Union and African nations.

This is not about promoting abortion. It is about helping women and their families. When I was coming up in the 1960s, there used to be a program with Sergeant Joe Friday, and he would say, “Just the facts.” The facts are we do not spend a dime of U.S. taxpayer money for abortions and have not since 1973.

This is not about protecting the taxpayers’ dollars. This is about the fact that each year more than 600,000

be pressured into causing the death of unborn children.

The abortion promotion by Planned Parenthood is so extreme in the Philippines, for example, that the President of IPPF’s affiliate—the Family Planning Organization of the Philippines—told me over what he called International Planned Parenthood Federation’s “hidden agenda” and misuse of his family planning affiliate to legalize abortion.

The use of family planning to cloak its real agenda—the use of family planning as a cover for population control laws—is now commonplace, and must be stopped. The Bush executive order will help.

Let me remind Members that the pro-life safeguards included in the Bush executive order are nothing new; they were in effect for almost a decade. And they worked!

The pro-life safeguards—the Mexico City Policy—were in effect during the Reagan and Bush years as a principled way to fund family planning without promoting abortion.

We should have no part in empowering the abortion industry by paying for performing or promoting violence against children.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my friend and neighbor, the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me time and congratulate him and the gentlewoman from California (Ms. Lee) for their leadership on the committee in putting forth this global democracy act. I also want to commend the gentleman from New York (Mr. LOWEY) for writing those words in an independent bill.

Mr. Chairman, I want to address some of the concerns raised by our colleagues. This language that is in this bill is good because it goes a long way to address the concerns, in fact, the entire way to address the concerns Members have about international family planning.

This is the first time Members will have a vote on this particular language. This is not tied to anything they have ever voted for before. It is simply saying we treat non-governmental organizations in other countries the way we treat our own people over here.

The gentleman used the argument of fungibility. The President of the United States, when issuing this executive order, used the argument of fungibility. Yet no one says anything when the federal government funds directly those same organizations, would quickly be struck down as violating the right to free speech and association.

The United States should respect the rights of citizens of other countries to freedom of speech. It is arrogance for us to attempt to limit the rights of free speech abroad in a way we would never do at home. I urge the defeat of this amendment.
women die of pregnancy-related deaths that are preventable. This is about the fact that more than 150 million married women in developing countries want assistance.

Vote against this ill-fated amendment.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the distinguished gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, for more than the 30 years, the United States has led an international effort to reduce the toll of maternal deaths, unwanted pregnancies, and abortion in developing countries by providing money and technical assistance for family planning programs. The Hyde-Smith amendment would severely limit our efforts to reduce abortions worldwide because it would reinstate the global gag rule, a policy that prohibits foreign, non-governmental organizations that receive U.S. Federal funds from promoting and providing comprehensive family planning services.

By reducing funding to reproductive health care providers in underserved areas, this amendment will decrease women’s access to abortion-related care, family planning and services for HIV/AIDS and other sexually transmitted diseases. Our efforts to reduce the number of abortions worldwide through greater access to family planning services will be hindered.

Mr. Chairman, I urge my colleagues to vote against the Hyde-Smith amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the findings of the amendment of the gentlewoman from California read as following: “It is the fundamental principle of American medical ethics and practice that health care providers should at all times deal honestly and openly with patients. Any attempt to subvert the private and sensitive physician-patient relationship should be intolerable in the United States and is an unjustified intrusion into the practices of health care providers when attempted in other countries.”

No one will argue with that, and yet the Hyde amendment strikes this from this bill.

What happens here then is that women in poor countries die. Six hundred thousand women a year die. Abortion is not stopped. Women are simply not able to plan their families, and women die.

Do we want the people to understand that the United States only cares about the doctor-patient relationship and about giving decent health care only in our own borders?

Stop letting women in other countries die because we refuse to give them the information that they need. It is not about abortion.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from New York (Mr. GILL), the former distinguished chairman of the Committee on International Relations.

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

The Mexico City global gag rule is unnecessary and it is unproductive. We should not impose any conditions on funding for family planning programs that restrict credible organizations from helping us achieve our family planning goals, because those organizations, with their own funds, engage in activities that we are not in agreement with, such as lobbying for the lifting of restrictions on abortions overseas. Please bear in mind, I say to my colleagues, that under the current U.S. law, no U.S. funds are allowed to support abortion or abortion-related activities abroad.

Mr. Chairman, the Congress, not the President, should be deciding issues of this nature. It is inappropriate for the President, for whom I have the highest regard, to be issuing executive orders to provide for policies such as the so-called global gag rule, the Mexico City policy. And any Member, or any administration, wishing to provide for that policy should bear the burden of moving that legislation through the Congress.

If my colleagues support the bill as reported from our committee, we will be promoting a sound policy and will be defending the prerogatives of the legislative branch.

Accordingly, I urge my colleagues to join in opposing this amendment.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Chairman, I rise in strong support of the Hyde amendment. I do not think it is the strongest amendment that we could have, because ultimately, this debate will not end until we stop the Federal funding or taxpayer funding of population control overseas. But nevertheless, a vote for this amendment is a strong statement in opposition to tax-supported abortion.

I would like to address the subject of the gag rule. As many of my colleagues know, if there is any violation whatsoever of any civil liberties or the Constitution, no matter how well intended a piece of legislation is, I will vote against it. On occasion even though I’m strong pro-life, I have occasionally voted against pro-life legislation for that reason.

But let me tell my colleagues, this gag rule argument is a red herring if I have ever seen one. This has nothing to do with the first amendment. This would be like arguing that if we had a prohibition in this bill against passing out guns to civilians in some foreign nation, we would have a prohibition on that because of the second amendment, defending the right to own guns. It would be nonsense. So this has nothing to do with the first amendment; but it does have something to do with the rights of U.S. citizens. Mr. Chairman, in forcibly taking funds through taxes from people who believe strongly against abortion their rights are violated.

Someone mentioned earlier that this was a violation of the religious beliefs of people overseas. What about the religious beliefs of the people in this country who are at the point of a gun forced to pay for these abortions? That is where the real violation is. It is not an invasion on the first amendment.

As a matter of fact, I think this is a bad choice and bad tactics for those who support abortion, because this is like rubbing our nose into it when the people who feel so strongly against abortion are forced to pay for abortion, to pay for the propaganda and to pay for the lobbying to promote abortion. Ultimately, the solution will only come when we defund overseas population control.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from Connecticut (Ms. DELAUR.)

Ms. DELAUR. Mr. Chairman, the Hyde-Smith amendment would severely limit our efforts to reduce abortions worldwide because it would reinstate the global gag rule, a policy that prohibits foreign, non-governmental organizations that receive U.S. Federal funds from supporting abortion or abortion-related activities abroad.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

The United States Government does not fund abortions here or abroad. We have not done that for decades. We
have now begun to restrict what groups can do with their own money. Who suffers when we penalize the funding for these groups? Women and children, some of the most impoverished women and children in the world.

Mr. Chairman, I urge my colleagues to reject the Hyde amendment, save women's lives, and promote democratic values.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Colorado (Ms. DeGETTE).

Ms. DeGETTE. Mr. Chairman, I thank the gentleman for yielding me this time.

It has been said, but I will say it again: the issue we are debating today is not abortion, it is family planning. Equally important, everyone who will be voting on this amendment today needs to know that the ban on international family planning assistance is more restrictive than any this House has voted on before. If this amendment passes, the global gag rule will go back into effect. This policy disqualifies overseas groups from U.S. planning assistance if they use their own funds simply to counsel pregnant women on all their pregnancy options, including birth control.

The distinguished gentleman from Illinois said, well, birth control will still be there. These workers just will not be able to tell the women about it. Well, that is really helpful, if the birth control is sitting there in the drawer and no one can tell them about it.

The truth is, we all do share one goal today. The goal we share is reducing abortion overseas. There is one way to reduce abortion overseas, and that is family planning. Vote “no” on the Hyde amendment, and let us keep family planning available to women around the globe.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA), my dear Republican friend.

Mrs. MORELLA. Mr. Chairman, I join so many of my colleagues in opposing this Hyde amendment, which would impose a gag rule on critical international family planning funds.

Mr. Chairman, I do not know what we are hearing, because the taxpayers' dollars have never been used or have not been used for paying for abortions, and people are talking about abortions. This is not about promoting abortions at all. The taxpayer money has never been used to perform or promote it. It has been mentioned that the law that explicitly forbids such activities began as an amendment by Senator HELMS to the Foreign Operations bill in 1973, which is renewed annually. Therefore, there should be no anti-abortion concerns within international family planning.

International family planning helps women, it helps families, it helps our national security. Access to international family planning services is one of the most effective means of reducing abortions, because it provides safe and effective contraceptive options allowing women to plan and space their children; and it promotes the health of both mother and child.

Mr. Chairman, we need this access, so I hope people will vote against this Hyde amendment.

Mr. HYDE. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman just to respond very briefly. First of all, this is all about foreign aid grant money and whether or not we will have modest conditions that protect children.

Mr. Chairman, it was mentioned a moment ago that we have never voted on this issue before. That is patently untrue. I offered the amendment supporting the Reagan-Bush Mexico City policy year in and year out going back to 1985. This body has voted repeatedly, close to 15 years of voting on this very policy, and we have had it under consideration today. So hopefully, that argument, that false statement will not be made again.

Let me remind my colleagues, the Hyde, Barcia, Smith, Obestar Amendment does not directly affect any one penny; we condition it; we put in safeguards. Who we give our tax dollars to does matter. Pro-abortion organizations perform and promote abortions. Let us give our tax dollars to those who are advocates of family planning, and simply stick to family planning.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. KOEPPEL).

Mr. KOEPPEL. Mr. Chairman, I rise in opposition to the Hyde-Smith amendment. The distinguished chairman started this debate by saying there is a difference between the issues of abortion and family planning, and he is correct. The underlying issue in the Hyde-Smith amendment is not the question of stopping abortion, although they would like us to believe that. The underlying issue is how do we best deliver family planning services to women around the world. We do that by abolishing the gag rule, by voting against this amendment.

This amendment would prevent women around the world from getting fundamental family planning information and most basic information that would go directly to the issue of them controlling their reproductive freedom and not needing to turn to abortions. It is contrary to what my Republican colleagues say they stand for to cut off funding for international family planning, and we would cut it off to the poorest women in the world, not women in our districts, but women around the world that need this information.

Vote “no” on the amendment.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Connecticut (Mr. SHAYS), my good Republican friend.

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding me this time.

In 1960 there were 3 billion people that lived on this Earth. Today, there are 6 billion people who live on this Earth. And in 40 years, without worldwide family planning services, it will rise to nearly 9 billion. Without worldwide family planning, abortions will be more prevalent. We need to defeat the Hyde-Smith amendment. There is no funding in this bill for abortions. U.S. law already prohibits family planning funds from being used for abortions, and nothing in this bill permits organizations to break the laws of their host countries or those of the United States.

We need to defeat the Hyde amendment.

Mr. LANTOS. Mr. Chairman, I yield 1 1/2 minutes to the gentlewoman from California (Mrs. DAVIES). After she has been with us only a few months, she has already made a significant contribution to the work of this House.

Mrs. DAVIES. Mr. Chairman, I rise today to oppose the global gag rule. It has been stated before, but it bears repeating: the global gag rule imposes restrictions on foreign organizations that would be illegal and unacceptable in our own country.

In this country, we value our freedom of speech, and we value the sanctity of our doctor-patient relationships. The global gag rule prevents foreign, non-governmental organizations from participating in public policy debates regarding the right to choose. Can any of us imagine if Congress passed a law that silenced the Christian Coalition or Planned Parenthood? The American public would not stand for such a blatant violation of the freedom of speech. Large, non-profit organizations should have the right to advocate for their cause.

Perhaps, Mr. Chairman, however, the most egregious impact of the global gag rule is to fragment the integrity of the doctor-patient relationship. We should not be making decisions about personal, private health care decisions. It is absolutely critical that women are able to discuss their health care concerns with their doctors. So in turn, doctors need to be able to answer all of their questions and discuss every available health care option. If Congress votes to limit what doctors can say to their patients, we will jeopardize the health of women around the world.

The time has come to stand up for democracy and patients' rights. I urge all of my colleagues to vote to repeal the global gag rule today.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, this debate is a matter of subsidy versus choice. The amendment makes our foreign policy consistent with our domestic practices. While many Americans regard themselves as advocates of abortion choice, they clearly oppose subsidies for abortions, whether directly
or indirectly, through a fungible subsidy, which is the focus of this amend-
ment.

Our proposal funds family planning, but distinguishes family planning from lethal abortio ns. America’s standard is clearly stated in our Declaration and in our Constitution, a standard which promotes life and regards the right to it as unalienable.

The most pernicious aspect of the ef-
efforts by our opponents to promote overseas abortions is that these pro-
motions are targeted to the world’s poor, those whose children are already the most vulnerable on the planet. The amendment agrees free will, avoiding ill will. It draws a clear line at human life and places our country on the side of sanity, decency, and human dignity.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to my friend and colleague, the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, the global gag rule is anti-family and it is pro-abortion.

President Bush said the policy was necessary “to make abortion more rare.” There is absolutely no evidence that it did that the last time it was in effect. Rather, there is statistical evi-
dence that family planning reduces the number of abortions all over the world.

This gag rule would deny money to places like Turkey, where the Ministry of Health initiated a pilot program linking family planning services and abortion. The results have been dra-

matically positive. After a program to promote the use of birth control, the number of abortions performed at that hospital dropped 42 percent from 1992 to 1996.

This policy would be unconsti-
tutional if applied in our own country. How could we even imagine voting in favor of a policy that hinders and gags democracy around the globe?

The gag rule undermines wom-

en’s health by denying aid money to organizations that provide crucial family planning services. I urge a no vote.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the gentle-
woman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I urge my colleagues, I plead with my col-
leagues, to oppose this amendment that would put the Mexico City policy back into this bill, that would put the language that gags foreign private or-
ganizations from using their own funds, and I want to repeat this, using their own funds to educate women and families about reproductive choices and options, including birth control op-
tions.

International family planning oper-
ations provide women in foreign coun-
tries with access to maternal care, clinic health services, education and counseling that reduces the need for abortion in the first place. At the very least, we should allow organi-
zations that participate in family plan-
ning programs to use their own private funds to provide information and serv-
ces for women and their families.

Mr. Chairman, if we truly care about women and children, we will support international family planning. Without it, women desperate for options will be forced to make unwise choices.

Mr. LANTOS. Mr. Chairman, I am de-
lighted to yield 1 minute to my good friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, quickly, let me observe that the President and his faith-based organizations’ proposal said that funds could be segregated. Yes, they can be fungible, but they can make a difference. That is what this issue is about.

Family planning programs supported by the United States save lives around the world. The World Health Organiza-
tion estimates that close to 600,000 women die each year of pregnancy-re-
lated causes that are often preventable.

Nearly one in four of these deaths could be prevented if high-quality family planning services were available.

Proponents of the global gag rule would lead us to believe that taxpayer dollars are being spent to actively pro-

mote or fund abortions. This is false and has been prohibited by United States law since 1973. Imposing restric-
tions on the freedom of speech of for-

gain NGOs not only undermines the key goal of our foreign policy, pro-

democracy worldwide, but it would be unconstitutional in the United States.

I urge my colleagues to preserve the existing language in the bill and vote against the global gag rule.

Mr. Chairman, family planning programs supported by the United States save lives around the world.

The World Health Organization estimates that close to 600,000 women die each year of pregnancy-related causes that are often preventable—99 percent of which are women that live in developing countries.

Nearly one in four of these deaths could be pre-

vented if high-quality family planning serv-
ences were available.

Proponents of the global “GAG” rule would lead you to believe that taxpayer dollars are being spent to actively promote or fund abortions. This is false. It is not true that not one penny of U.S. assistance pays for abortion services. Federal law hasExplicitly prohibited funding for abortion services since 1973. Fur-

thermore, the global “GAG” rule would be un-

constitutional in the United States.

Imposing restrictions on the freedom of speech of foreign NGOs not only undermines the key goal of our foreign policy—promoting democracy worldwide—but it would be un-

constitutional in the U.S.

I urge my colleagues to preserve the exist-
ing language in the bill and vote against the global “GAG” rule.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gen-
tleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of the Hyde-Bar-
cia-Smith-Oberstar amendment, which preserves President Bush’s legal au-

tority to implement the pro-life Mex-
ico City policy which prohibits U.S. population assistance funds from being made available to foreign organiza-

tions that perform or actively promote abortions in foreign countries.

I would have thought that we would not have needed to remind anyone in this body today about the revelation last year that the International Planned Parenthood Federation quiet-
ly repaid $700,000 in U.S. grants just days before a congressional audit to de-
termine if the funds were being spent to actively promote abortions or the promotion of abortion in India and Uganda.

If International Planned Parenthood Federation believes they were used il-
legally according to Federal law, my colleagues should probably contact them to find out the truth. While International Planned Parenthood might have repaid the U.S. Treasury, they could not pay us back in the human lives they stole.

Today, let us reaffirm our funda-

camental belief that all of the world’s un-

born precious lives should be protected. Our own Declaration of Indepen-
dence recognizes that govern-

ments are instituted to protect the in-

alienable right to life. Why should we want to export a contrary doctrine?

Mr. LANTOS. Mr. Chairman, I am de-
lighted to yield 1 minute to my friend and neighbor, the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the gentleman for yielding time to me.

Just 2 days after the Bush adminis-

tration came into office, he issued an executive memorandum reinstating the notorious global gag rule on inter-
national family planning programs, so we knew that this was going to come to the floor, but we must know the facts on this.

The fact is, access to family planning services is one of the most effective ways of reducing abortion. Limiting access to family planning results in higher rates of high-risk pregnancies, unsafe abortions, and maternal deaths. Let us know the facts: 600,000 women die each year of causes related to preg-

nancies or childbirth. Ninety-nine per-

cent of those women live in developing countries.

We must vote no on this Hyde-Smith-

Oberstar amendment so we can strengthen HIV-AIDS prevention, so we can encourage the Golden Rule, re-

spect medical ethics, and respect and reinforce current U.S. laws. I urge Members to vote against this thinly-

veiled legislation that is anti-family planning. Vote no.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the dis-

tinguished gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given per-
mission to revise and extend his remarks.)
Mr. LEVIN. Mr. Chairman, in the late seventies when I was assistant administrator of AID in charge of population programs, I was in charge of the effort to enforce the Helms amendment, whether the agency liked it or not. We did that, and the monies, we should make sure that that organization receives no American funding. That carries the fungibility argument to an extreme, period. It is not a rule of reason.

I just suggest to those who are carrying this fungibility argument to an extreme, they should not be surprised if it is used against them or others when they try to apply a different principle in terms of domestic programs.

The amendment, it is an extreme amendment. I urge its rejection. Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my friend, the gentlewoman from Texas (Ms. Jackson-Lee).

Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the ranking member for giving me the time for a very important discussion.

I respectfully rise to oppose the Hyde-Smith amendment. I guess it is because I have spent a lot of time in developing nations visiting with women across the world. Many of them want peace, and they fight for human rights. They want dignity for their families, their children. They want to be able to raise their children. They want to be able to give them a good quality of life. They want to live, I say to them, my friends from California. The reason they want to live is because they want to be able to foster the opportunities for their children.

But if this amendment passed, 600,000 of those women can die because of pregnancy-related problems, because there has been no family planning. I think it is very important to realize that this Bush Mexico City global gag rule policy that was implemented is more extreme than any other policy we have ever had, because the policy disqualifies overseas groups from U.S. family planning assistance if they use their own funds simply to counsel women on their pregnancy options.

Family planning is vital. We should vote this amendment down so women and children around the world might live.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members are reminded to address their comments to the Chair, and not to other parties.

Mr. Chairman, I am pleased to yield 1 minute to my colleague, the gentlewoman from California (Ms. LoFGREN).

Ms. LOFGREN. Mr. Chairman, I hope this body can come together on this very sensible plan that we have discussed today to protect birth control, yes, birth control, in the international aid program.

We know that the Republican party is opposed to choice, but what is at stake here is not the fight about abortion, it is whether poor women in the Third World are going to be able to have access to birth control so that they can plan their families.

Surely it is not so radical that it will oppose birth control and the family planning program.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. Smith).

Mr. SMITH of New Jersey. Mr. Chairman, I just want to make a couple of points in rebuttal to those comments made by my friends on the other side of this issue.

A couple of their speakers have said that somehow the fungibility argument is analogous, to what we were doing with the faith-based initiative proposed by President Bush.

I would suggest that in the faith-based initiative, there is a benign outcome, a beneficial outcome. If, as a matter of fact, because we give money to a religious organization, which in turn frees up money, for example, for them to proselytize their religion. I think most of us would agree that is not a bad thing. That is why we give tax breaks to religious organizations, regardless of denomination or belief, because we do believe that religious beliefs are a positive good for society.

That is not the case when we are talking about money and fungibility with regard to family planning and abortion. If the organization, a pro-abortion organization, is performing and killing and decimating, destroying, chemically poisoning and dismembering unborn children, because U.S. funding allows them to use their own money for abortion, that is not a benign consequence, that is a horrific consequence.

If our U.S. funding for family planning is used to free up other money for abortion, we have a responsibility to step in and protect the child and only fund those groups that just do family planning.

I believe as reasonable men and women we can make choices and say, we do not want that consequence. So here in the Mexico City policy, the fungibility argument has real teeth, it has real grip. It ensures that we do not subsidize groups that engage in abortion, the killing of unborn children.

Let me also point out to my colleagues again that when the Mexico City policy was in effect, 350 non-governmental organizations accepted the pro-life Mexico City provisions, including 57 affiliates of the International Planned Parenthood Federation, as opposed to those that are 57 mostly in-country affiliates who said, we will divest ourselves of killing. Abortion is killing. Family planning is not.
The Mexico City policy prohibits organizations that perform abortions or lobby foreign governments to legalize abortions from receiving U.S. tax dollars. It is a just but modest measure for those Americans and, Mr. Chairman, there are a clear majority of Americans who do not want their foreign aid dollars used to fund abortions.

Mr. Chairman, I urge my colleagues to support this amendment and to implement the Mexico City policy, a policy which protects and values and respects life not only in this country but around the world.

Mr. LANTOS. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Connecticut (Mrs. Johnson), my Republican friend.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I am proud to be an American. I am proud to be a citizen in the freest Nation in the world. We have the confidence in America that if everyone is allowed to speak up, to share their experience, their knowledge, we as a Nation will find the best and truest path into the future.

I am proud that I am part of a country that trusts what is an extraordinarily difficult process, because it is difficult to trust the decisions that comes with public debate about difficult issues. And so I am humiliated as I stand here as an American to watch Members of this House impose on other countries a limit on their citizens’ right to do what they wish with their own body. That is what has happened with the Mexico City policy. We have said we will provide enormous amounts of money for family planning, but we want some pro-life safeguards to ensure that we are not promoting abortion. Many of us and many in America and many in the world believe abortion to be the taking of human life and exploitation of women as well, we don’t want to fund that. Instead, we want to make sure that the money goes for family planning, their own money as well as our own.

Again, if we apply this policy to other issues where we have grave disagreements, like racial prejudice, we would pick and choose among NGOs, and only fund those who divested themselves, completely, from the egregious activity.

Finally, this policy has been found to be constitutional. It has already been affirmed, and has been reaffirmed through the scrutiny of the U.S. courts. The Mexico City policy is fully constitutional.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I say I have great respect for my colleagues who feel so strongly about the Hyde amendment, but I would like to repeat once again exactly why I am asking my colleagues to vote no on the Hyde amendment. Mr. Chairman, the Hyde amendment reduces abortion funding from zero to zero. There is no abortion funding in any family planning legislation which we are proposing.

The Hyde amendment will not reduce the number of abortions, it can only make them less safe. The Hyde amendment, in fact, may well increase the number of abortions, because we are denying poor women around the world the opportunity to get counseling and spacing their children to get family planning.

The Hyde amendment violates medical ethics. It interferes in the doctor-patient relationship. The Hyde amendment strips free speech and democracy. The Hyde amendment will strip language that respects United States law and laws in foreign countries.

Mr. Chairman, I say to my colleagues, please reject it. Vote no on the Hyde amendment. Vote for free speech and democracy and the rights of the United States citizen. Let us not, let us not impose on others what we would not impose on ourselves.

Mr. HYDE. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I say to my colleagues, please reject it. Vote no on the Hyde amendment.

The CHAIRMAN. The gentleman from Illinois (Mr. HYDE) is recognized for 6 minutes.

Mr. HYDE asked and was given permission to extend and read his remarks.

Mr. HYDE. Mr. Chairman, I speak in defense of millions of people who are offended by having their tax dollars co-opted to spend to facilitate abortions, and that is the state of the bill now with the Lee amendment.

My amendment strikes the Lee amendment and makes this bill abortion neutral. I have heard people argue, debate abortion, and say that government ought to keep its hands out of this decision. There are be involved in abortion. That is what we are trying to do.

The Lee amendment provides that money, millions of dollars can go to organizations that facilitate abortions, that propagandize for abortions, that lobby to change the laws of countries that are antiabortion and that perform abortions. And it is wrong.

Our country, this Congress, the President, are all entitled to specify the terms and conditions under which our tax dollars are being granted to nongovernment organizations to spend. We can tell them what to spend it for because it is our money, and that has been held constitutional by the courts. If my colleagues want the citations, I have them here.

Now, abortion is not family planning. Family planning is helping you get pregnant or keeping you from getting pregnant. It is not killing an unborn child after you become pregnant. That is abortion. You can call it reproductive rights if you want, but it is abortion. It is killing a life once it has begun.

Mr. Chairman, a lot of people do not want their money facilitating that practice overseas. No family planning dollars are going to be lost. Four hundred and twenty-five million dollars of your tax money and mine will go for family planning, and every penny of it will be spent. It will be spent providing family planning, not abortion. And that is as it should be.

We invite a veto from the President. The President has reestablished the
Mr. Chairman, this is not a partisan issue. This is not a pro-choice versus pro-life issue. This is about advocating globally what we so cherish for our own citizens here at home, the right to speak freely and the right to choose wisely.

I believe, Mr. Chairman, that reasonable people can and do have different views on the matter of a woman’s right to choose; and I respect the views of my colleagues on both sides of the aisle and on both sides of this issue. But our debate today is not about abortion. Not one dime of U.S. Government tax dollars are used for abortions overseas. Since 1973, it has been illegal to use U.S. taxpayer funds for abortions. This debate is not about funding abortions. It is about the right to free speech and the principle of an open and privileged doctor-patient relationship.

We have heard from the other side repeatedly the notion of fungibility. Fungibility is a real concept. It means that, if funds are made available to an organization how to spend its own money is nonsense. The gag rule, nobody is being gagged. If you want to talk about abortions, talk away, but not on our dime, not on our tax dollars provided by this Congress. That is the difference.

I heard my friend, the gentleman from Connecticut (Mr. SHAYS), talk about how important family planning is. I do not doubt that. He talked about all kinds of millions of people who cannot sustain a decent standard of living, that is fine.

We provide family planning, and whether Planned Parenthood spends the money or other organizations, the money will be spent for family planning. Whatever good can come of that will come of that whether the Hyde amendment is there or not.

Mr. Chairman, I plead with my colleagues, support the Hyde amendment. Help this bill get passed to where the President will sign it and do not, do not saddles people’s consciences and souls with the fact that my colleagues are dictating to a dollar to facilitate the organizations that preach and promote abortion. It is just wrong.

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

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

Mr. Chairman, let me first thank all of my colleagues on both sides of this issue for conducting an enlightening and civilized debate. Let me also specifically commend the gentlewoman from California (Ms. LEE) who led our side in the debate in the committee where we won the issue 26 to 22. It was a signal to the country.

I would also like to pay tribute to the gentlewoman from California (Ms. PELOSI), the gentlewoman from New York (Mrs. LOWEY), the gentleman from Pennsylvania (Mr. GREENWOOD), the gentlewoman from Connecticut (Mrs. BARR) and, on the gentleman from Connecticut (Mr. SHAYS) for raising the awareness on this so-called Mexico City policy.

Mr. Chairman, we are not only concerned about the sanctity of American women. The people who don’t believe women should control their own reproduction have successfully placed many restrictions on American women in the last 25 years. We should not further this agenda overseas with additional restrictions that would be illegal if enacted here. The height of hypocrisy is that President proposes providing federal dollars for his Faith Based Initiative, allowing faith organizations to use the money for medically funded activities, but refuses to extend the same latitude to hard pressed organizations in desperately poor countries.

I urge my colleagues to support the action of the committee to restore U.S. international family planning dollars by opposing the Hyde/Bush-Smith/Oberstar Amendment. Mr. VELAZQUEZ. Mr. Chairman, I rise today in strong opposition to this amendment. This amendment flies in the face of the very principles upon which our Nation was founded. Free speech is a right that we all hold dear. Yet by imposing the Global Gag Rule, we are refusing that right to healthcare providers throughout the world.

We all came to Congress because we believe in full and open Democratic participation. But this Amendment uses U.S. AID funding as blackmail to silence millions—simply because their ideas differ from those of our current administration.

If this policy were imposed on us, we would be outraged. If it was proposed for community groups in our districts, we would not stand for it. This is why it is being inflicted upon poor, third world countries, it’s OK. What gives this body the right to dictate to people how they should think and what they should be allowed to say? This policy is hypocritical, it’s discriminatory, and it has no place in a free and open society. I urge my colleagues to oppose this amendment.

Mr. BARCIA. Mr. Chairman, I rise today as the Democratic Chair of the Pro-Life Caucus and as one of the original sponsors of the Hyde/Bush-Smith/Oberstar amendment to urge my colleagues on both sides of the aisle to support this important pro-family planning, pro-life, and pro-woman legislation.

Mr. Chairman, four months ago, President Bush re-instituted a long-standing policy of the United States that no American tax-payer dollars should go to support those international organizations which promote or provide abortions for women in foreign countries. This is the cornerstone of the so-called Mexico City family planning policy.

But, Mr. Chairman, even as we celebrate our return to an international family planning policy that promotes the sanctity of life, we are called to the floor of this House to defend this important idea. We are currently debating a bill which funds much of our foreign policy.

Unfortunately, buried amongst countless worthy American efforts to make the world a better place, there is a provision in this bill which repeals the Mexico City policy. Our amendment is intended to delete this pro-abortion provision.

I urge my colleagues who oppose this amendment, and who oppose eliminating the American subsidy of abortions overseas, to consider that this amendment in no way damages the American commitment to vital international family planning efforts throughout the world.

But don’t just take my word for it. Mr. Chairman, we’ve done this before—in 1984—and the record of history speaks more loudly and more eloquently than I. Despite predictions by
the supporters of the international abortion industry that no international family planning organization would accept American funds under the terms of the Mexico City policy, more than 350 foreign family planning agencies agreed to use American funds with these restrictions. As a result, the United States backed family planning efforts throughout the world at higher levels than ever before.

Mr. Chairman, at the beginning of my time, I stated that this amendment is pro-family planning, pro-life, and pro-woman. It is pro-family planning because it will strengthen genuine family planning programs by enacting a wall of separation between real family planning and the performance and promotion of abortion—all while maintaining the high level of economic assistance the United States contributes to international family planning efforts.

It is pro-life because it prohibits the funding of abortions overseas and therefore protects the sanctity of life throughout the world. And it is pro-woman because it offers pregnant mothers in poor places on earth more options for her family than a paid-for trip to an abortion clinic, subsidized by the American taxpayer.

Indeed, Mr. Chairman, this is a critical issue with which this body must grapple: with all of the problems of the Third World—the grinding poverty, the enduring famines, the absence of life-saving medicine or adequate health care—is access to subsidized abortion all we have to offer the suffering, and poverty-ridden women of the developing world? Is abortion the only type of family planning assistance worthy of American support and promotion?

Mr. Chairman, my colleagues, I simply do not believe this is true. We can support family planning without promoting abortion, and still give the developing nations the contraceptive assistance many countries need to sustain their populations.

Support this amendment and tell the world that after almost ten years of encouraging abortion overseas, the United States is back in the business of defending the rights of the unborn, and promoting the sanctity of life throughout the world.

Mr. STARK. Mr. Chairman, I rise today in support of the provision added to the Foreign Relations Authorization Act (H.R. 1646) that would end the Hyde-Baucus-Smith Amendment. The Hyde-Baucus-Smith Amendment fails here today, the United States Agency for International Development (U.S.A.I.D.) cannot promote abortion, nor can it fund abortions except in the cases of rape, incest, or if the life of a woman is in danger.

Let's be clear, even if the Hyde-Baucus-Smith Amendment fails here today, the United States Agency for International Development (U.S.A.I.D.) cannot promote abortion, nor can it fund abortions except in the cases of rape, incest, or if the life of a woman is in danger.

I urge my fellow colleagues to oppose the Hyde-Baucus-Smith-Oberstar amendment. Reproductive health services are not solely the responsibility of developing nations. We are all affected by the growing population and the spread of HIV/AIDS. Furthermore, we should not impose restrictions on the citizens of other countries. To withhold funds to the United States would not tolerate.

Mr. EVERETT. Mr. Chairman, I rise in strong support of the Hyde/Baucus/Smith/Oberstar Amendment which would effectively reinstate the Hyde Amendment. The Hyde Amendment would stifle the views of million of U.S. citizens and is a common sense approach for a civilized nation to take to ensure support for genuine family planning programs, not the promotion of abortion.

Passage of the Hyde/Baucus/Smith/Oberstar Amendment would return to a policy that prohibits U.S. population assistance funding—which comes from the pockets of U.S. taxpayers—from going to foreign organizations that perform or actively promote abortion as a method of family planning.

As a world leader, we have an obligation to protect the sanctity of life and liberty, especially for those who are helpless to protect themselves. I, like many in our great country, cannot condone abortion as a means of birth control, population control, material comfort, or mere convenience; and I certainly cannot understand the U.S. taking the lead on encouraging this practice or funding lobbying efforts to influence other countries to change their anti-abortion laws.

Accordingly, today, I ask my colleagues to join me in voting for this important amendment. We must return to a policy that respects the ethical and moral views of our citizens and provides support for groups who are willing and able to reflect these values in their family planning programs.

Mr. GREEN of Texas. Mr. Chairman, the Hyde-Smith Amendment would restate the Mexico City anti-international family planning policy known as the global "gag" rule.

This policy requires that foreign non-government organizations (NGOs)

1. Withhold information from pregnant women about the option of legal abortion and where to obtain safe abortion services.

2. Refuse to provide legal abortion services.

3. Sacrifice the right to engage in any public debate or public information effort on the availability of legal abortions.

And, most importantly, it prevents the NGOs from supporting or advocating abortion in the promotion of family planning options that would help prevent abortions in the first place.

The subject of abortion has always been controversial. Very often highly charged emotions and special interest organizations enter the debate and muddle the true issue at hand.

The key issue of debate today should be on whether educating women and families about family planning services will reduce the number of abortions each year.

The passage of the Hyde-Smith amendment would prevent educating women and families on the issue of abortion.

That is why I urge my colleagues to vote against Hyde-Smith amendment so that we can educate women about family planning services and ways to reduce the number of abortions each year in foreign countries.

I would also like to clarify that U.S. taxpayer funds are not being used for foreign (NGO's) abortion or for the advocacy of abortion.

The Hyde-Smith amendment confuses people by stating that no federal U.S. funds will be used to fund abortions or family planning services.

The NGOs activities have already been prohibited by longstanding U.S. statutes, and recipients of U.S. international family planning assistance are in compliance with those laws.

NGO's use their own funds to provide family planning and legal abortion services.

Finally, I would like to address their HIV/AIDS epidemic in South Africa.

The Hyde-Smith amendment interferes with the effectiveness of HIV/AIDS prevention efforts.

Instead, millions of people worldwide are living with and dying from AIDS. A majority of these people are in developing countries.

This is especially true in South Africa, where 55% of new infections occur among women and where the disease is spreading most rapidly among the young.

Family planning providers are a key effort in preventing the transmission of HIV/AIDS, other sexually-transmitted diseases, and unintended pregnancy.

However, it is these same programs that are being targeted by the Hyde-Smith amendment since abortion is legal in South Africa and clinics there do provide women with information about abortion in the context of pregnancy options counseling.
A recorded vote was ordered.
The vote was taken by electronic device, and there were—ayes 218, noes 210, not voting 4, as follows:

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ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 142 and ask for its immediate consideration.

The Clerk reads the resolution, as follows:

H. Res. 142

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House, H.R. 1836 (to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002) to provide for reconsideration pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment printed in the report of the Committee on Ways and Means; (3) one motion to recommit with or without instructions.

SEC. 2. Upon receipt of a message from the Senate transmitting H.R. 1836 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the chairman of the Committee on Ways and Means or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from New York (Mr. RANGEL), or his designee, which shall be the gentleman from New York (Mr. REYNOLDS), the ranking member, for their debate.

Mr. REYNOLDS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

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

Mr. REYNOLDS. Mr. Speaker, House Resolution 142 is a modified closed rule, providing for the consideration of H.R. 1836, a bill to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment printed in the report of the Committee on Ways and Means; (3) one motion to recommit with or without instructions.

Mr. Speaker, I speak in strong support of this rule, and its underlying bill, H.R. 1836, the Economic Growth and Tax Relief Reconciliation Act of 2001. This bill provides immediate relief to the present-law structure of five income tax rates to four by 2006. This is a fair rule that allows for a minority substitute.

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family farmers and small business owners can pass down their property to their families free of estate tax.

All of that is for another day, maybe. Meanwhile, Mr. Speaker, the wealthy get their tax cut and the rest of us are left holding the bag on taxes and soaring energy prices.

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

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

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule. It is very important that we move this tax package just as expeditiously as possible. I was saddened to hear the gentleman from Texas (Mr. FROST), my friend from Texas, has now left the Chamber, and I am sure the gentleman from Ohio (Mr. HALL) would not do the same, but the gentleman from Texas engaged in that standard, failed class-warfare argument, tax cuts for the rich, the us-versus-them view that they are all spewing out, but it just is wrong.

The fact of the matter is if you look at the involvement that virtually half of the American people have in the market today, they are members of the investing public. The us-versus-them argument is not one that resonates, especially in light of the fact that this package is one that provides relief for every single American who pays taxes.

Mr. Speaker, what we are doing with this rule is allowing for the reconciliation provision. Why? So that the United States Senate can move ahead and we can get tax relief to the American people as quickly as possible.

My State of California and other parts of the Nation are faced with an energy crisis. I know a lot of people pooh-poohed the fact that the President said over the weekend that we can allow people to keep more of their hard-earned dollars, and that can help mitigate the deleterious effects that this energy crisis is having. That is what we need to do with this measure. As quickly as possible, let hard-working Americans keep more of their dollars, and an energy package that is just being unveiled by this administration and a number of us in the Congress are working on.

Mr. Speaker, I believe that is something that we clearly can do, this measure, to help provide some kind of relief for people who are dealing with increased energy costs.

So this is a measure which allows us to move ahead with the President's very positive vision, which calls for a reduction of the tax burden on working families, paying down the $2.4 trillion of national debt, saving Social Security and Medicare, and ensuring that those dollars are not used for a wide range of problems, as has been the case in the past.

So it seems to me that we have got a wonderful opportunity here to do the right thing for the American people, and I hope that in a bipartisan way we will have support for this rule and support for each package. So that we will be able to get that relief to the people who so desperately need it.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, last Friday President Bush said, "I am deeply concerned about consumers. I am deeply concerned about high gas prices. To anybody who wants to figure out how to help consumers, pass the tax relief package as quickly as possible."

Now it all becomes clear. First, President Bush comes out with a tax plan which gives 45 percent of the benefit to the wealthiest 1 percent of all American families those with incomes of $573,000 or more.

Next, the vast bulk of every other American, the average American, they only get a grand total of 16 percent of the total tax cut, but he says it should go to the 1 percent of the American population who have incomes of big oil and gas and electricity companies across the country to pay for people's energy bills. So no tax cut in people's pockets.

You all remember Ronald Reagan's trickle-down economics which theorized if you cut taxes for the rich, the benefits would ultimately trickle down to the rest of us. President Bush has brought us a new vision, trickle-up energy economics.

Under his politics, even the portion of the tax cut that goes to the less wealthy immediately trickles up to wealthy gas, oil, and electrical power companies. For the 138 million Americans, more than half the Nation who are in the lowest income range and have incomes of less than $4,000, the Bush tax cut provides just $256. Because the Bush administration refuses to do anything to bring down high gasoline and high electricity rates in the United States, all consumers are going to end up just passing all of their tax cut, and more, right on to wealthy energy companies.

Mr. Speaker, we need a fairer tax cut bill, one that helps working families and the middle class, 1 percent.

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

Mr. Speaker, I listened with interest to my colleague. For the last 8 years, and probably a few years of the Bush I administration, we like not had an energy policy. I am looking forward to the President releasing that policy tomorrow and seeing if the Congress might be in a partnership of putting together an effective energy policy for the country.

Mr. Speaker, let us get back to tax relief. In my congressional district, a family of four with a single wage earner earning the area's median income would currently pay a little more than $1,400. Their average income is $34,500 for a family of four. Under the President's plan, the $1,400 they currently pay under Federal income taxes, they would pay no Federal income tax money at all. This is tax relief across the board. If you want to get that tax relief; and that tax relief can be significant at all levels, including the lowest level of income seeing the largest percentage of tax savings in this country. It is tax fairness, tax relief.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Speaker, I rise, kind of incredulous about the idea that this is now a policy. The policy is, if I understand it correctly, especially according to the gentleman from California who spoke a moment ago, the policy is that we are going to have a tax cut in order to pay our electric bill.

Mr. Speaker, I suggest, and I am sure the gentleman who just spoke will be in agreement with this, we want to cut out bu reaucracy and the middle man. Why not give the money directly to the energy companies? Why not have a direct deposit at Exxon or a direct deposit at the oil production companies or the electric generators? The gentleman from California was a good friend, let us do that. Cut out the middle man. Forget the fact that we owe $1.1 trillion to the Social Security fund. Forget the fact that we owe Medicare $229 billion, and that we owe the military retirees $162 billion. Forget about drawing down the debt. I thought that is what we were going to do.

Mr. Speaker, my colleagues over here were the ones that helped convince us that getting rid of the deficit is something that we needed to do. Let us put some rationality behind this. Let us pass the tax cut. Let us have a direct deposit at the oil companies, at the energy companies. Let us cut out the middle man and the bureaucracy. Let us cut out the American people.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, middle-class families need and deserve a tax cut this year. Democrats believe that we should cut taxes for all families within the framework of a fiscally responsible budget that strengthens Social Security, allows for a Medicare prescription drug benefit, works down the national debt, and allows us to address pressing needs in education and both of our countries' national defense. We support a responsible plan that meets the needs of all of America's families.
Regrettably, the Republican leadership has chosen a different path. They have rejected bipartisanship, they have turned aside efforts to reduce the size of the tax cut that goes to the wealthiest wage earners in this country so that we can invest in education and a prescription drug benefit.

Mark my words, the President and the Republican leadership have no intention of abiding by a $1.3 trillion tax cut that is contained in their budget. They are going to move things around. There will be some creative accounting. And they are going to try to fit the Republican leadership have no intention of abiding by a $1.3 trillion tax cut out of the defense budget. Since the 1980s, we have pulled $162 billion out of the Department of Defense. And we are not putting any money in to pay it back.

Again, if we were ashamed that some Congressmen were writing checks for $500, $200 over, should we not be embarrassed to look a veteran in the eye and say we have spent your retirement and we are not putting any money in to pay it back?

Since the 1980s, we have taken money out of all programs and instead of putting their paychecks, again with the promise that it would be there for their retirement. To date we owe them $501 billion. Now, a billion is a thousand million. A million is a thousand thousand.

Now, for those people who can visualize probably a thousand dollars. So $501 billion is a thousand, thousand, thousand. Money has been taken out of their paychecks with the promise that we would spend it only on their retirement. To date, we owe that system $229 billion. There is nothing in that so-called lockbox but an IOU. But instead of taking the small surplus we have and apply it to pay off our military retirees, our Social Security recipients, our civil servants, and the folks on Medicare, we are going to pass tax breaks to give some Americans, and incidentally the wealthiest Americans, a tax break while we continue to overcharge people on their Social Security, on their Medicare, on their military retirement, and we are not putting any money in to pay it back. We owe that system $501 billion.

Lastly, the Medicare trust fund. Everybody up here, everyone in the gallery, everyone in this room, who has a job, money is taken out of your paycheck with the promise it is going to go to your Medicare retirement. To date, we owe that system $229 billion. There is nothing in that so-called lockbox but an IOU. But instead of taking the small surplus we have and applying it to pay off our military retirees, our Social Security recipients, our civil servants, and the folks on Medicare, we are going to pass tax breaks.

I hope at some point in time someone will tell me why that is fair because I think you are going to have a heck of a hard time explaining that to the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMkus), The Chair reminds all Members that directions and comments should be made directly to the Chair, and references to guests in the gallery are not allowed.

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

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

This is a fair rule. It offers an amendment as well by the ranking member of the Committee on Ways and Means. I look forward to having it come to a vote.

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

The previous question was ordered.

The SPEAKER pro tempore announced that the ayes appeared to have it.

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

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

The Sergeant at Arms will notify absent Members. The vote was taken by electronic device, and there were—yeas 220, nays 207, not voting 5, as follows:

[Roll No. 116]

YEAS—220

Aderholt   Ferguson   Kolbe
   Akaka   Flake   Latham
   Armey   Foley   Latore
   Bachu   Garamendi   Leach
   Baca   Gejdenson   Lewis (CA)
   Balenger   Gallegly   Lindy
   Barr   Ganske   Lott
   Barto   Gekas   Longino (AK)
   Bass   Gilchrest   Mann)
   Beckett   Gilmore   McCrery
   Berenger   Gilman   McHugh
   Biggert   Goode   McNillis
   Bilirakis   Goodlatte   McKeon
   Binint   Gonzalez   Mica
   Bono   Graham   Miller (FL)
   Bono (CA)   Granger   Miller, Gary
   Brown (TX)   Greene   Moran (WY)
   Brown (SC)   Green (WI)   Morris Udall (AZ)
   Bryant   Gravel   Morse
   Burden   Gruzi   Myrick
   Burton   Gutknecht   Nethercutt
   Buyer   Hall (TX)   Ney
   Cano   Hall (IL)   Northup
   Calvert   Hall (VA)   Nussle
   Camp   Hastert   Osborne
   Cannon   Hastings (WA)   Otter
   Cantor   Hayes   Paul
   Capito   Hayworth   Petri
   Castle   Hegar   Perry
   Chabot   Hefley   Pickering
   Chambliss   Henry   Pitts
   Corbett   Hobbs   Plasters
   Cole   Hoekstra   Pombo
   Collins   Horseman   Powell
   Combett   Hostettler   Pruett
   Connolly   Houghton   Pryce (OH)
   Cox   Hulshof   Quigley
   Craig   Inglis   Radiodanovich
   Crenshaw   Isakson   Ramstad
   Culberson   Jackson   Rangel
   Cunningham   Jackson, Sa
   Davis, Jo Ann   Jenkins   Regula
   Davis, Tom   Jenkins (GA)   Rohmeh
   Delay   Johnson (CT)   Rodgers
   DeMint   Johnson (IL)   Rogers
   Dezadeaux   Johnson, Sam   Rogers (AZ)
   DoD      Jones (NC)   Rohrabacher
   Donnelly   Keller   Rogers (NY)
   Dunn   Kellogg   Ros-Lehtinen
   Edwards   Kennedy (FL)   Roybal
   Emerson   Kenna   Royce
   English   King (NY)   Ryan (WV)
   Everett   Kingston   Ryan (R)
   Knollenberg   Roy (R)
changed their vote from ‘‘yea’’ to ‘‘nay.’’

Mr. TAUZIN changed his vote from ‘‘nay’’ to ‘‘yea.’’

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 142, I call up the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SHIMkus), Pursuant to House Resolution 142, the bill is considered read for amendment.

The text of H.R. 1836 is as follows:

H.R. 1836

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ‘‘Economic Growth and Tax Relief Reconciliation Act of 2001’’.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) NO ABSTAINING VOTES.—Any abstaining vote on a matter that is the subject of a motion to recommit shall be considered a vote against the motion to recommit.

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(c) NO ABSTAINING VOTES.—Any abstaining vote on a matter that is the subject of a motion to recommit shall be considered a vote against the motion to recommit.
and inserting paragraph (2), the amendments made by paragraphs (6), (7), (8), (9), (10), and (11) of subsection (c) shall apply to amounts paid after the 60th day after the date of the enactment of this Act.

SEC. 3. PROTECTION OF SOCIAL SECURITY AND MEDICARE.

The amounts transferred to any trust fund under this Act shall be determined as if this Act had not been enacted.

The SPEAKER pro tempore. After 1 hour of debate on the bill, it shall be in order to consider an amendment printed in House Report 107-68, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered read and shall be debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. THOMAS) asked and was given permission to revise and extend his remarks.

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

Mr. Speaker, perhaps first of all we should talk about what this debate that is going on is all about. It is not about the structure of the taxes that this Nation will have based upon a conference between the House and the Senate, notwithstanding the fact that the House has passed a number of tax revisions and the Senate is in the process of passing a tax revision package.

What we are doing today is a process which is dictated by the budget bill and largely tied to the rules under which the Senate must operate. Notwithstanding the fact that the content of this bill is not that different from what we had in 1998 and the gentleman from Ohio (Mr. PORTMAN) working together for better pension benefits, all of the things that we have debated on the floor, I think what the chairman of the committee said is that that is exactly what this debate is about. The debate is about how fast can we relinquish our responsibilities as House Members, how quickly can we yield to the leadership, and how quickly can they bring something over here that nobody, freshmen, senior Members, Republicans or Democrats, had anything to do with.

And guess what? If they do it on this, what is going to happen in the next bill? That is the best kept secret in the House. The next bill, that is the alternative minimum tax. That is the one that we take care of capital gains, that would take care of extenders, we take care of debt service, we take care of business people, we take care of individuals that would trust us if we bring it to the House. That is just for CP-SPAN. The real tax bill will come from the Senate, and we probably will send something over there so that we can go into conference.

Mr. Speaker, I reserve the balance of my time, since nobody here should be wasting their time talking about tax policy, but rather how to yield to the other party.

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

Mr. Speaker, I share my colleague’s outrage. I share his pain. I only wish the gentleman from New York had showed the same degree of outrage and pain which produced this particular situation that we are in. It is not called the Byrd Rule for nothing. And Senator BYRD was in the majority when this was created, as was the gentleman from New York. So I find it somewhat perplexing, although amusing, that he wishes to characterize this as something that this majority has perpetrated on the House and the American people. Quite frankly, it was under his watch.

What this chairman will do is make changes in this outrageous and painful current structure. I aim to pluck some feathers from the Byrd Rule, and I think the current structure. I aim to pluck some feathers from the Byrd Rule, and I think the current structure. I aim to pluck some feathers from the Byrd Rule, and I think the current structure.

We do have the constitutional prerogative to initiate revenue. I think it is an outrage that we are told when and how we have to do business by the other body. However, under the current rules passed on the gentleman’s watch with the Democrats in the majority, we are in the current circumstances. However, I am quite sure that the gentleman and his side of the aisle will take this time to discuss taxes. It is certainly one way to consume the time that we have available to us.

I would much prefer that we work together as Members of this institution to be able to reclaim some of the prerogative we should have had that was given to the other institution when the gentleman was in the majority. I will work with him to make sure that we reclaim what I think the House’s rightful prerogatives in determining time, place, manner, and circumstances in which we deal with the Senate on questions of revenue. Unfortunately, we are laboring under the current law supported by the House’s rights in determining time, place, manner, and circumstances in which we deal with the Senate on questions of revenue. Unfortunately, we are laboring under the current law supported by the House’s rights in determining time, place, manner, and circumstances in which we deal with the Senate on questions of revenue. Unfortunately, we are laboring under the current law supported by the House’s rights in determining time, place, manner, and circumstances in which we deal with the Senate on questions of revenue.
Mr. RANGEL. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I would ask the chairman, what makes the Byrd amendment so powerful? Does he believe that is one of the few Democratic legacies that we have that the gentleman has not dismantled? Everything else we believed in, in health care and Social Security and education, the gentleman found it so easy to say that we are now in power and this is where we can show you what we are going to do. When did the gentleman first find out that the gentleman had the power to change the Byrd amendment?

Mr. THOMAS. Mr. Speaker, reclaiming my time, I do not know that I have the power. It is a cooperative effort. But after this exercise and the clear feeling on the part of the gentleman that it is now outrageous and painful, that I found a new ally in trying to make it work. I did not realize the gentleman was so outraged and that there was so much pain laboring under the Byrd Rule. For fear of putting everyone to sleep, I will spend just a minute talking about why we are in the situation that we are.

Under reconciliation with the Senate, given their rules, there are two key points that need to be remembered when the House and the Senate try to reconcile the budget bill and taxes. There is only one opportunity in any given session of Congress to have a decision made on the budget and taxes associated under that budget with 51 votes, because the Senate’s fundamental rules do not limit debate. Therefore, anyone can filibuster at any time they want, which requires 60 votes from the Senate to stop that filibuster. This is an opportunity to do the people’s work under a simple majority. That is one of the reasons we have labored under the Byrd Rule. The 51 vote means we can do meaningful and useful change instead of some of the outrageous change dictated by a minority, whether it is Democrats or Republicans at the time, or a coalition that can control the floor of the Senate.

In addition to that, the Senate does not have the equivalent of our Committee on Rules. One of the things the Founding Fathers created was a structure in the House that could be relatively responsive to needs. There is a traffic cop or a committee on Rules. One of the things the Founding Fathers created was a structure for controlling debate on the floor called the Committee on Rules. The Senate does not have that. So we are willing to be subjected, to a certain extent, to the outrages that the gentleman has expressed for the opportunity of moving needed legislation with a 51-vote number in the Senate. We only get it once. If we fall on this, we get another opportunity. As the gentleman knows, the tyranny of the minority on a 60-vote requirement will not enable us to do things that I believe the gentleman and I would like to do.

So we are putting up with this, notwithstanding the outrage; but we will be looking at ways to modify this in the future so that the prerogatives in the House are not quite so controlled by the other body.

□ 1345

It is the opportunity to make law by 51 votes in the Senate that is driving us to this to what I would otherwise consider outrageous and painful situation. However, knowing how the other body works, the opportunity to resolve problems with 51 votes is an opportunity neither one of us should pass up, because we have seen what they are doing with 51 votes. We can imagine what they would have to do with 60 votes.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair would remind members that while it may be important to focus on House prerogatives, they should be very, very careful not to characterize Senate rules.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means.

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

I appreciate my chairman’s explanation of the budget reconciliation process. That is what this is, this is the budget reconciliation bill. But I always thought that budget reconciliation legislation was supposed to reconcile what we do on spending and tax bills with the budget resolution.

We have certainly limited how much tax cuts we are supposed to have this year and how much spending, but as the chairman pointed out, and I think rightly so, budget reconciliation normally occurs at the end of the session, so we reconcile to the budget resolution. Instead, we are doing it earlier so we can pass a single tax bill in the other body, not by a bipartisan vote, but along very partisan lines. That is what this bill is allowing us to do. I urge my colleagues to vote against it.

It is very interesting that the other two issues that are scheduled this week already violate the budget resolution, because we have a bill this week that will cut taxes a little more for adoptions, and we have a spending bill that will be coming out dealing with the education programs that is above the budget resolution.

Mr. Speaker, my reason for urging my colleagues to vote against this legislation is that it is not a $1.25 trillion tax bill. In reality, we have gone through this, and the chairman knows it, we are going to be doing other tax issues that we are going to have to deal with the alternative minimum tax. We have to deal with the tax extenders. There is other tax legislation that already has been favorably reviewed by the committee. Also, we have the underlying interest cost. When we add that all up, it comes to over $2.5 trillion.

On the spending side, the education bill we will be taking up later this week, it does not spend what was provided in the budget resolution, it is $4.5 billion above what was provided in the budget resolution. Yet we do not object to spending more money on education. The Democratic budget provided for more money for education. But I do object to us passing legislation that is going to add to red ink. That is where we are heading, to larger tax cuts, larger spending, and what we will give is our ability to pay down our national debt.

I do not even think we are very subtle about it. The National Review, which often espouses the Republican monosphy, says, “Don’t fear a deficit: the advantages of red ink.”

I would hope that with our projected surplus, that our first priority on a bipartisan basis would be to reduce our national debt. I regret that is not the case.

So I heard my chairman’s explanation. This budget reconciliation should not be a way in which we pass a single partisan bill in the other body. Instead, we should use it as a way to come together to a budget that is truly bipartisan that will allow us to protect the priorities that are important to our Nation: to have a reasonable tax cut, and to be able to move forward in a bipartisan way.

This bill does not do it. I urge my colleagues to reject the legislation.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Arizona (Mr. Hayworth), a member of the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank the chairman of the Committee on Ways and Means for yielding time to me.

Mr. Speaker, how mystifying this debate must be to Mr. and Mrs. America, because here we stand in the people’s House finding ourselves enshrouded, encumbered with some frustrations dealing with something our Founders put together, and that is the difference between these two institutions, this bicameral legislative branch.

We understand that. I appreciate the concern of my colleagues, the gentleman from New York, the ranking member of the committee. But let me suggest to all my colleagues that what we do today with this piece of legislation is to reaffirm our commitment to a basic premise that is quite simple: the American people are overtaxed and they deserve a refund.

We are working through a process that any student of government understands, and indeed, all schoolchildren are taught about, in terms of bringing this forward.

We can deal with arcana, we can deal with prerogatives of different committees, but the bottom line is this: for
the Members of this House today, a vote in favor of this legislation will result in tax relief for the American family. That is the basic premise. This is the tool we use to achieve that dream.

Mr. Speaker, all too often we hear from constituents that they would like us to do something. What are we to do? We are not magicians without being disagreeable. If Members oppose meaningful tax relief, then oppose this legislation. But if Members want to stand up for their constituents who are overtaxed, who for years and years have been told that they should somehow sacrifice so that Washington bureaucrats can have more, in stark contrast to the rhetoric of the last half-century, where American families were asked to sacrifice so that Washington ostensibly could do more with their hard-earned money, what we say today, what we reaffirm with this procedural vote today, in essence, is the notion that we should turn that around; that Washington should go back to the drawing board so that American families can have more.

We can disagree on a variety of issues. We can share the frustrations as to institutional prerogatives. But again today, when we come to the floor, I would implore the Members of this body to keep their eye on the ball, keep their eyes on the prize: basic tax relief. This vote, in essence a procedural vote, moves that along.

If Members want the American people to hold onto more of their own hard-earned money to save, spend, and invest for their families, vote yes on this legislation.

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

Mr. Speaker, this is not a procedural vote, this is a substantive vote. The gentleman has just said that he has dumped the marriage penalty provision, the estate tax provision, the tax behavior that he dumped all of that, and he is asking us just to support this tax cut that is geared to the top 1 percent of the highest-income people here, so this is not procedure, this is substantive.

Mr. Speaker. I yield 3 minutes to my friend, the gentleman from Washington (Mr. McDERMOTT), a senior member of the Committee on Ways and Means.

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

Mr. McDERMOTT. Mr. Speaker, here we go again. We are through with the shell game of the budget and now we have come to the tax cut.

First we are told we need a tax cut because the country’s economy is strong and we need to encourage it and keep it going. Then we are told that we need a tax cut because the economy is going bad, so now we need a tax cut for that. Most recently, we have been told we need a tax cut for the issue of the energy crisis, which is supposed to be the number one issue.

Mr. Speaker, the Bush tax cut is an outright deception. It is not for hard-working Americans and will do nothing to prevent a recession. Not a single component of the President’s proposal is honest. It is really no wonder we have to take this thing through here one piece at a time.

The Republicans and the administration want to move it as a fast-moving train that everyone gets a chance to look at. Instead of focusing on what we actually have right now, this tax debate has been framed in terms of an unreliable 10-year frame of reference. If the Congressional Budget Office were to find out what the present circumstances in our economy, with California in trouble and the stock market and all the rest, then we would have much different things.

Basically, the game today is a crapshoot. We would have better odds rolling these dice than banking on the money being around for education, for defense, for privatizing Social Security, all the things the President says, that we would counting on a 10-year projection. Just roll the dice, Mr. Speaker, and see what comes up.

The administration seriously underestimates the size of the surplus we ought to be running in order to meet our needs for Social Security and Medicare care. If we had a no wonder that the bill is so backloaded, just like everything else. They are trying to squeeze five pounds of potatoes in a three-pound sack, and the President will not be around to take care of it when the mess occurs.

Apparent that President Bush’s record of cutting taxes in Texas was the centerpiece of his Presidential campaign. Now, many State Texas legislators attribute those tax cuts to the reason they have a budget deficit in Texas. In fact, then Governor Bush the other day said he could see there was a disaster. He said, I hope I am not here to deal with it. This is deja vu all over again. Take a look at the record in Texas and figure out what it is going to be like in this country in three years if he gets what he wants. This is deja vu all over again. We can learn from history.

I would offer anybody the opportunity today to vote no on a fraud, because if Members want to gamble away the country’s future on 15-year projections, today is the day. Members should bring their dice and say, here we go, come back to me, baby. That is what this is all about. It is not going to happen.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I must say that I do have fun trying to follow which argument has now been determined by the brain trust of the Democratic Party is the appropriate one to make. Apparently the President needs to slow this process down because this is a fast-moving train. I thought earlier the argument was the train was not moving fast enough, and that we have to make sure that we get money out to the American people.

I do want to put in context the fundamental nature of the political and partisan argument that is being made. I would simply lay before the Members the story which has run in a number of newspapers. This happens to be from the Los Angeles Times:

The Federal Reserve cut its key interest rate another half percentage point, to 4 percent, Tuesday, and contrary to what had been expected, left the door open for still more cuts aimed at getting the stumbling U.S. economy moving again. It was the fifth time in the past three months that the central bank shaved the so-called Federal funds rate, a benchmark for interest rates in general, and continued one of the swiftest rate reductions in Fed history.

I would hope this Congress is on a fast-moving train to provide additional assistance. It is not the end-all and the be-all, but if we can move, as the budget resolution said, up to $100 billion over the rest of this fiscal year and next fiscal year into the hands of the American income tax payers, it would simply assist the Federal Reserve chairman in making sure that this stumbling economy recovers.

I just find it humorous. Earlier we were not moving fast enough, and now we are involved in a procedure which enables us to get to conference to produce a result before Memorial Day, and whoa, this is a fast-moving train.

I hope the American people believe us when we say this majority in the House and Senate is going to produce a fast-moving train. It will produce a responsible, permanent marginal rate reduction, along with other adjustments, so that we can make sure that we do not stumble in this economy. Our goal is to keep the country strong, not to gain some kind of a narrow partisan advantage by exploiting this opportunity.

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

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume. I am certain that those 1 percent of the billionaires cannot wait to get half of this tax cut so they can spur the economy. But that explanation is just as interesting as this procedure.

Mr. Speaker. I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER). (Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I do not know if this is a fast-moving train or a slow-moving train, but I get the sense this is like that train yesterday with no driver. It is very toxic and it is going real fast down the tracks, and there is nobody in the engine.

What this tax cut is going to do is in fact it is going to be toxic to the rest of the priorities in this Nation. Tomorrow we are going to start the debate on the elementary-secondary school act, and we are going to bring a bill out that brings not only major reforms within our school systems, but it will provide the resources to bring about those reforms that the President...
May 16, 2001

Mr. BLUNT. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), the chief deputy majority whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman from California (Chairman THOMAS) for yielding the time to me.

Mr. Speaker, with the train metaphor that we are having here, it does seem to me that this bill and what is contained in it will be the engine that moves the train. We do need to respond to what needs to happen to get our economy headed back in the right direction. This bill helps do that.

This discussion of rates, Mr. Speaker, is very important. It is very important to talk about this whole rate issue. I mean, for us, as our proposals, would establish this principle. No American taxpayers should pay more than a third of their income in Federal income tax. That is what this bill says.

That does not say they would not pay more than a third of their income in taxes. That says the Federal income tax.

You could argue this in a much more fine way than we are here today by saying that even that rate is too high because that does not consider the Social Security tax. It does not consider the Medicare tax. It does not consider State income tax. It does not consider sales tax.

It does not consider gasoline tax. It does not consider tax on utility bills. It does not consider the 103-year-old Spanish-American War tax on your local telephone bill. This just says that on your income, with your Federal income tax, there should be a limit, and it also says at the bottom levels that we are better off with a 10 percent bottom line bracket than a 15 percent bottom bracket.

Those are the guidelines that we need to be debating, need to be working on. They need to be part of the conference with the Senate and passing this bill today, understanding that every taxpayer, everypaying family, has a stake in the economy and a stake in this surplus that has been sent to Washington.

Mr. Speaker, I respect the work that is being done on the education bill that the gentleman from California (Mr. GEORGE MILLER) talked about. I am convinced there is going to be money to do what the Federal Government needs to do. The problem will be if we leave this money in town that we have been paying that we did not need in the Federal Government, we will think of a way to spend it.

Mr. Speaker, we have still allowed in our budget plenty of room for growth. In fact, we are wondering, in fact, if there is a way to stop the growth of the Federal Government to twice the rate of inflation. And many, including me, are saying the President will have won a big victory if we can hold the growth of the Federal Government twice the rate of inflation, which just shows how far we have gone in the direction of Federal Government spending.

One way not to spend the hard-earned money of American taxpayers is to give it back to them. They will do a lot better if they send for this economy with their money than the Federal Government would.

Moving this bill forward moves that process forward. It would be great within the next few days if we can send to the President, meaningful tax relief for every American taxpayer.

Mr. Rangel. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Mrs. DOGGETT), a member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, finally, the Republican tax plan and the Republican energy plan are one. In the amazing words of President BUSH on Friday, "The quickest way to help people with their energy bills is tax relief."

This year the benefit to the typical taxpaying American family from this Republican plan that we are considering today will amount to the cost of about $3 gallons of gas per week. That is probably not to even most Americans to and from work, but it will keep your lawn looking pretty good. I guess you could ride your lawn mower to work.

Mr. Speaker, perhaps, though, Democrats have been a little harsh in criticizing this bill as being designed solely for the wealthy, because just being affluent, just being rich is not enough to really rake in a bonanza from this bill. As The New York Times reported yesterday, "The wealthiest cuts would go more to the extraordinarily wealthy" as opposed to just the "merely affluent or wealthy" and, "the very richest would save more than $1 million a year under this House plan."

Your family gets 9 gallons of gasoline a week, the super-rich, each of them, gets $1 million a year from this scheme.

This summer many American consumers cannot afford to go to the gas station and say "fill'er up" unless it is a very small quantity for their lawn mower. But the privileged few, they have already said "fill'er up" to these Republicans, who have been all too willing to reward the few at the expense of the many.

That expense will come not just this year, but when it is time over this decade to fund student financial assistance, so that every young person can get all of the education for which he or she is willing to work wants; when it is time to address the many unmet health care needs of Americans such as access to the soaring cost of prescription drugs; when it is time to put more cops on the street to protect our neighborhoods; when it is time to meet a wide range of future needs of this country including reasonable tax relief and correction of inequities in the Tax Code. The same Republicans who offer your family 3 gallons of gas a week while they give other folks a million dollars a year, they are going to be saying, well, we are sorry we cannot do that.

We just do not have the money to do it. The reason they do not have the money is no accident. It is a result of a purposive policy to shortchange the American people in the way quite similar to how they are being shortchanged today.

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

Mr. Speaker, I cannot help but observe the indication of the gentleman from Texas (Mr. DOGGETT) that they are going to get 3 gallons, and he repeatedly held up a 1 gallon tank. That is about as accurate as the rest of his statement.

Mr. Speaker, I yield 3 minutes to the gentelman from Wisconsin (Mr. RYAN), a member of the Committee on Ways and Means.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from California (Mr. THOMAS) for yielding the time to me.

Mr. Speaker, the other side has nothing to offer but fear itself. As I watch these public policy debates coming to the floor of Congress, you can see two schools of thought play here. One is trying to appeal to the very emotions of hope, of accomplishment, of success.

We punish success in the Tax Code today. The small businessman, the small businesswoman, the entrepreneur in society today, which is the engine that drives the American economy, is what gives us our jobs in this country; yet, we tax them at punishing tax rates, higher than we tax IBM, Exxon, the multinational corporations in this world.

What we are trying to achieve by lowering the tax rates on entrepreneurs, on small businesses, on the American families, down to 33 percent is to simply say that we recognize that what grows this economy, that what creates jobs is small businesses and entrepeneurs.
We need to feed that engine, because if we fall victim to the politics of fear and envy, as the other side is suggesting, we will continue to take more and more dollars out of workers’ paycheck. We will continue to raise the bar so high for the middle class that people cannot build a small business to employ people, to risk-take and become an entrepreneur.

Mr. Speaker, there is a tremendous toll gate in the middle class, on the way to the middle class. We are penalizing success in this country. The other side wants us to continue to penalize success in this country. They want to appeal to the worst emotions in you.

They want to suggest that this is nothing more than a tax cut to Bill Gates’ or Sam Walton’s heirs. That is not what we are doing here. What we are trying to accomplish is this: You are overpaying your taxes. You ought to get your money back. Mr. Speaker, are protecting Medicare. We are modernizing Medicare. We are protecting Social Security.

We are paying down the national debt as fast as we can. And even after doing all of those things, you are still overpaying your taxes. What we are simply saying is rather than take your money and find new ways to spend it for you here in Washington, we want to give it back to the American people, put the money back into their paychecks as they overpay their taxes, and revive this engine of economic growth, small businesses and entrepreneurs, and prey on people’s hopes and dreams and aspirations. That is what this is all about.

That is why it is important to lower that top rate to 33 percent. I know these numbers may be confusing to some. But what it means is whether or not we are going to answer the call to revive this struggling economy, whether or not we are going to put jobs in front of fear and envy, these are the things that are on the line right here. That is why it is important for us to pass this tax bill, because it is our job to grow this economy and save jobs in this country.

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

Mr. Speaker, I am surprised that the gentleman from California (Mr. TITUS), my distinguished chairman of the Committee on Ways and Means, would ridicule the 1 gallon container that was held by the gentleman from Texas (Mr. DOGGETT), my friend. As a former college professor, he should know that 1 gallon filled three times equals 3 gallons.

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

Mr. MATSUI. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL), the ranking Democrat on the Committee on Ways and Means, for yielding this time.

Mr. Speaker, I am kind of surprised that my colleagues on the other side of the aisle keep talking about Democrats bringing up the issue of greed and envy. I thought we were supposed to debate these things and state the facts. The fact of the matter is, if you took all of the bills that were passed over the last 3 months on the other side of the aisle then we would find that the top 1 percent of the taxpayers in the America, that is, people that file tax returns on the average of $1.1 million a year, their earned income, they get 46 percent of this tax cut.

Mr. Speaker, they cannot change that fact, and I think it is only right that the American public know this fact, the fact that those people that make over a million dollars a year get 46 percent of the benefit.

It seems to me something that everybody should know before they vote on this particular bill. This is not talking about, making discussions about greed and envy; it is just stating a fact.

But rhetoric is always there, and that is what this floor is all about. This is what we are talking about in terms of lowering the rhetoric on the floor of the House.

The fact of the matter is that not only are we talking about where the redistribution goes, but there is also something interesting about the so-called surplus. If you recall, we are talking about the basis of this tax cut. $5.6 trillion in surpluses over the next 10 years, of which one-third, or about $1.8 trillion, will be in the first 5 years; and then a 70 percent total of this $5.6 trillion will be in the second 5 years.

The same people that predicted this number, the Congressional Budget Office, said that there is only a 50 percent chance of accuracy that the first 5-year projection will be correct.

Then in the last sentence in the same document, the same Congressional Budget Office that made this prediction, they cannot even make a forecast on 10-year projections. The only reason they do it is because they in Congress mandated it.

We could be talking about $10.9 trillion or $1.6 trillion, or maybe even a deficit, because these numbers are based upon projections. They are projecting, for example, there will be a 4.6 growth rate over the next 10 years.

Mr. Speaker, I would imagine any one of you sitting in the hall here could not make projections about what your income or your child’s income will be 10 years from now. But, nevertheless, we are doing this.

I have to say another thing. This is redistribution. About 60 percent of the $5.6 trillion in the form of Social Security payroll taxes. Who gets the burden of that? The average American, because it is capped at $76,000 a year.

So we are going to take the payroll taxes and we are going to redistribute it to those people that file income tax returns of $1.1 million a year.

We are playing a gamble with the deficit and with the future of our children, and we are redistributing this tax cut in a way that takes from the average taxpayer or the average worker and gives to the super-rich. This bill should be voted down. The budget is a sham.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. MCEINNIS), a member of the Committee on Ways and Means.

Mr. MCINNIS. Mr. Speaker, what a bunch of hogwash. I was just peering over the last few minutes. What is this, Broadway? I am saying this to the Democrats, what is this, Broadway? They have got a Member up here with a gasoline can stomping around trying to use his theatrical props. Before the speaker, before the gas can, we had another Member on the other side of the aisle up here playing with some dice.

This is serious business. We are not on Broadway over here. We are on Washington, D.C. using other people’s money. Did my colleagues ever hear of play on Broadway “Using Other People’s Money”? That is exactly what the Democrats want to do, but they want to use more and more of other people’s money.

Their policy is simple: spend, spend, spend. When the American taxpayer, who, by the way, is the American worker and, by the way, men and women that are working out there in that workplace, when they begin to question the liberal Democrats about their policy of spend, spend, spend, they come up with one answer: fear tactics.

I will tell my colleagues, the gentleman from Texas (Mr. DOGGETT), and I question the accuracy of his remarks, in fact, they are inaccurate. Let me quote his remarks: If we pass this, all future needs of this country cannot be met, if you give a tax refund to the taxpayers.

He goes on further: Further, if you give a tax cut to the American taxpayers, no money for education, no student finance assistance, no prescription drugs, no health care, no more money for the Cops on the Street, and once again he summarizes, it stops all future needs of this country.

It is that kind of exaggeration that puts disrespect in Washington, D.C. That is why people are concerned about the integrity of the institution back here. My colleagues are talking about other people’s money, and they ought to move it off Broadway and they ought to move it to Main Street.

Those liberal Democrats that want to continue to spend and spend and spend should at least have enough guts to stand up to the people who are working for this money, who are creating jobs in this country, and tell them they want to spend, spend, spend instead of threatening them with their future and it for the future needs of this country will not be met if a tax cut goes to the American taxpayer.
Take a look. Everybody on this House floor, all of my colleagues, we do not go out there. Our salary is created by tax dollars. We do not go out and sell more hamburgers or put up a Kool-Aid stand or mow a lawn. We reach into people’s pockets and take the money they have either for selling a hamburger or setting up a Kool-Aid stand or mowing a lawn.

We take their money, and the first thing we do is pay ourselves. The second thing we do, when we discover there is still more money, is pay ourselves even more. We give to that person, people at the Kool-Aid stand, just spend it, spend it, spend it.

When the person at the Kool-Aid stand says, hey, can I have a little back of what I gave you? You have some extra money. No, not if you care about your kids’ education. No, not if you care about more cops on the street. No, not if you care about prescription care. In fact, no, not if you care about any future need of the country. What an exemption.

The Republicans and the conservative Democrats deserve more from the liberal side of the Democratic party. My colleagues ought to follow the leads of their conservatives over there and give the checks to these taxpayers a little of what they deserve.

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

Mr. STARK. Mr. Speaker, I thank the distinguished ranking member. I like the introduction by the gentleman from Colorado (Mr. McINNIS). As one of the most conservative Members of the House, as ranked by the Concord Coalition and other groups, I am proud to answer the question of the gentleman from Colorado, because it is true that Democrats have been concerned about spending.

We would like to spend money to see that our children’s Medicare is safe. We would like to spend money to make sure that the checks for Social Security go out each month to those beneﬁciaries. We would like to spend money to see that teachers can have a reasonable salary. All of those things are purposely being denied in the Republican budget which is driven by this tax cut. This is not Broadway. These are facts.

The Republicans, for example, ran out of money for next year’s Medicare payments and had to go through some blue smoke and mirror accounting tricks to find an extra $20 billion yesterday in the Senate bill because, otherwise, they would have had to dip into 2002’s Medicare trust fund by 20 billion bucks to balance the budget.

That is how bad this bill is. There is no money left for a pharmaceutical beneﬁt unless, of course, we choose to take it out of Medicare and thereby dismantle the Medicare system which, under the former leadership of Speaker Gingrich, was the Republican plan and still remains the operative policy today.

Privatize Social Security as the Republicans try to have us do, so that we can save that money and give the tax cuts back to the rich. So make no mistake about it, we conservatives would like to save money. And we would have even run a business and not inherited it from our fathers, or worked all our lives in the public trough would like to see that the poorest of Americans get taken care of. That is the American way. We would like to see that the wealthiest get taken care of.

We would like to see that Medicare survives. That takes tax dollars.

The fairest way to tax the American people is to let those who are very rich and very wealthy pay a larger percentage. That has been the American way for a long time. We hope, as Democrats, that continues to be the American way, not the Republican way to give the money back to the rich donors to their campaigns, the huge corporate ofﬁcers and the beneﬁciaries of huge stock options, support the people in Aspen who are living the life of luxury, and let the people on Main Street go broke. That is not the Democratic way. That is the Republican way, and we should oppose it.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. BRADY), a member of the committee.

Mr. BRADY of Texas. Mr. Speaker, I think that tax relief in Washington is out of touch with the real world and the way families have to struggle these days. It is true that tax relief under this plan starts pretty modestly and grows. It is done so that it increases as we pay off more of our national debt; and as our surplus increases, the tax relief increases. That is the responsible way to do it.

But they tell us it is only for the wealthy. But if we look at families today, between day, 2001, which meant, from January 1 to May 3, the average American family worked for that time period just to pay their taxes. Starting last week, we started to work for ourselves. No wonder it is so hard for families to make ends meet.

Under the President’s proposal and under the Republican proposal here today, in this ﬁrst year, for a teacher whose husband works at the auto dealership as a mechanic, who has two kids, it means tax relief for about $500 this ﬁrst year and $1,600 it increases each year to about $1,600.

Now, in Washington, people do not think that counts. But I can tell my colleagues, when one is raising children, an extra $120 or $130 a month for school clothes or to ﬁx the car or to pay for utilities or all the things that come up for health care when your child is sick, that is real money.

My colleagues will hear today about a rebate scheme. But let me tell them, they will love the rebate scheme as long as they do not mind overpaying at the cashier, at the counter, and watching the clerk hand the change to the next guy in line. They will love rebates.

But if my colleagues think if one overpays that the change ought to come back to one in proportion of what one overpaid, then my colleagues are going to support the President’s plan and the principles in the Republican plan.

What is wrong with eliminating the marriage penalty? What is wrong with not taxing people at death? What is wrong with encouraging small businesses to create new jobs? We know if we head into recession, we will lose 3 million jobs in America. That is 3 million families that are going to hurt very badly. If we can make changes today, maybe we cannot save all those jobs, but we can save some of them, and we ought to try.

Mr. RANGEL. Mr. Speaker, I yield myself 30 seconds to ask the gentleman from Texas (Mr. BRADY) to answer a couple of questions. One, why? Because he talked about helping small businesses. He talked about marriage penalty. I assume he wants estate tax relief.

Where are all these things in this bill that we are talking about today? Where are these things? I am missing it. Where is it?

Mr. BRADY of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. BRADY of Texas. Mr. Speaker, the principles of this bill.

Mr. RANGEL. Mr. Speaker, I advise the gentleman, be careful what word he uses, because he has got the Speaker here. Do not talk about the other body now, but go ahead. Be careful.

Mr. BRADY of Texas. Mr. Speaker, this bill creates the vehicle for tax relief for Americans. As we sent it to the Senate, as we talked through the principal items we talked about, that is what this bill is about. The gentleman knows it and may not like it, but he understands it.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

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

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

Mr. Speaker, this is serious business today. This is a serious debate. That is why I am so concerned that the majority’s tax reconciliation bill before us and strongly support the Democratic substitute which I feel is much more fiscally responsible, long-term in outlook at better enables us to pay down our national debt.

Mr. Speaker, there are a lot of problems with this tax reconciliation bill, not least of which that this is the single most important act we can do if we are interested in setting up for failure future generations of leadership and our children and grandchildren.

The great unspoken truth in this debate is all the focus has been on the
next 10 years and projected budget surpluses that may or may not occur, but very little attention has been given to what happens in the second decade with the aging population, the demographic boom, the soon-to-be-retiring baby boomer generation. We have serious unfunded liabilities and responsibilities that need to be taken care of. If we want to set up the next generation of leadership and our children for failure, this is the best way of doing it.

Just take this chart, for instance. It shows that Social Security trust fund and Medicare trust fund and what it looks like over the next 10 years. Half of the projected surplus in the next 10 years is coming out of the Social Security trust fund which no one here wants to touch. But if we look at the second decade and beyond when the boomers start retiring, we see a sea of red of unfunded liabilities.

If this tax cut the way it is currently drafted passes, it will gradually phase in over the next 10 years and become fully implemented at exactly the same time the baby boomers start to retire. If that is not a recipe for disaster, I do not know what is.

But what else is unspoken is the hidden cost of this budget resolution that is working its way through Congress. Where is AMT relief in this tax bill, the alternative minimum tax? We all know that that is something we are going to have to deal with in the next 10 years. Where are the tax extenders? Where are the projected plus-up in cost for the missile defense shield, for increase in defense spending, for farm relief if the farm economy does not turn around? These are things that we all know we are going to have to deal with and deal with in a fiscally responsible manner. We nor future Congresses are going to meet those obligations and reduce our national debt with this tax reconciliation bill. So I encourage my colleagues in the Democratic Congress, which is more fiscally responsible and places a priority on debt reduction and to preserving and protecting Social Security and Medicare for future generations.

Mr. THOMAS. Mr. Speaker, might I inquire about the time remaining on either side.

The SPEAKER pro tempore (Mr. GILLIMOR). The gentleman from California (Mr. THOMAS) has 6 minutes remaining. The gentleman from New York (Mr. RANGEL) has 7 minutes remaining.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 4 minutes to the gentleman from Louisiana (Mr. McCRARY), a member of the Committee on Ways and Means.

Mr. MCCRARY. Mr. Speaker, I rise in strong support of H.R. 1836 which continues this body’s efforts to quickly enact meaningful tax relief. What I understand that this bill mainly represents a vehicle to get us to conference with the Senate, I am particularly pleased that the House’s reconciliation bill focuses on the most important component of the President’s tax cut, a reduction in marginal tax rates.

With almost $960 billion in tax relief, this legislation provides a solid base for addition of other important tax cuts during negotiations with the Senate. This is the agreement we made with our friends on the other body, however, I urge the retention of these rate cuts.

First, unlike the tax policy of the prior administration, marginal rate cuts do not discriminate. They do not favor only individuals engaging in activities deemed worthy. They do not use IRS agents as social engineers. Under these marginal rate cuts, if one pays income taxes, one gets a tax cut. It is that simple.

Second, bold marginal rate cuts can help prevent a further slide in our economy. During testimony before the Committee on Ways and Means earlier this year, noted economist Martin Feldstein testified that, ‘a large tax cut coming at this time will help to assure a stronger short-term recovery from the current economic slowdown.’ He went on to say that, while adjusting the tax rates cannot eliminate the business cycle, a tax cut would be useful, as the increase in after-tax incomes and expectations that such increases will continue in the future will boost confidence as well as spending power.

Increasing the short-term effect by starting the tax cuts at the beginning of the year would reinforce this favorable effect.

Simply put, the sooner we pass rate reductions, the more likely they are to help address concerns about the softening economy. Arthur Laffer, who advised former President Reagan, said it quite simply, ‘George W. Bush’s tax cut proposals will benefit the American economy in the near term by bringing the current slowdown to a quick end.’ In the long run, it could increase the economy’s growth rate. Pro-growth tax policies do wonders for the economy. Cutting marginal tax rates encourages individuals to work harder and to take risks. For the small businesses who pay taxes on the individual schedule, these tax cuts will make it possible for them to expend the capital necessary for them to continue to grow.

Recent research by Robert Carroll and other economists found tax rate reductions had a significant influence on small business growth and that reducing the top marginal rate down to 33 percent would result in approximately 10 percent higher revenues for those small businesses in the top tax bracket. In another paper, the group found that boosting small businesses’ after-tax incomes by that much would increase their likelihood of adding more employees.

A dynamic analysis of the United States economy done by the Heritage Foundation estimated the rate reductions contained in this legislation would increase the family of four’s after-tax budget by $2,624, leading to an increase in consumption while also driving up our anemically-low national savings rate.

In short, Mr. Speaker, let our economy grow. Let us pass this tax bill out of the House today, get into conference with the Senate, give our economy a boost, and get us back on the path to economic growth.

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

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

My colleagues, why the need to circumvent the rules of this House and the Senate? Why not follow the legislative process in this Congress? Why do we have this bill, so-called reconciliation bill, before us today? Why, especially when this bill’s benefits go mostly to the wealthy and not enough to the rest of middle America.

Why is it that in this proposal the tax cuts that are within it would benefit the richest of Americans; that 1 percent of Americans would get 44 percent of the benefits of this bill and yet 60 percent of Americans earning some $41,000 or less, 60 percent of America, will receive something on the order of about 16 or 17 percent of the entire wealth in this package?

Why are we rushing so quickly to do this? Why must we evade the process? Why can we not go through the committee process? Why can we not have this inspected in the light of day? Why can the sun not shine on what we are doing?

Why can we not, in fact, feel the same urgency for our energy crisis as we apparently feel in this Congress towards giving tax cuts which will benefit mostly the wealthy? If we are in need of acting quickly in this body at this moment it is in regards to the energy crisis, which will affect middle America today. When those blackouts occur, those who have money can buy their way out of them. Yet here we are today not following the legislative process that we are accustomed to, to try to rush through a package of benefits that will not help most of middle America. This is a major use of our time, and it is a major use of taxpayers’ money, because every day the lights are on here we are spending money.

I would urge my colleagues to use more caution, more prudence in moving forward. Because, quite honestly, if we need to act today, it is on dealing with this energy crisis that will hit every single home of middle America. That is why today it does not make sense for us to evade the process, go around it, circumvent it, not show the American public what we are doing completely, which will not affect most of the people having a chance to watch this debate.
It is time for us to get down to the business this Congress was elected to do. It is time for us to take care of urgent matters, such as the energy crisis now, and deal with tax cuts in a fair and prudent manner for all of America.

The president that conceived the deficit as an imperative, the Democratic alternative is exactly that. It provides immediate relief to all Americans, and it does it in a fair way; and it makes sure that we protect Social Security, Medicare, education, crisis for our farmers in the heartland, and other problems that still save us money to take care of crises like the energy crisis we are facing.

That is where we need to go. And I would hope that this Congress would heed the call of Americans who say, keep my lights on. Give me fair tax relief, but keep my lights on.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to the gentleman from Pennsylvania (Mr. MURTHA), a distinguished Member of this House and to that end I think less he really believes that it is important to the national security of our great Republic. It is a great and distinct honor for me to yield the remainder of my time to him.

The Chair.

Mr. MURTHA. Mr. Speaker, I am concerned about the way we are doing this. I voted against every tax cut so far. When I go home, and I have been home the last 8 weeks in a row, only one person has brought up to me that we need a tax cut. Only one person has said, and I ask them, How many of you in this room make over $300,000 a year? Not many hands go up in my district.

The point I am making is the way we are doing this is what worries me. We have a budget problem, a defense problem; we have promised the troops we are going to give them a 7 to 10 percent pay increase. We have all kinds of weapon systems which are out of date. We have an O&M problem. And all these are outlay problems. We have a procure-ment problem as far as the ships go in the Navy. I remember back 20 years when half our airplanes were grounded because of lack of spare parts. I remember offering an amendment to put $5 billion in. We can afford it. But we have already put $3 billion for O&M.

Now, I voted for the last tax cut. It was a bipartisan tax cut. When I say the last tax cut, the tax cut that came in the Reagan administration that most of us were convinced by President Reagan and the leadership in the House that this was going to improve things. We ended up with $4 trillion worth of deficit. Now, we can blame it on spend, we can blame it on everything, but the facts are we ended up with a bigger deficit. I worry about the same thing again.

It seems to me that before we take up a tax cut of this size, we should figure out exactly what we are going to do with the money. When I went down to Austin to visit with President Bush, he asked a number of us what we thought needed to be done. I told him I thought this year alone we needed $30 to $55 billion alone. I worry about my district. They just cut off the gas to some of the people that could not pay their bills. In Pennsylvania you cannot turn the gas or electricity off during the wintertime; that is a violation of our state law. But when they have now turned it off. They could not afford to pay for prescription drugs and heating; and yet we are passing a tax bill, however it is configured in my estimation. That worries me that we are going to be right back to where we were before.

Now, they assured us that supply-side economics would work. All of us believed that at the time. I remember sitting in a corner and the chairman of the Committee on Finance came back there and said, Look, this is going to work. He said, You need to vote for this tax cut because it will stabilize policy, it will increase economic activity, it will make more money available for investment. Well, as all of us know, for whatever reason, it did not work right.

But my major concern is our national security. I have not seen any of the details of what the President’s going to propose. I hear all kinds of rumors. I hear the President saying he is going to spend more money on defense. I listened to him during his campaign. I think most of the people in the military that he engaged with thought that by this time there would be a supplemental appropriation and that there would be more money available for the military.

And I understand that he wants to study the situation. I appreciate that. He has some of the best advisers that any President ever had, and I know he is committed to a strong national defense. But I frankly do not see how we are going to get there. I do not see how we can increase the quality of life for the troops. I was for the draft, one of the few in this Congress that voted to continue the draft. I was not for the volunteer army because I knew that personnel costs would be exorbitant, but I thought a cross-section of Americans ought to serve in the military. It turned out it is very expensive. We have to offer bonuses; we have to pay extra money. If we want to keep a quality force, it has to remain a quality force for them to meet the issues that they face today.

So I would urge the Members to vote against this reconciliation bill until we see the details. Mr. THOMAS. Mr. Speaker, I yield myself the balance of my time.

I have been thoroughly convinced you are going to support Social Security, we have already passed a budget. That budget takes care of paying down the debt. It covers Medicare. It protects Social Security. It provides more than sufficient money for defense.

I find it ironic they have now reached a point that on a Republican administration, with the former Secretary of Defense as the Vice President, the former Secretary of State as the Secretary of State, and with the honored Donald Rumsfeld as the Secretary of Defense that we are worried about whether or not the defense of this country is going to be taken care of.

Where were my colleagues in the last administration based upon the folk who were running the show?

I hate to tell my colleagues this, but we have already passed three tax bills. It was more than a month ago. Even above the Arctic Circle, the sun does not come up. It is late some of my colleagues want to make this a partisan fight, but on one of those tax bills that we passed, the marriage penalty, there were 64 Democrats that agreed with us. We do not call that bipartisan. We call it the bipartisan, Omnibus Tax Bill there were 58 Democrats who voted on that package. We call that bipartisan.

It has been said that my colleagues engage in the politics of envy in an attempt to slow down giving people their money back. And when we hear the other side talk about the fact that only millionaires benefit, we begin to think that maybe that is true. When we say sometimes our colleagues use fear tactics, if we listened to the gentleman from California, who said there were going to be no Social Security checks going out; that, in fact, there was not enough money for prescription drugs for Medicare, I would remind my colleagues that it was the bipartisan majority that for the first time put preventive and wellness, when we became the majority, provisions into Medicare. Long overdue; not done by the previous majority.

So I guess our concern is that a few months ago we were hearing from the Democratic leadership that we had to get money out into the hands of people. It had to be done fairly quickly. We are on the verge of doing that, and now the President said this is wrong; this needs not to move forward. And at some point, I hope people realize that my colleagues will be arguing the issue of the day when this majority, with right-thinking Democrats, are trying to make sure that programmatic change goes forward and assists the beleaguered chairman of the Federal Reserve Board.

But more importantly, since we have more money than we are spending right now, it is called a surplus, and we need to reduce the taxes that, under a budget we have already passed, takes care of the gentleman from Pennsylvania’s concerns, we ought to return
some of the taxpayers’ money. It is not this bill. We are going to conference to find out what that bill is going to be, and it is time we do that so we can move forward.

Mr. BEREUTER. Mr. Speaker, this Member rise today in support of H.R. 1836, the Economic Growth and Tax Relief Act of 2001, a bold and fair tax relief plan that will reduce the inequities of the current tax code and help ensure that America remains prosperous. This measure will reduce taxes for everyone who pays them. It will encourage enterprise by lowering marginal tax rates.

This Member strongly believes that some considerable portions of the Federal budget surplus should be returned to the American taxpayer, especially to middle income families. And, this Member also believes it is symbolically and financially important to use part of the surplus to at least make significant reductions in the national debt. Therefore, this Member is pleased to support the President’s commitment of surplus funds on top priorities, pays down our national debt and gives tax relief to every taxpayer. Overcharged taxpayers deserve some of their own money back. It is interesting to note that in the first four months of fiscal year 2001, the surplus was passed. Clearly, the American people are being taxed too much.

In fact, Federal taxes are at the highest peacetime rate in history. Americans currently pay more in taxes than they spend on food, clothing and housing combined. This year, it will take most Americans more than four months of paychecks to pay their tax burden.

This Member is supportive of this tax cut because George W. Bush is President and we have a Republican Congress to check truly excessive levels of Federal spending. The legislation will help strengthen our economy, create jobs, and put money back in the pockets of those who earned it and need it most.

The measure provides immediate tax relief by reducing the current 15 percent tax rate on the first $20,000 of taxable income for couples ($6,000 for singles). A new 12 percent rate would apply retroactively to the beginning of 2001 and also for 2002. The rate would be reduced even further to 10 percent as follows: 11 percent in 2003 through 2005 and 10 percent in 2006. In the case of income reduction in the 15 percent bracket alone provides a tax reduction of up to $360 for couples in 2001 ($180 for singles), increasing to as much as $600 for couples in 2006 ($300 for singles).

Furthermore, in accordance with President Bush’s income tax rate reductions, H.R. 1836 reduces other income tax rates and consolidates rate brackets. By 2006, the present-law structure of five income tax rates (15 percent, 28 percent, 31 percent, 36 percent and 39.6 percent) should be reduced to four rates of 10 percent, 15 percent, 25 percent and 33 percent. No American will pay over one-third of his or her income in income taxes.

This Member supports the reduction in the tax rates provided in H.R. 1836 because the bill reduces taxes for all Americans who pay income taxes, spurs economic and job growth for all Americans and provides an average of $1,600 in tax relief for the average American family (family of four) phased in over a 5-year period. The $1,600 amount represents the average mortgage payment for almost two months, one year’s tuition cost at most community colleges, and the average gasoline costs for two cars for one year.

The legislation will also begin to address the growing problem of the alternative minimum tax by repealing the current-law provisions that offset the refundable child credit and the earned income credit by the amount of the alternative minimum tax in addition, it should be remembered that this is only the first element of the Bush tax relief package. The focus will be on married couples and others that will benefit from more targeted tax cuts.

According to the non-partisan Joint Committee on Taxation, savings to taxpayers over ten years would be $958 billion under the provisions of H.R. 1836.

In closing, Mr. Speaker, this Member would like to express his appreciation to our President, George W. Bush, for his willingness to steadfastly “demand a refund” for the American taxpayer. This Member urges his colleagues to support H.R. 1836 as an important step toward tax relief for all Americans.

The SPEAKER pro tempore. Time all for debate has expired.

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

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

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. Rangel:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

(a) Short Title.—This Act may be cited as the “Tax Reduction Act of 2001.”

(b) Amendment of 1986 Code.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of the Internal Revenue Code of 1986, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986 as in effect on the date prescribed by law (determined for purposes of this section, the initial bracket amount increased by 7.65 percent on taxable income not over $20,000 in the case of subsection (a), $25,000 in the case of subsection (b), $30,000 in the case of subsection (c), and $50,000 in the case of subsection (d)).

(c) Section 1.1414—Refund of 2000 Individual Income Taxes.

TITL E I —REFUND OF 2000 INDIVIDUAL INCOME TAXES

Sec. 101. Refund of 2000 individual income taxes.

TITL E II—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

Sec. 201. Individual income tax rate reductions.

Sec. 202. Modifications to earned income tax credit.

TITL E III—MARRIAGE PENALTY RELIEF

Sec. 301. Marriage penalty relief.

TITL E I —REFUND OF 2000 INDIVIDUAL INCOME TAXES

Sec. 101. Refund of 2000 individual income taxes.

(a) In General.—Subchapter B of chapter 65 (relating to rules of special application) is amended by adding at the end the following new section:

“SEC. 6428. REFUND OF 2000 INDIVIDUAL INCOME TAXES.

(a) In General.—Except as otherwise provided in this subsection, each individual shall be treated as having made a payment against the tax imposed by chapter 1 for such individual’s first taxable year beginning in 2000 in an amount equal to 100 percent of the amount of such individual’s net Federal tax liability for such taxable year.

(b) Maximum Payment.—The amount treated as paid by reason of this section shall not exceed $300 ($600 in the case of a married couple filing a joint return).

(c) Federal Tax Liability.—For purposes of this section—

(1) In General.—The term ‘net Federal tax liability’ means the amount equal to the excess (if any) of—

(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

(B) the sum of the credits allowable under part IV of subchapter A (other than the credits allowable under subpart C thereof, relating to refundable credits).

(2) Families With Children.—In the case of a taxpayer with 1 or more qualifying children (as defined in section 32) for the taxpayer’s first taxable year beginning in 2000, such taxpayer’s net Federal tax liability for such year shall be the amount determined under paragraph (1) increased by 7.65 percent of the taxpayer’s taxable earned income for such year. For purposes of the preceding sentence, the term ‘taxable earned income’ means earned income as defined in section 32 but only to the extent includable in gross income.

(3) Date Payment Deemed Made.—The payment provided for by this section shall be deemed made on the later of—

(1) the date prescribed by law (determined without extensions) for filing the return of tax imposed by chapter 1 for the taxable year, or

(2) the date on which the taxpayer files his return of tax imposed by chapter 1 for the taxable year.

(4) Certain Persons Not Eligible.—This section shall not apply to—

(1) any estate or trust, and

(2) any nonresident alien individual.

(b) Clerical Amendment.—The table of sections for subchapter B of chapter 65 is amended by adding at the end the following new item:

“Sec. 6428. Refund of 2000 individual income taxes.”

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning in 2000.

(d) Protection of Social Security and Medicare.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

TITL E II—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

Sec. 201. Individual income tax rate reductions.

(a) In General.—Section 1 is amended by adding at the end the following new subsection:

“(1) 12 Percent Rate Bracket.—

(1) In General.—In the case of taxable years beginning after December 31, 2001—

(A) the rate of tax under subsections (a), (b), and (c), and (d) on taxable income not over the initial bracket amount shall be 12 percent, and

(B) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount.

(b) Initial Bracket Amount.—For purposes of this subsection, the initial bracket amount is—

(1) $20,000 in the case of subsection (a), (b), and (c).
“(C) 50 percent of the dollar amount in subparagraph (B) in the case of subsections (c) and (d).”

“3. INFLATION ADJUSTMENT.—
(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2002, the $20,000 amount under paragraph (2)(A)(i) shall be increased by an amount equal to—

(i) such dollar amount, multiplied by

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

(B) Rounding Rules.—If any amount after adjustment under subparagraph (A) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

(C) Adjustment of Table.—The Secretary shall adjust the tables prescribed under subsection (f) to carry out this subsection.

(D) Adjustment in Computation of Alternative Minimum Tax.—Paragraph (2) of section 32(a) is amended to read as follows:

‘‘(2) PHASEOUT AMOUNT.—The dollar amount determined by substituting calendar year 1992 for ‘‘calendar year 2001’’ in subparagraph (B) thereof.’’

‘‘(II) of section 1(g)(7)(B)(ii) is amended by striking ‘‘164(f).’’

‘‘(j) INFLATION ADJUSTMENT.—
(A) IN GENERAL.—The amount of credit allowable to a taxpayer under paragraph (1) for any taxable year shall be reduced (but not below zero) by the sum of—

(A) the initial phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the initial phaseout amount, plus

(B) the final phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the final phaseout amount.

(B) Phased-In Amounts.—The Sec-

‘‘(f) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

SEC. 292. MODIFICATIONS TO EARNED INCOME TAX CREDIT.

(a) Increases in Percentages and Amounts Used to Determine Credit; Marriage Penalty Relief.

(1) IN GENERAL.—Subsection (b) of section 32 is amended to read as follows:

‘‘(b) PERCENTAGES AND AMOUNTS.

(1) IN GENERAL.—The provisions of subsection (a)(1) and the provisions of subsection (a)(2) shall be reflected in separate tables prescribed under paragraph (1).

(2) SUBSECTION (a)(1) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(1) shall have income brackets of not greater than $50 each for earned income between $0 and the earned income amount.

(2) SUBSECTION (a)(2) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(2) shall have income brackets of not greater than $50 each for total income (or, if greater, the earned income) above the initial phaseout thresh-

‘‘(d) MARRIED INDIVIDUALS.—

(A) IN GENERAL.—If the taxpayer is married at the close of the taxable year, the credit shall be allowed under subsection (a) only if the taxpayer and his spouse file a joint return for the taxable year.

(B) MARITAL STATUS.—For purposes of paragraph (1), an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

(C) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of paragraph (1), if—

(A) an individual—

(i) is married and files a separate return, and

(ii) has a qualifying child who is a son, daughter, stepson, or stepdaughter of such individual, and

(B) during the last 6 months of such taxable year, such individual and such individual’s spouse do not have the same principal place of abode, such individual shall not be considered as married.

(D) EXPANSION OF MATH ERROR AUTHORITY.—Paragraph (2) of section 6213(g) is amended by striking “and” at the end of subparagraph (K), by striking the period at the end of subparagraph (L), and by adding at the end the following new subparagraph:

‘‘(M) the entry on the return claiming the credit under section 32 with respect to a child if, according to the Federal Case Registry of Child Support Orders established under section 453(b) of the Social Security Act, the taxpayer is a noncustodial parent of such child.’’

(2) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE III—MARRIAGE PENALTY RELIEF

SEC. 301. MARRIAGE PENALTY RELIEF.

(a) Standard Deduction.—

(1) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended—

(A) by striking “$5,000” in subparagraph (A) and inserting “twice the dollar amount in effect under subparagraph (C) for the taxable year’’; and

(B) by adding “or” at the end of subparagraph (B).

(2) Increase Allowed as Deduction in Determining Minimum Tax.—Subparagraph (E) of section 56(b)(1) is amended by adding at the end the following new clause:

‘‘The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which would have been allowed but for the amendment made by section 291(a)(1) of the Tax Reduction Act of 2001.’’
Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the tax vote today is essentially a procedural vote to go to conference, since the only reason we are here is a motion in direction to a tax bill to speed up the process in the other body. But that does not mean this is an unimportant vote.

The House should go to conference with the best product, and the best product is the Rangel substitute. It contains rate reductions for the American people, marriage penalty relief, improvements in the earned income tax credit, and a rebate of $600 for married couples. But let me stress this, and my colleagues talk about the juxtaposition of the two political parties, our substitute is affordable. The Republican bill is not. Our substitute is fiscally prudent. The Republican bill is not.

Mr. Speaker, the substitute does not push 10 years into the future tax cuts which we cannot afford today. If we cannot afford them now, why does anyone think we can afford them when the baby-bom generation begins to retire? And it would cost $400 billion to front-page piece in The New York Times yesterday about who is going to get this tax cut. I was mistaken, because I used to argue that the Republican bill would only take care of the wealthy. I discovered yesterday it really takes care of the super-wealthy. That is an extraordinary achievement, even for the other party.

Mr. Speaker, we should be investing in the promotion of retirement savings, and we know that this bill that the Republicans have is deficient on that score. The pension provisions approved by the House lack direct incentives for anyone other than those who least need it to save for retirement. We should have done something about that here with simply spending $100 billion over 10 years. Over 10 years, I emphasize.

The pension provisions produced by the other body are superior in structure to the House pension provisions, but squeezing those provisions into the $40 billion box was done.

At the very least, I would recommend to the conference that they take the House cost figure and spend the additional money in the other body’s retirement savings proposal.

Mr. Speaker, let me go back to something. The main point here is that no one in business across this country would use up all of the surplus when they see large investment needs just around the corner. Education, defense, the environment, the retirement of baby-bom generation members are all going to make gigantic demands on the Federal budget beginning in 2012, and we are going to have nothing to offer to those people once this bill goes into effect. The responsible thing to do is to support the Rangel substitute and objective and oppose the irresponsible majority party’s position on this tax cut.

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

Mr. Speaker, I commend the minority on bringing forward a tax cut to the other body. It is not that they are particularly accustomed to, but I commend them for getting a substitute together to cut taxes for the American people.

Mr. Speaker, I believe that not only the base bill that is before us, the H.R. 1836, which is an across-the-board rate cut for the American people, as well as the other tax vehicles, the tax cut provisions that we have passed through this House that will be part of the conference between the House and the Senate, those items being the marriage penalty relief, the increase in the child tax credit, estate tax relief, the Portman-Cardin bill on IRAs and 401(k)s, savings vehicles, will provide the kind of stimulus for savings and investment that we need in this country; where the substitute that is offered by the minority, as good as it is, will not do that.

Their bill is more narrowly targeted, to say the least. It will not provide incentives for small businesses or entrepreneurs to increase investment in their businesses, to create more jobs, and to give the economy the kind of kick that we need to continue economic growth in the future.

While I commend the minority for bringing forth a tax cut to this body today in the form of their substitute, I would urge the Members of this House to vote against the substitute and for the underlying bill.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. NUSSELLE), a distinguished member of the Committee on Ways and Means.

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

Mr. Speaker, picture this. Pull into a 7-Eleven late at night. The gentleman tops the gas tank off at the pump. It comes to $18 because of the last 8 years’ worth of energy policy that we have had. The gentleman walks into the clerk at the 7-Eleven and hands the clerk $20 for the $18 charge out on the pump. What happens next? What happens next?

Does the clerk take the money and stick it all in the cash drawer and say it is close enough? Does the clerk take the change that is owed and stick it in the little charity box that might be in front of the cash register, as many of the convenience stores have, maybe it is for Muscular Dystrophy, maybe it is for Special Olympics? No. That is not what happens.

Does the clerk look at the person next in line and say, they deserve the money more than you do, so let us give it to somebody else? No, they do not do that. They take the extra money, and as the gentleman before me said, we have some investments that we need, and so we are going to invest that
overcharge in something right here at our local 7-Eleven; thank you very much. No, that is not what they do.

What do they do? They give, my colleagues, their change back. That is what our Federal Government needs to do. We have been overtaxing America for some time now. Americans have been paying the tab. We have bills that we have been able to pay. We have investments that we have met. We have spending that we have taken care of. We have debt that we are paying down. We have saved aside Social Security, and there is change left over.

What the Rangel substitute says is we will give part of the gentleman's change back, but we will keep the rest, because we have extra spending that we need or we have extra investments, as the Rangel substitute seems to presuppose.

Mr. Speaker, that is not what we say in our Republican budget, and that is not what we say in this reconciliation bill. This gentleman, in Iowa, there would run into the parking lot to give the change. American taxpayers deserve their change back. Vote for the underlying bill and against the Rangel substitute.

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

Mr. Speaker, it would seem to me if we gave $20 to the guy at the gas station and got $18 worth of gas, and we owed the owner $3.4 trillion in national debt, we would run into the parking lot to give the change. American taxpayers deserve their change back. Vote for the underlying bill and against the Rangel substitute.

Mr. INSLEE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I had a constituent at a town hall meeting in Washington ask a very interesting question, about the gentleman's tax cut and energy bill which must be considered together. He asked this question: What earthly good is it to get some very modest tax cut, if every single dollar I get in a tax cut I have to turn around that month and give to an energy company in Texas? Every single dollar I get, I am going to give it to the energy industry which increases electrical bills and gas prices. He is right. What good is it?

What would the gentleman ask me, if the Republicans want to do that, if they want to take absolutely no action about this energy crisis in the short term, nothing to help people in the short term with energy prices, what he asked me was why do they not just eliminate the middleman. Why not just give all of the tax cut to the energy industry and not have it go through us? I thought about that and thought it is clear.

The Bush energy inaction plan, together with the Bush tax plan, is a giant money-laundering operation. The Republicans are not content to give 43 percent of all the tax cut to the top 1 percent, much of which goes to the wealthy oil barons; they want to make sure all of the money gets to the energy industry oil barons. That is not right.

Why not have a sensible substitute and a sensible energy tax policy? We need a tire-tax policy. If having the energy industry increase their prices to my constituents 1,000 percent in 1 year. It is a crime. This simple money-laundering operation to make sure all of the money in this tax vehicle goes to the energy industry is not going to do anybody any good except President George Bush's political friends.

It is time for this President to understand he does not work for the oil industry anymore. He works for us. Reject this bill, pass the Democratic substitute and our energy policy, which will help middle-class Americans.

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

Mr. Speaker, I want to thank the gentleman from Washington, I would hope that he would tell his constituent who asked that question, would he be better off with both higher energy prices and higher taxes, surely not. We have demonstrated by our votes on the way, not only on the energy tax cut but certainly on the tax cut front, as we have demonstrated by our votes here in this House to cut taxes.

The gentleman should know that the President appointed me as a tax task force to come back with recommendations on energy policy, which this country has lacked for a decade and we are very sorely in need of having. So this President is trying to respond to the energy needs of this country, and we expect that report, in fact, tomorrow from the President.

Mr. Speaker, I hope that we can tell the constituent of the gentleman from Washington (Mr. INSLEE) that help is on the way, not only on the energy tax cut but certainly on the tax front, as we have demonstrated by our votes here in this House to cut taxes.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, the base bill provides a tax cut to people who pay income taxes. The problem is the Federal Government is collecting too much in income taxes. I think the gentleman from New York (Mr. RANGEL) knows that. The solution is to let the taxpayers keep more of their income rather than sending it to Washington. Providing money to really low-income individuals who do not earn enough money to pay income taxes is not a tax cut. It is simply an excuse for those who do not want tax cuts to spend more money.

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When President Clinton and every Democrat voted to pass the largest tax increase in history, they voted to punish hard work, penalize success and tax the American dream. They believed then and still believe now if you work hard and become successful, the government is entitled to over 40 percent of your income. That is just wrong.

Today with this vote, Republicans are saying if you work hard, you get to keep even less of your money. Hopefully believe if you ask any American, they would agree that the government does not deserve to keep more than one-third of a taxpayer's hard-earned money. The budget surplus we currently enjoy is not a permanent substitute. Americans pay too much in taxes. It is a tax surplus. This substitute does not want to give it back to you. The government did not create the surplus, and I do not think the government deserves to keep it.

Every Member should remember this money belongs to the people. If they vote for any substitute, they will deny every American who pays taxes from getting their own money back. Americans need, need terribly a tax break. They deserve tax relief because that is what America is all about.

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

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and my colleague, the gentleman from New York (Mr. RANGEL), for yielding me this time.

Mr. Speaker, this entire process is unbelievable. It is unreal. It is a sham. It is a shame. It is a disgrace. The tone in Washington has not changed and this reconciliation process proves it.

We are passing this bill today so we can rush the Republican tax bill to conference. We are rushing to pass a $3.35 trillion tax bill. That is a lot of money. That is a great deal of money. We cannot afford to be wrong. Some- what, to tell the American people what would happen if we are wrong. The Republican tax bill is based on a 10-year budget projection that may be wrong. It is going to jeopardize our ability to provide for our senior citizens, jeopardize our ability to invest in priorities like education and prescription drug benefits for all of our citizens, and jeopardize our ability to pay down the national debt, save Social Security, and protect Medicare.

We would take the money out of the basic needs of all of our people and not just some of our people but all of our people and not rushing to pass a tax bill that we cannot afford. This Republican bill is not right for America. It is not fair and it is not just. And this entire process is rotten to the core. Where is the bipartisanship that we hear from the White House, that we hear from the other side? It is not here with this bill. It was not here last week and it is not here today. We have wasted an important opportunity to work together on a bill that is good for all Americans.

I urge all of my colleagues to vote against it and vote for the Democratic
substitute. If we want clean water, if we want clean air, if we want safety in the workplace, then support the Democratic substitute.

Mr. McCrery. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. Dunn), a member of the Committee on Ways and Means.

Ms. Dunn. Mr. Speaker, one of the previous speakers asked the question, how can we afford the tax cut? Well, I say if we cannot afford the tax cut at this time of surplus, when can we ever afford it? It is the taxpayers who created this surplus for us and it is they whom we should be rewarding by turning back some of those dollars for them to spend.

Mr. Speaker, I rise in support of the reconciliation measure and in opposition to the substitute motion. President Bush has very wisely made rate reduction the foundation of his tax relief proposal. He wants to help all income tax payers, especially low- and moderate-income tax payers as quickly as possible and this bill embodies his commitment to give Americans broad-based tax relief.

The bill is fair, it is fiscally responsible, and it is good for the economy. Rate reduction is fair. Everybody who pays income taxes will receive tax relief under this proposal. It targets no one in and no one out. In addition, it provides retroactive tax relief for people in the lowest brackets by reducing the tax liability on their previous year's tax, thereby saving people money. Why are they opposed to helping people? Why are they opposed? Is it that they believe they can spend it. Why? Because they include so-called interest payments on the national debt. Gee, we have not heard this before. Appropriations declined relative to GDP while our entitlement spending held roughly constant as a share. Tax revenues fell relative to GDP. The result was an increase in the deficit. Remember that thing we keep talking about, the public debt, pay it down, let us get rid of it? Well, if we do not look at this, we are going to lead ourselves into higher and higher payments on the debt.

Mr. Speaker, I needed to provide this history lesson as a warning. This is an exploding tax cut. Well, if we do not look at this, we are going to lead ourselves into higher and higher payments on the debt.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Georgia (Mrs. Kingston).

Mr. Kingston. Mr. Speaker, I thank the gentlewoman from Louisiana for yielding me this time, and I thank my friend from Florida for bringing up the Reagan tax cut. A key element which Paul Harvey may refer to as the rest of the story, who was the majority in Congress in 1981, 1982, 1983, 1984, will have to find the money for these needs. We need to pass the responsible Rangel substitute.

Mr. McCrery. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. Kingston).

Mr. Kingston. Mr. Speaker, I thank the gentleman from Louisiana for yielding me this time, and I thank my friend from Florida for bringing up the Reagan tax cut. A key element which Paul Harvey may refer to as the rest of the story, who was the majority in Congress in 1981, 1982, 1983, 1984, will have to find the money for these needs. We need to pass the responsible Rangel substitute.

Mr. Rangel. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. Geithardt), the distinguished minority leader.

Mr. Geithardt. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. Geithardt), the distinguished minority leader.

Mr. Geithardt. Mr. Speaker, I rise to urge my colleagues to vote for the Democratic substitute and against the Republican tax bill which I think is fiscally irresponsible and the wrong plan for America. Republicans in the last days are so committed to this massive tax cut for the wealthiest special interests that they are even suggesting that cutting taxes is a substitute for a real energy policy in our country. This is a full-service operation. To sell a tax plan, they are willing to use any argument that is available to try to convince the country that the tax cut is the right thing to do. First, it was the economy that was in trouble. That is why we needed the tax plan. Now it is the energy problem that causes the need for the tax plan. I fully expect it is going to be suggested as the cure for the common cold.

We should be voting today, rather than on this plan, for immediate relief your money better than you can. They believe the American people are incapable of spending decisions which might benefit society by creating jobs and creating more tax revenues.

I was speaking at a high school recently and I asked a young lady on the front row of one of you if you have a job. She had a job. She made $7 an hour. I said, “So if you work for 2 hours, you make $14.”

She said, “No, sir, I only get to bring home about $11 because of the taxes.”

I said, “I knew that. But let us say you do not really object to paying $3 in taxes or $4 in taxes out of your 2 hours that you work, you pay $4 in taxes and that $4 goes to roads, bridges, education, military, Medicare and you don’t have a problem with that, right?”

She said, “No, sir I don’t mind that.”

I said, “What if you knew that instead of $4, that we could run the government on $3.50 out of your earnings, what would you want with the rest of your money, that extra $0.50? Would you want to keep it or would you want it to go to Washington so you could feel even more patriotic?”

She said, “That’s my 50 cents. I want to keep it.” That is all that is going on today. They are saying to the American people, we could run the government on less money. The only question is, who wants the return? Do you want to send it to the government or do you want to keep it yourself? And when you go out as an American taxpayer and you buy something, you get a machine, or a car, or clothes or whatever, you create jobs, you stimulate the economy, the economy grows, and it is good for America. Let the American people spend their own money. Support tax relief.

Mr. Rangel. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. Geithardt), the distinguished minority leader.

Mr. Geithardt. Mr. Speaker, I rise to urge my colleagues to vote for the Democratic substitute and against the Republican tax bill which I think is fiscally irresponsible and the wrong plan for America. Republicans in the last days are so committed to this massive tax cut for the wealthiest special interests that they are even suggesting that cutting taxes is a substitute for a real energy policy in our country. This is a full-service operation. To sell a tax plan, they are willing to use any argument that is available to try to convince the country that the tax cut is the right thing to do. First, it was the economy that was in trouble. That is why we needed the tax plan. Now it is the energy problem that causes the need for the tax plan. I fully expect it is going to be suggested as the cure for the common cold.

We should be voting today, rather than on this plan, for immediate relief...
from soaring electricity prices. We should be directing the Federal Energy Regulatory Commission to do something now to give people in California relief.

The tax bill will not give the ordinary citizens in California, in Oregon, in Washington, and through the rest of the country that are facing huge increases in energy prices any reasonable relief. If milk prices in California had gone up $1.00, they prices here gone up in California, a gallon of milk in California today would be $190, for a gallon of milk.

This tax bill offers no reasonable relief for the middle-income families and the poor families in California and the West that are facing huge energy price increases. Gasoline in the Midwest in some places has gone to $2.22 a gallon. If you want to know where relief is needed, it is at the pump. And again, this tax bill is worked soourd to the wealthiest Americans, it does very little for those poor and middle-income Americans who are having to go to the pump today to buy gasoline at $2 and $2.22 a gallon.

We should be passing today a bill that addresses our long-term, short-term, and medium-term energy problems in this country. But Republicans have chosen tax cuts for the wealthy special interests first, second, third, fourth, fifth, and sixth. This is a one-trick pony. The only thing they ever want to talk about on this floor is tax cuts for the wealthiest Americans.

In addition, this bill becomes a budget busting bill in order to cause huge deficits. It is going to cause high interest rates and high inflation. We did this in the 1980s; we do not need to do it again. It could very well, alone, wipe out the budget surplus that the people of this country specialized on, that is the definition of over-regulation, over-protection, over-regulating, this is the way the country has worked so as not to produce, to keep interest rates down, to keep inflation down. And again, half of it is focused on the wealthiest folks in the country, people who do not even need tax relief, instead of focusing the tax relief for those in our substitute in the hard-working, middle-income families and people trying to get in the middle class.

Now, finally, by passing this tax cut, if that is our choice today, it is so large that it forces things out of our budget that people desperately want. People want money for education, to build new buildings, to help local school districts hire teachers, to have after-school programs and pre-school programs. It will cause us to eliminate all of those efforts in education.

We are going to take up an education bill here in the next few days. It is not going to have any additional money in it, because of the choices we have made here in the surplus to this tax cut. It makes impossible a universal Medicare prescription drug program. When I go home now people come up to me and say, where is the drug program? You ran ads for it, the President ran ads for it, all the Democrats and Republicans ran ads saying they were for prescription drugs. Where is it?

Well, I will tell you where it is: it is in this tax cut. There is not going to be a prescription drug program that goes to everybody who needs it in this country, because we have spent the money on the wealthiest special interests, so the people, the senior citizens of this country who want this program, are not going to get it.

Where are the cops-on-the-beat? We are not going to have enough. We are not going to fight crime and prevent crime, because we are squandering too much money on a substitute for the wealthiest interests. Where are the environmental protections? Where is the research on renewable sources of energy, on fuel cells, on trying to solve this problem in an environmentally-sensitive way? Again, we are spending those dollars in this tax cut.

This is the wrong choice for America today. We could do better than this if we would pass a tax cut that is reasonably priced, that is focused on the people what needs it and will continue the economy we built in this country over the last 10 years.

I urge Members to vote for the Democratic substitute and against this irresponsible tax cut that will wreck the greatest economy we have seen in our lifetime.

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

Mr. Speaker, the minority leader has engaged in a tactic that is fairly common among those who believe that we should just keep on spending, and that tax and spend was for the purpose of implementing programs, for the purpose thereof of reelection; because over those years there has been a dependency created among some constituency in this country, that those people had to be reelected to go forward with those programs, irregardless of the cost? Is that what I am hearing the gentleman say?

Mr. McCrery. Mr. Speaker, reclaiming my time, that may be the interpretation of the gentleman from Georgia (Mr. Collins), but I really believe that Democrats are well intentioned. They really believe that the Federal Government ought to spend money for the benefit of people in this country.

Mr. Collins. Mr. Speaker, if the gentleman will yield further, I have no doubt of the intent. But my daddy was one of the smartest people that I ever knew. He had less than a third grade education, and I often heard him say that the road to the poorhouse was paved with good intentions.

We have created so many programs in this country, so many programs that have to be funded, that it has created excessive taxation on the American people. What we are talking about here today, sir, is cash flow. There are people in this Chamber and this body who are concerned about the cash flow of the Treasury of the United States, rather than the cash flow of the constituency at home, who get up every day or work 12 hours, 14 hours, sometimes around the clock, to make ends meet for their families.

But we are taking so much of it. And we also require them to have to shift their cash flow at home to meet necessities, where it used to be they could meet necessities and niceties because they had the money. But today they do not.

It has been mentioned about energy. Yes, gas prices are excessive, and they are going to go even higher. But a lot of it has been due to the recent years of overproduction, over-regulating, the
of the tax rate on every taxpayer in 1993, moving it to 39.6 percent. We only had five tiers of price structure. But when it comes to taxes for local government or taxes for the State, everyone within that State practically pays the same or pays on the same basis. When we go to the marketplace and buying out that the all pay on the same price structure. But when it comes to taxes for local government or taxes for the State, everyone within that State practically pays the same or pays on the same basis.

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

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

The SPEAKER pro tempore (Mr. Sweeney). Pursuant to House Resolution 142, the previous question is ordered on the bill and the amendment in the nature of a substitute offered by the gentleman from New York (Mr. Rangel).

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 188, nays 239, not voting 4, as follows: [Roll No. 117]
May 16, 2001

CONGRESSIONAL RECORD — HOUSE

The question was taken; and the bill was ordered to be engrossed and third reading of the bill.

The SPEAKER pro tempore (Mr. G. R. GIBSON) announced that the ayes appeared to have it.

The Speaker pro tempore (Mr. Sweeney) announced that the grossment and third reading of the bill.

The roll closed. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. G. R. GIBSON) announced that the ayes appeared to have it.

Mr. G. R. GIBSON. The motion to reconsider was laid on the table.

Mr. THOMAS. Mr. Speaker, on rollcall No. 118, the Rangel amendment/substitute, I was detained with constituents and arrived as the roll closed. Had I been present, I would have voted "yea."

Mr. HORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 1836.

The Speaker pro tempore (Mr. Sweeney). Is there objection to the request of the gentleman from California?

There was no objection.

MAKING IN ORDER EN BLOC AMENDMENTS TO H.R. 1846, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

Mr. HYDE. Mr. Speaker, I ask unanimous consent that the package of amendments be debatable for 40 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.
Relations, or their designees, not be subject to amendment and not be subject to a demand for a division of the question in the House or in the Committee of the Whole; that the original proponent of an amendment included in such amendments en bloc may insert a statement of the ruling of the Congressional Record immediately before the disposition of the amendments en bloc.

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

Mr. LAHOOD. Mr. Speaker, reserving the right to object, I only do so in order to ask the gentleman from Illinois (Mr. HYDE) a question.

Mr. Speaker, can the gentleman from Illinois (Mr. HYDE) assure me that the amendment offered by the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, having to do with Lebanon is not a part of the en bloc amendment, and that that will be considered as a separate amendment?

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

Mr. LAHOOD. I yield to the gentleman from Illinois.

Mr. HYDE. Yes, I can give that assurance to the gentleman.

Mr. LAHOOD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

The SPEAKER pro tempore. Pursuant to House Resolution 138 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1646.

Mr. Hydra, consisting of the following:

Amendment No. 5 offered by Mr. Lampson:

Amendment No. 7 offered by Mr. Hyde:

Amendment No. 9 offered by Ms. Velázquez:

SEC. 706. PARTICIPATION BY SMALL BUSINESSES IN PROCUREMENT CONTRACTS OF USAID.

(a) STUDY.—The Administrator of the United States Agency for International Development shall conduct a study to determine what industries are under-represented by small businesses in the procurement contracts of the Agency.

(b) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the designated congressional committees a report that contains the following:

(1) The results of the study conducted pursuant to subsection (a).

(2)(A) A specific plan to outreach to include measurable achievement milestones, to increase both the total numbers of contracts and the percentage of total contract dollars to small business, small disadvantaged business, women-owned businesses (as such terms are defined in the Small Business Act), and small businesses participating in the program under section 8(a) of such Act.

(B) The plan shall include proposals for all contracts (Washington, D.C.-based, field-based, and host country contracts) issued by the Agency or on behalf of the Agency.

(C) The plan shall include proposals and milestones of the Agency to increase the amount of subcontracting to businesses described in subparagraph (A) by the prime contractors of the Agency.

(D) The milestones described in subparagraph (C) shall include a plan of how the Agency will use failure to meet goals by prime contractors as a ranking factor in evaluating any other submissions from this vendor for future contracts by the Agency.

(c) SEMIANNUAL REPORT.—The Administrator shall submit to the designated congressional committees on a semiannual basis a report that contains the total numbers of contracts dollars awarded to small businesses described in subsection (b)(2)(A), including a description of achievements toward measurable milestones for both direct contracts of the Agency, host country contracts, and small businesses participating by prime contractors of the Agency.

(d) DEFINITION.—In this section, the term ‘designated congressional committees’ means—

(1) the Committee on International Relations and the Committee on Small Business of the House of Representatives;

(2) the Committee on Foreign Relations and the Committee on Small Business of the Senate.

Amendment No. 10 offered by Ms. Jackson-Lee of Texas:

Page 95, after line 3, add the following:

SEC. 706. ANNUAL HUMAN RIGHTS COUNTRY REPORTS ON CHILD SOLDIERS.

(a) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 1615 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(f)) is amended—

dures applicable to grievances under section 1106 and shall be in lieu of any other administrative procedure authorized or required by this or any other law. Section 1110 shall apply to proceedings under this paragraph.

(4) Notwithstanding the hearing required by paragraph (2), when the Secretary decides to separate a member of the Service for misconduct, the member shall be placed on leave without pay. If the member does not waive the right to a hearing, and the Board decides that cause for separation has not been established, the member shall be reinstated with back pay.”.
(1) in paragraph (7), by striking “and” at the end and inserting a semicolon;
(2) in paragraph (8), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following: “(9) (A) wherever applicable, a description of the nature and extent of—
(i) the recruitment and conscription of individuals under the age of 18 by armed forces of the government of the country, government-supported paramilitaries, or other armed groups, and the participation of such individuals in such groups; and
(ii) the participation of such individuals in conflict;
(B) what steps, if any, taken by the government of the country to eliminate such practices; and
(C) such other information related to the use by the country of individuals under the age of 18 as soldiers, as described in this paragraph, as is appropriate by the Secretary of State.”.
(b) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Sections 502(b) and 503 of the Foreign Assistance Act of 1961 (22 U.S.C. 2303(b)) is amended by inserting after the sixth sentence the following:—Each report under this section shall also include a description of the nature and extent of the recruitment and conscription of individuals under the age of 18 by armed forces of the government of the country, government-supported paramilitaries, or other armed groups, the participation of such individuals in such groups, and the participation of such individuals in conflict, if applicable, and any steps taken by the government of the country to eliminate such practices, and include (i) such other information related to the use by the country of individuals under the age of 18 as soldiers, as determined to be appropriate by the Secretary of State.”.
Amendment No. 11 offered by Mr. SANDERS:—Page 95, after line 3, add the following:
SEC. 706. AMENDMENTS TO THE VICTIMS OF TERRORISM ACT OF 2000.
(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—Subsection (b)(3) of the Victims of Trafficking and Violence Protection Act of 2000 is amended by adding at the end the following:—In addition, such programs and initiatives shall, to the maximum extent practicable, include the following:—(A) Support for local in-country nongovernmental organization-operated hotlines, culturally and linguistically appropriate programs and initiatives, and regional and international nongovernmental organization networks and databases on trafficking, including support to assist nongovernmental organizations in establishing service centers and systems that are mobile and extend beyond large cities.
(2) Support for nongovernmental organizations and advocates to provide legal, social, and other services and assistance to trafficked individuals, particularly those individuals in detention, and (B) Education and training for trafficked women and girls upon their return home.
(3) The safe reintegration of trafficked individuals into an appropriate community or family, with full respect for the wishes, dignity, and safety of the trafficked individual.
(4) Support for increasing or developing programs to assist families of victims in locating, repatriating, and treating their trafficked family members.
(b) SECURE FUNDING AND APPROPRIATIONS.—Section 113 of the Victims of Trafficking and Violence Protection Act of 2000 is amended—
(1) in subsection (a), by striking “for fiscal year 2002 and” and inserting “for each of the fiscal years 2002 and 2003”;
(2) in subsection (c)—
(A) in paragraph (1), by striking “and $10,000,000 for fiscal year 2002” and inserting “, $10,000,000 for fiscal year 2002, and $15,000,000 for fiscal year 2003”;
(2) in paragraph (2), by striking “for fiscal year 2001” and inserting “for each of the fiscal years 2001, 2002, and 2003”;
(3) in paragraphs (1) and (2) of subsection (e), by striking “$10,000,000 for fiscal year 2002” each place it appears and inserting “, $10,000,000 for fiscal year 2002, and $15,000,000 for fiscal year 2003”.
Amendment No. 12 offered by Mr. MILLER of Florida:—Page 95, after line 3, add the following:
SEC. 706. REPORT ON EXTRADITION EFFORTS BE¬TWEEN THE UNITED STATES AND FOREIGN GOVERNMENTS.
(a) REPORT.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in conjunction with the Attorney General, shall prepare and submit to the Congress a report on efforts between the United States and the governments of foreign countries to extradite to the United States individuals described in paragraph (2).—(2) INDIVIDUALS DESCRIBED.—An individual described in this paragraph is an individual who is being held in custody by the government of a foreign country (or who is otherwise known to be in the foreign country), and with respect to which a competent authority of the United States—
(A) has charged with a major extraditable offense described in paragraph (3);
(B) has found guilty of committing a major extraditable offense described in paragraph (3); or
(C) is seeking extradition in order to complete a judicially pronounced penalty of deprivation of liberty for a major extraditable offense described in paragraph (3).
(3) MAJOR EXTRADITABLE OFFENSES DES¬CRIBED.—A major extraditable offense described in this paragraph is an offense of murder, attempted murder, manslaughter, aggravated assault, kidnaping, abduction, or other false imprisonment, drug trafficking, terrorism, or rape.
(b) ADDITIONAL REQUIREMENT.—The report required under subsection (a) shall also include the following:—(1) The aggregate number of individuals described in this paragraph who have been or are being held in custody by all governments of foreign countries (or are otherwise known to be in the foreign countries), including the name of each such foreign government, the number of such individuals held in custody by the government of each such foreign country.
(2) The aggregate number of requests by competent authorities of the United States to extradite to the United States individuals that have been duly notified by each foreign government, the reasons why such individuals have not been extradited, and the specific actions the United States has taken to obtain extradition.
(c) ADDITIONAL REQUIREMENT.—In preparing the report required by subsection (a), the Secretary of State, in conjunction with the Attorney General—
(1) shall establish procedures under which a competent authority of a State, which is requesting extradition of 1 or more individuals from a foreign country as described in subsection (a)(2) and with respect to which the United States has failed to comply with such request, may submit to the Attorney General appropriate information with respect to such extradition request; and
(2) shall be considered to have been received under paragraph (1) in the report under subsection (a).”.
Amendment No. 13 offered by Mr. MANZULLO:—Page 95, after line 3, add the following:
SEC. 706. PAYMENT OF ANTI-TERRORISM JUDGMENTS.
Amendment No. 14 offered by Mr. BRADY of Texas:—Page 122, after line 23, insert the following:
SEC. 747. SENSE OF CONGRESS RELATING TO THE NEGOTIATION OF EFFECTIVE EXTRADITION TREATIES.
(a) FINDINGS.—The Congress finds as follows:—
(1) According to the Department of Justice, there are approximately 3,000 open extradition cases worldwide at any time.
(2) The United States has extradition treaties with only approximately 60 percent of the world nations.
(3) Of such treaties, nearly half were entered into prior to World War II and are seriously out of date.
(4) Treaties enacted prior to the 1970’s are basically ineffective because only specific crimes listed in the treaties are extraditable offenses.
(5) Treaties negotiated since the 1970’s are much more effective because they are flexible and reflect modern criminal justice issues such as international child abduction and cybercrimes.
(b) SENSE OF CONGRESS.—The Congress calls on the Secretary of State to develop and implement a process for negotiating new effective extradition treaties with countries with which the United States has no current extradition treaty, as well as renegotiating old ineffective treaties, and to work closely with the Department of Justice in achieving these objectives.
Amendment No. 15 offered by Mr. FALEOMAVAEGA:—Page 122, after line 23, insert the following:
SEC. 747. SENSE OF THE CONGRESS RELATING TO THE ELECTION OF FIDJI, EAST TIMOR, AND PERU.
It is the sense of the Congress that—
(1) the upcoming national elections in Fiji, East Timor, and Peru in June 2001 are crucial and should be conducted in a free, fair, and democratic manner; and
(2) the United States should support the elections in these nations.
Amendment No. 16 offered by Mr. BRADY of Texas:—Page 122, after line 23, insert the following:
SEC. 747. SENSE OF CONGRESS REGARDING THE MURDER OF JOHN M. ALVIS.
(a) FINDINGS.—The Congress makes the following findings:—
(1) On November 30, 2000, John M. Alvis was brutally murdered in Baku, Azerbaijan.
(2) John Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, an American nongovernmental organization carrying out assistance projects for the United States Government to help promote democracy and strengthen the rule of law in Azerbaijan.
(3) Almost immediately following the news of the murder of John M. Alvis, our United States Ambassador to Azerbaijan, Ross Wilson, raised the issue with the President.
of Azerbaijan and with the Minister of Interior, and was assured that every effort would be made to carry out a prompt and thorough investigation.

(4) After the murder, 18 members of Congress, led by Congressman Kevin Brady and then-Chairman of the House International Relations Committee, Ben Gilman, wrote President Aliyev expressing the commitment of the Congress to seeing John’s murder solved, and Senator John McCain wrote former President Clinton’s Administration requesting the FBI’s involvement.

(5) The United States Ambassador to Azerbaijan continues to raise this issue with Azerbaijan.

(6) The Government of Azerbaijan has cooperated with the FBI to find the individual or individuals responsible for killing John Alvis.

(7) United States President George W. Bush wrote Azerbaijan’s President Hedar Aliyev and thanked Azerbaijan for its efforts to find the murderer or murderers of John Alvis and urges it to continue to make it a high priority; and

(2) the Congress—

(A) appreciates the efforts of the Government of Azerbaijan to find the murderer or murderers of John M. Alvis and urges it to continue to make it a high priority; and

(B) urges the United States Department of State to continue to raise the issue of the murder of John M. Alvis with the Government of Azerbaijan and to make this issue a priority item in relations between the Governments of the United States and the Government of Azerbaijan.

Amendment No. 17 offered by Mr. FLAKE:

Page 122, after line 23, insert the following:

SEC. 747. SENSE OF CONGRESS RELATING TO REMARKS BY THE PRESIDENT OF SYRIA CONCERNING ISRAEL.

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

(1) the United States and the Congress is absolutely committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals responsible for this heinous act are brought to justice; and

(2) the Congress—

(A) appreciates the efforts of the Government of Azerbaijan to find the murderer or murderers of John M. Alvis and urges it to continue to make it a high priority; and

(B) urges the United States Department of State to continue to raise the issue of the murder of John M. Alvis with the Government of Azerbaijan and to make this issue a priority item in relations between the Governments of the United States and the Government of Azerbaijan.

Amendment No. 19 offered by Mr. UNDERWOOD:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS RELATING TO ENVIRONMENTAL CONTAMINATION AND HEALTH EFFECTS IN THE PHILIPPINES EMANATING FROM FORMER UNITED STATES MILITARY FACILITIES.

It is the sense of the Congress that—

(1) the Secretary of State, in cooperation with the Secretary of Defense, should continue to work with the Government of the Philippines and with appropriate non-governmental organizations in the United States to identify all facilities that were operated by the United States military in the Philippines, ongoing departure of the United States military forces from the Philippines in 1992; and

(2) Congress should encourage an objective non-governmental study which would examine environmental contamination and health effects emanating from former United States military facilities in the Philippines, following departure of the United States military forces from the Philippines in 1992.

Amendment No. 20 offered by Mr. SHAH:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS REGARDING THE LOCATION OF PEACE CORPS OFFICES ABROAD.

It is the sense of the Congress that, to the degree permitted by security considerations, the Secretary of State should give favorable consideration to requests by the Dine People of the Peace Corps that the Secretary exercise his authority under section 606(a)(2)(B) of the Secure Embassy Construction and Counterterrorism Act of 1996 (22 U.S.C. 4865a(2)(B)) to waive certain requirements of that Act in order to permit the Peace Corps to maintain offices in foreign countries at locations separate from the United States embassy.
provide Iran with training or expertise relevant to the development of nuclear weapons, and are not being used as a cover for the acquisition of sensitive nuclear technology. A determination made by the Secretary of State under the preceding sentence shall be effective for the 1-year period beginning on the date of the determination.

SEC. 903. ANNUAL REVIEW BY SECRETARY OF STATE OF PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY; UNITED STATES OPPOSITION TO PROGRAMS AND PROJECTS OF THE AGENCY IN IRAN.

(a) ANNUAL REVIEW.—

(1) In general.—The Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Congress a comprehensive review of all programs and projects of the International Atomic Energy Agency in the countries described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2277(a)) and shall determine if such programs and projects are consistent with United States nuclear nonproliferation and safety goals.

(2) Report.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, as appropriate, shall submit to the Congress a report containing the results of the review under paragraph (1).

(b) OPPOSITION TO CERTAIN PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose programs of the Agency that are determined by the Secretary under the review conducted under subsection (a)(1) to be inconsistent with United States nuclear nonproliferation and safety goals of the United States.

SEC. 904. REPORTING REQUIREMENTS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report that—

(1) describes the total amount of annual assistance to Iran from the International Atomic Energy Agency, a list of Iranian officials in leadership positions at the Agency, the estimated timeframe for the construction of the nuclear power reactors at the Bushehr nuclear power plant, and a summary of the nuclear materials and technology transferred by the Agency in the preceding year which could assist in the development of Iran’s nuclear weapons program; and

(2) contains a description of all programs and projects of the International Atomic Energy Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2277(a)) and any inconsistencies between the technical cooperation and assistance programs and projects of the Agency and the United States nuclear nonproliferation and safety goals in these countries.

(b) ADDITIONAL REQUIREMENT.—The report required to be submitted under subsection (a) shall be submitted in an unclassified form, to the extent appropriate, but may include a classified annex.

SEC. 905. SENSE OF THE CONGRESS.

It is the sense of the Congress that the United States Government should pursue international reforms at the International Atomic Energy Agency which will ensure that all programs and projects funded under the Technical Cooperation and Assistance Fund of the Agency are compatible with United States nuclear nonproliferation policy and international nuclear nonproliferation norms.

Amendment No. 25 offered by Mr. Lantos:

Page 153, after line 23, add the following:

TITLE IX—EAST TIMOR TRANSITION TO INDEPENDENCE ACT OF 2001

SECTION 901. SHORT TITLE.

This title may be cited as the “East Timor Transition to Independence Act of 2001”.

SEC. 902. FINDINGS.

Congress makes the following findings:

(1) On August 30, 1999, the United Nations An- nounced that the East Timorese people voted overwhelmingly in favor of independence from Indonesia. Anti-independence militias, with the support of the Indo- nesian military, prevented the people from retaliating against this vote by launching a campaign of terror and violence, displacing 500,000 people and murdering at least 1,000 people.

(2) The violent campaign devastated East Timor’s infrastructure, destroyed or severely damaged 60 to 80 percent of public and pri- vate property, and resulted in the collapse of virtually all vestiges of government, public services and public security.

(3) The Australian-led International Force for East Timor (INTERFET) entered East Timor in September 1999 and successfully re- stored order. On October 25, 1999, the United Nations Transitional Administration for East Timor (UNTAET) was established to provide overall administration of East Timor, guide the people of East Timor in the establish- ment of a new democratic government, and maintain security.

(4) UNTAET and the East Timorese leader- ship currently anticipate that East Timor will become an independent nation as early as late 2001.

(5) East Timor is one of the poorest places in Asia. A large percentage of the population live below the poverty line, only 20 percent of East Timor’s population is literate, most of East Timor’s people remain unemployed, the annual per capita Gross National Prod- uct is $340, and life expectancy is only 56 years.

(6) The World Bank and the United Nations have estimated that it will require $300,000,000 in development assistance over the next three years to meet East Timor’s basic development needs.

SEC. 903. SENSE OF CONGRESS RELATING TO SUPPORT FOR EAST TIMOR.

It is the sense of Congress that the United States should—

(1) facilitate East Timor’s transition to independence, help establish a democratic government, and promote the development of an inde- pendent press, an independent and free legal system, and a free and inde- pendent news media; and

(2) promote reconciliation, conflict resolu- tion, and prevention of further conflict with respect to East Timor, including establishing accountability for past gross human rights violations;

(3) support the voluntary and safe repatriation and reintegration of refugees into East Timor;

(4) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor;

(5) share information on human rights violations, including on East Timor; and

(6)(A) support observer delegations and support the United Nations Transitional Administration for East Timor (UNTAET) and East Timorese investigators any unclassified information relevant to past atrocities in East Timor gathered by the United States Government;

(B) as an interim step, support observer status for an official delegation from East Timor to observe and participate, as appro- priate, in the United Nations Transitional Administration for East Timor (UNTAET) and East Timorese investigators any unclassified information relevant to past atrocities in East Timor gathered by the United States Government.

SEC. 904. BILATERAL ASSISTANCE.

(a) AUTHORITY.—The President, acting through the Administrator of the United States Agency for International Develop- ment, is authorized to—

(1) support the development of civil soci- ety, including nongovernmental organiza- tions in East Timor;

(2) promote the development of an inde- pendent news media;

(3) support job creation, including support for small business and microenterprise pro- grams as part of the overall economic and sustainable development, development of East Timor’s health care infrastructure, edu- cational programs, and programs strengthen- ing the rule of law in East Timor;

(4) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor;

(5) support the voluntary and safe repatriation and reintegration of refugees into East Timor;

(6) support the voluntary and safe repatriation and reintegration of refugees into East Timor;

(7) support the development of an inde- pendent news media;

(8) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor;

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President to carry out this section $25,000,000 for fiscal year 2002.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropria- tions under paragraph (1) are authorized to remain available until expended.

SEC. 905. MULTILATERAL ASSISTANCE.

The Secretary of the Treasury should in- struct the United States executive director at the International Monetary Fund and the United States Agency for Interna- tional Development to use the voice, vote, and influence of the United States to support eco- nomic and democratic development in East Timor.

SEC. 906. PEACE CORPS ASSISTANCE.

The Director of the Peace Corps is author- ized to—

(1) provide English language and other technical training for individuals in East Timor as well as other activities which pro- mote education, economic development, and economic self-sufficiency; and

(2) provides hardship and other assistance needs in East Timor using the Peace Corps Crisis Corps, to the extent practicable.
SEC. 907. TRADE AND INVESTMENT ASSISTANCE.

(a) OPIC.—The President should initiate negotiations with the Government of East Timor (after independence for East Timor)—

(1) to apply to East Timor the existing agreement between the Overseas Private Investment Corporation and Indonesia; or

(2) to enter into a new agreement authorizing the Overseas Private Investment Corporation to carry out programs with respect to East Timor—

in order to expand United States investment in East Timor; emphasizing partnerships with local East Timorese enterprises.

(b) TRADE AND DEVELOPMENT AGENCY.—

(1) IN GENERAL.—The Director of the Trade and Development Agency are authorized to provide technical assistance and carry out projects in East Timor under section 661 of the Foreign Assistance Act of 1961.

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Trade and Development Agency to carry out this subsection $1,000,000 for fiscal year 2002.

(B) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) are authorized to remain available until expended.

(c) EXPORT-IMPORT BANK.—The Export-Import Bank of the United States should expand its activities in connection with exports to East Timor in order to the extent that there is a reasonable assurance of repayment.

SEC. 908. GENERALIZED SYSTEM OF PREFERENCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should encourage the Government of East Timor (after independence for East Timor) to seek to become eligible for duty-free treatment under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.), relating to generalized system of preferences.

(b) TECHNICAL ASSISTANCE.—The United States Trade Representative and the Commissioner of the United States Customs Service are authorized to provide technical assistance to the Government of East Timor (after independence for East Timor) in order to assist East Timor to become eligible for duty-free treatment under title V of the Trade Act of 1974.

SEC. 909. BILATERAL INVESTMENT TREATY.

It is the sense of Congress that the President should enter into a bilateral investment treaty with the Government of East Timor (after independence for East Timor) in order to establish a more stable legal framework for United States investment in East Timor.

SEC. 910. PLAN FOR ESTABLISHMENT OF DIPLOMATIC FACILITIES IN EAST TIMOR.

(a) DEVELOPMENT OF DETAILED PLAN.—The Secretary of State shall develop a detailed plan for the official establishment of a United States diplomatic mission to East Timor, which will view to—

(1) recognize East Timor, and establish diplomatic relations with East Timor, upon its independence;

(2) ensure that a fully functioning, fully staffed, adequately resourced, and securely maintained United States diplomatic mission is accredited to East Timor upon its Independence; and

(3) in the period prior to East Timor’s independence, ensure that the United States maintains an adequate diplomatic presence in East Timor, with resources sufficient to promote United States political, security, and economic interests with East Timor.

(b) REPORT.—

(1) IN GENERAL.—Not later than three months after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains the detailed plan described above and a time table and milestones necessary for the opening of a facility in Dili, East Timor, the personnel requirements for the mission, the estimated costs for establishing the diplomatic facility, and its security requirements.

(2) FORM OF REPORT.—The report submitted under this subsection shall be in unclassified form, with such classified information as necessary.

(c) CONSULTATION.—Beginning six months after the submission of the report under subsection (b), and every six months thereafter until January 1, 2004, the Secretary of State shall consult with the chairman and ranking member of the committees specified in that paragraph on the status of the implementation of the detailed plan described in subsection (a), including any revisions to the plan (including its timetable, costs, or requirements).

SEC. 911. SECURITY ASSISTANCE FOR EAST TIMOR.

(a) STUDY AND REPORT.—

(1) STUDY.—The President shall conduct a study to determine—

(A) the extent to which East Timor’s security needs can be met by the transfer of excess defense articles, as authorized under section 516 of the Foreign Assistance Act of 1961;

(B) the extent to which international military education and training (IMET) assistance will enhance professionalism of the armed forces of East Timor, provide training in human rights, and promote respect for human rights and humanitarian law; and

(C) the terms and conditions under which such defense articles or training, as appropriate, should be provided.

(2) REPORT.—Not later than 30 days after the date of enactment of this Act, the President shall transmit to the Committee on Foreign Relations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains the findings of the study conducted under paragraph (1).

(b) AUTHORIZATION OF ASSISTANCE.—

(1) IN GENERAL.—Beginning on the date on which Congress receives the report transmitted under subsection (a), the President may provide to East Timor—

(A) the status of United States trade and economic relations with East Timor, including a detailed analysis of any trade and investment-related activity supported by the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Trade and Development Agency during the period covered by the report, including an evaluation of any elections occurring in East Timor and the repatriation integration process in East Timor; and

(B) in each subsequent consultation, a description in detail of the expenditure of United States bilateral foreign assistance during the period covered by each such consultation; and

(3) a description of the activities under the United States foreign assistance programs, including a detailed analysis of any trade and investment-related activity supported by the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Trade and Development Agency, the Asian Development Bank, and other international financial institutions, and an evaluation of the effectiveness of these activities;

(4) an assessment of—

(A) the status of United States trade and investment relations with East Timor, including a detailed analysis of any trade and investment-related activity supported by the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Trade and Development Agency during the period of time since the previous consultation; and

(B) the terms and conditions under which such defense articles or training, as appropriate, should be provided.

(2) REPORT.—The President shall report to Congress, at the President’s discretion, on the status of any negotiations with the United Nations Transitional Administration for East Timor or East Timor to facilitate the operation of the United States trade agencies in East Timor;

(3) the nature and extent of United States East Timor cultural, education, scientific, and academic exchanges, both official and unofficial, and any Peace Corps activities; and

(4) a description of local agriculture in East Timor, emerging opportunities for producing, processing, and exporting indigenous products, and recommendations for appropriate technical assistance from the United States; and

(5) statistical data drawn from other sources on economic growth, health, educational, and distribution of resources in East Timor.

Amendment No. 26 offered by Mr. LANTOS: Page 153, after line 23, add the following:

TITLE IX—FREEDOM INVESTMENT ACT OF 2001

SECTION 901. SHORT TITLE.

This title may be cited as the “Freedom Investment Act of 2001”. 
SEC. 902. FINDINGS.
Congress finds the following:
(1) Supporting human rights is in the national interests of the United States and is consistent with American values and beliefs.
(2) Defenders of human rights are changing our world in many ways, including protecting minority, religious, civil, and women’s rights; the rights of children and women; freedom of the press, the rights of workers, the environment, and the human rights of all persons.
(3) The United States must match its rhetoric on human rights with action and with sufficient resources to provide meaningful support for human rights and for the defenders of human rights.
(4) Providing one percent of amounts available annually for foreign affairs operations for human rights activities, including human rights monitoring, would be a minimal investment in protecting human rights around the world.
(5) The Department of State should have individuals in positions in foreign countries that are designated for monitoring human rights activities and developments in such countries, including the monitoring of arms exports.

SEC. 903. SALARIES AND EXPENSES OF THE BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.
For fiscal year 2004 and each fiscal year thereafter, not less than 1 percent of the amounts made available to the Department of State under the heading “Diplomatic and Consular Programs”, other than amounts made available for worldwide security upgrades and training and information resource management, are authorized to be made available only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor, including funding of positions at United States missions abroad that are primarily dedicated to following human rights developments in foreign countries and that are assigned as a result of the recommendation of such Bureau in conjunction with the relevant regional bureau.

SEC. 904. HUMAN RIGHTS AND DEMOCRACY FUND.
(a) Establishment of Fund.—There is established a Human Rights and Democracy Fund (hereinafter in this section referred to as the “Fund”) to be administered by the Assistant Secretary for Democracy, Human Rights, and Labor.
(b) Purposes of Fund.—The purposes of the Fund are—
(1) to support defenders of human rights;
(2) to assist the victims of human rights violations;
(3) to respond to human rights emergencies;
(4) to promote and encourage the growth of democracy, including the support for non-governmental organizations in other countries; and
(5) to carry out such other related activities as are consistent with paragraphs (1) through (4).
(c) Funding.—Of the amounts made available to the Fund pursuant to subparagraph (a) of paragraph 1 of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act for each of the fiscal years 2002, 2003, and 2004, $27,000,000 for each such fiscal year is authorized to be made available only to the Fund for carrying out the purposes described in subsection (b).
Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I yield myself to my colleagues. I may consume it in my remarks.

Mr. Chairman, first, let me express my deep appreciation to the gentleman from Illinois (Chairman HYDE) for the extraordinarily cooperative and collegial manner in which he has handled both this matter and all matters that we have dealt with in the committee.

Mr. Chairman, I rise in support of this en bloc amendment. This en bloc amendment includes amendments from both sides of the aisle and includes a technical provision requested by the Department of State.

I would like to highlight several provisions that enjoy broad bipartisan support: the amendment of the gentleman from American Samoa (Mr. FALEOMAVAEGA) supporting free, fair, and democratic elections in Fiji, East Timor, and Peru; the amendment of the gentleman from Guam (Mr. UNDERWOOD) on the Philippines; the amendment of the gentleman from New York (Ms. VELEZ) on small business contracting by AID; the amendment by the gentleman from Texas (Ms. JACKSON-LEE) on child soldiers; the amendment by the gentleman from Vermont (Mr. SANDERS) on trafficking; the amendment by the gentleman from New York (Mr. ENGEL) on U.S. civilian prisoners during World War II; and the amendment by the gentleman from New Jersey (Mr. MENENDEZ) on IAEA and Iran.

Mr. Chairman, a provision offered by the gentlewoman from New York (Ms. SLAUGHTER) seeks to ensure congressional oversight and enforcement in the area of Holocaust restitutions by requiring the Secretary of State to determine in a report to Congress whether the foundation established for this purpose is meeting its responsibilities to claimants.

This en bloc amendment also contains the East Timorese Transition to Independence Act, legislation I introduced with the gentleman from Rhode Island (Mr. KENNEDY), the gentleman from Massachusetts (Mr. MCGOVERN), the gentleman from New Jersey (Mr. SMITH), and the gentlewoman from New York (Mrs. LOWEY).

I would express my appreciation to the gentleman from Illinois (Chairman HYDE) and the gentleman from Iowa (Mr. LANTOS), chairman of the Subcommittee on East Asia and the Pacific, and the gentleman from American Samoa (Mr. FALEOMAVAEGA), ranking Democratic member, for their help on this legislation, along with the East Timor Network.

Two years ago, Mr. Chairman, the people of East Timor voted overwhelmingly for independence from Indonesia. In response, anti-independence militias, with the support of the Indonesian military, launched a campaign of terror and violence.

The East Timorese have now won their hard-earned freedom, and the United States is playing a lead role in helping the East Timorese get back on their feet. This legislation provides a 3- to 5-year trade, aid, and security agenda with East Timor so that our Nation remains a key player in helping to rebuild that small and long-suffering country.

It authorizes $25 million in bilateral U.S. assistance to East Timor, authorizes the establishment of a Peace Corps Program in that country, and mandates a series of steps to increase the involvement of trade and export agencies in East Timor.

I also wish to point to the amendment offered by the gentleman from New Jersey (Mr. SMITH) and myself titled the Freedom Investment Act. This amendment ensures that our human rights and democracy programs are not merely part of our foreign policy rhetoric, but are also part of U.S. foreign policy reality.

If we are to accomplish this, the human rights function within the Department of State must be strengthened appreciably.

This provision provides a permanent authorization for the Bureau of Democracy, Human Rights and Labor equal to 0.1 percent of the Department of State operating account. This continues specific authorizations that the Congress has provided for the democracy and human rights functions and boosts the human rights and democracy fund.

Mr. Chairman, the Department of State has been crucial to providing small level grants to human rights causes around the globe, and it definitely should be increased.

So I want to reiterate my support, Mr. Chairman, of the en bloc amendment offered by the gentleman from Illinois (Chairman HYDE), and I urge my colleagues to vote for his amendment.

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

Mr. CHABOT. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I am pleased to join with the gentlewoman from Texas (Mr. LAMPSON), my good friend, thanking the gentleman from Illinois (Chairman HYDE) for including in his en bloc amendment our amendment, which extends until 2003 the reporting requirement of the State Department on compliance with the provisions of the Hague Convention on the Civil Aspects of International Child Abduction.

My colleagues will recall that the gentleman from Texas (Mr. LAMPSON) and I offered legislation last year adopted in both the House and the Senate that required compliance by signatory countries with the Hague Convention. The legislation became necessary because, sadly, some Hague signatories consistently fail to comply fully with both the letter and the spirit of their international legal obligations under the Convention.

The Hague Convention establishes reciprocal rights and duties between and among its contracting states to expedite the return of children to the state of their habitual residence as well as to ensure that rights of custody and of access under the laws in one contracting state are respected in other contracting states. Unfortunately, some policies and practices have been routine offenders.

My colleagues have often heard me talk about the case of a Cincinnati man, Tom Sylvester, whose then baby daughter, Carina, was abducted by her mother back in 1995 and taken to Austria where she remains today. Six years after the abduction, the case remains unresolved despite a number of court orders in Mr. Sylvester’s favor in both the United States and Austria, including an order all the way up to the Austrian Supreme Court in Mr. Sylvester’s favor.

Unfortunately, the Sylvester case is not a rarity. Every year, more and more American parents suffer similar circumstances and face obstacles from other nations, many of whom are signatories of the Hague Convention.

This amendment which extends for 2 years the reporting requirement of the Department of State sends a message to those offending countries who consistently fail to honor their obligations under international law, that the Congress takes their failure to comply very seriously and will continue to pursue efforts to bring our American children home.

I want to commend the gentleman from Texas (Mr. LAMPSON). As chairman of the Congressional Caucus on Missing and Exploited Children, he has done an extraordinary job in bringing national and international attention to this growing problem that devastates so many American families. I urge adoption of the amendment.

Mr. LANTOS. Mr. Chairman, I am happy to yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I want to commend the gentleman from Ohio (Mr. CHABOT) and the gentleman from Texas (Mr. LAMPSON) on their continuing efforts on focusing their attention on this very tragic situation that so many parents are in across our Nation. We welcome the opportunity to include this amendment in the en bloc, and I thank the gentleman from Illinois (Chairman HYDE) for including it.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, part of the en bloc is one that I offer on Iran because I am deeply concerned about U.S. taxpayer dollars being used to...
support the development of a 1,000 megawatt nuclear power reactor at Bushehr in Iran’s Persian Gulf coast. I want specifically to address the role of the International Atomic Energy Agency’s technical assistance for this plant, because I believe that agency is indirectly supporting Iran in its well-known endeavors to acquire dangerous nuclear technology.

Iran claims it is merely seeking the wherewithal to meet its publicly desired statement to have a civil nuclear power program to generate electricity, which is suspect in light of Iran’s having the world’s largest oil and natural gas reserves. But it is no secret that Iran is also pursuing a nuclear weapon’s development program.

Last fall, Assistant Secretary of State for Nonproliferation Bob Einhorn stated in testimony before the Senate that the administration opposed construction of the Bushehr plant because, “it would be used as a cover for maintaining the Iran nuclear program with Russian nuclear entities and for engaging in more sensitive forms of cooperation with more direct applicability to a nuclear weapons program.” I could not agree more.

Let me suggest to my colleagues that we must decide as a government whether to oppose or acquiesce in the construction of the plant, which is being built with Russian support. I submit to my colleagues that acquiescence in this project is tantamount to our acceptance as inevitable the construction of the nuclear power plant. This is not about safety, this is about operational capacity. If we do not speak out, who will?

My amendment would simply withhold U.S. proportional voluntary assistance to the IAEA for programs and projects of the agency which go for technical assistance for the Bushehr plant. I have no interest in cutting off all IAEA assistance to Iran, but it is ludicrous for the United States taxpayers to support a plant which could pose a threat to the United States and to stability in the Middle East.

Please support my colleagues in supporting the en bloc amendment.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, the Flake-Gilman-Cantor-Wexler amendment is a bipartisan straightforward, non-partisan straightforward amendment condemning the remarks of Syrian President Bashar al-Assad.

President Assad at the first regular Arab summit gathering in more than 10 years, President Assad used his speech to lash out against Israel.

In March 27 at the first regular Arab summit gathering in more than 10 years, President Assad used his speech to lash out against Israel. In electing Mr. Sharon to be their leader, President Assad said Israelis “had chosen a man who hated anything to do with Arabs and had dedicated his career to killing them.”

President Assad continued by saying, “We say that the head of the government is a racist, it’s a racist government, a racist army and security force.” “It is a racist society and it is even more racist than the Nazis.”

Mr. Chairman, as if President Assad’s remarks back in March were not enough, he reiterated his anti-Semitic remarks 11 days ago in his welcoming speech to Pope John Paul II, in Damascus.

In both cases, the administration has been swift to condemn Assad’s remarks. The time has now come for Members of the House to go on record condemning these inflammatory remarks and express its support for people of Israel.

Finally, President Assad’s remarks illustrate a counterproductive pattern beginning here. These types of actions will only have a negative impact on the region in this time of crisis.

This amendment sends a message that the United States opposes this type of speech by world leaders. For this reason, I urge my colleagues to support the en bloc amendment.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. HYDE. Yes, I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman from Arizona for his cogent remarks with regard to the appalling remarks made by the President of Syria recently. He was criticized by leaders throughout the world for encouraging and inciting more hostility rather than being a leader for peace.

We had looked to the new President of Syria for greater leadership than he has demonstrated, and we hope he will take a good hard look at what he has done to stir up the problems in the Middle East and recant his statement, and we look forward to hearing from the President of Syria further on this issue.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I thank my friend from California, the ranking member, the distinguished gentleman, for yielding time to me.

I certainly agree with the remarks of the gentleman from New York (Mr. GILMAN) and the gentleman from Arizona (Mr. FLAKE) condemning the President of Syria, and I would also add that Syrian troops ought to leave Lebanon as soon as possible.

Mr. Chairman, my amendment, which is rolled into the en bloc amendments, addresses the unfortunate events of World War II in which almost 19,000 American civilians living or traveling abroad were captured by the Axis powers and incarcerated, 1,700 of whom either died in captivity or were executed. It is really a shocking statistic. To date, no formal apology has been offered for these terrible atrocities.

My amendment would extend the Congress’s sympathy to the brave men and women who were incarcerated and their families for the terrible hardships they endured. Also, it encourages foreign nations that incarcerated U.S. civilians during World War II to formally apologize to these individuals and their families.

Passage of this amendment would have a meaningful impact including Michael Kolanik, Sr., of Westchester County, New York, which I represent. He was captured by Nazi Germany and was a slave laborer for 6 years. Unfortunately, he has already passed away; but his son Mike, Jr., a Vietnam veteran, is pursuing this issue in honor of his father.

While recognition of their ordeal will not erase the painful reality of their imprisonment, it will provide a sense of closure for them and their families and put to rest a long and drawn-out battle to honor those brave men and women for their suffering.

I know this has bipartisan support, and I thank everybody for that; and I urge my colleagues to vote in favor of my amendment so that we can begin to heal the wounds of the past.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I rise in support of the Flake amendment. In a gesture of interfaith reconciliation, Pope John Paul II recently undertook the first-ever visit by a Pope to Syria where he visited a mosque, I commend the Pope for these historic actions that are in keeping with the finest teachings of our Judeo-Christian heritage. Despite these generous acts, Pope John Paul II was subjected to a primitive anti-Jewish outburst by Syrian President Bashar Assad. President Assad attacked the Jews as a people “who try to kill the principles of all religions with the same mentality with which they betrayed Jesus Christ, and in the same way they tried to commit treachery against the Prophet Muhammad.”

I believe Pope John Paul II was subjected to a second bigoted tirade, this time by the Syrian Religious Affairs minister, who railed against “what the enemies of God and malicious Zionism conspire to commit against Christianity and Islam.” On the second day of the Pope’s visit to Syria, a front page editorial in the official government newspaper called Israelis “the enemies of God and faith.”

These express must have been particularly painful to the Pope, in view of the fact that he has worked so long and hard to further increase understanding between Christians and Jews and people of all faiths. The religious bigotry expressed by Syria’s president is contrary to America’s values of religious tolerance and undermines the chance for peace and poison’s relations between people of different faiths.

There have been reports that the Syrian government hopes to improve its relationship with the United States in order to qualify for American financial aid. Such anti-Semitic rhetoric is not a positive step and merely fans the flames of violence.
The Flake amendment would shed light on the actions and statements of high-ranking Syrian government officials and emphasizes the concern of the United States about the negative impact such remarks make on the prospects for Middle East peace. Congress must speak out to condemn this hatred. Accordingly, I strongly urge all Members to support this amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, time is running out for Germany to provide a measure of justice to the survivors of the Holocaust, 10 to 15 percent of whom are dying every year. I urge passage of the Slaughter-Waxman-Schakowsky amendment to H.R. 1646 that would require the Secretary of State to report to Congress on whether the German Foundation is meeting its responsibilities to claimants; insurance companies joining the agreement abide by the same baseline set of standards; and slave and forced labor payments are distributed as soon as possible.

Mr. Chairman, this report would also serve notice to the German Foundation that Congress is concerned about Holocaust survivor restitution claims and expects the allocation of funds from the German Foundation to go forward without further delay.

We must address the current lack of oversight of the German Foundation. I urge my colleagues to join me in calling for this report to Congress on the status of the German Foundation before it is too late to grant justice to our aging Holocaust survivors.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. LAMPO).

Mr. LAMPSON. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I want to thank the chairman of the committee, the gentleman from Illinois (Mr. HYDE), for his willingness to fold the Lampson-Jackson-Lee-Chabot amendment regarding international child abduction into his en bloc amendment. I also want to thank the gentleman from Ohio (Mr. GILMAN) and the gentleman from New York (Mr. GILMAN) for their earlier comments and their hard work on this issue that affects so many parents and children in the United States of America.

In the fall of 2000, I wrote to former Secretary of State Albright to express my strong concern regarding the U.S. State Department’s adherence to the reports required in section 202 of the consolidated appropriations act of last year. Congress takes this reporting requirement very seriously, as it is designed to strengthen the implementation of the Hague Convention on the Civil Aspects of International Child Abduction.

In the past, the Department of State has submitted reports to Congress that in my mind have not been meeting the statutory requirements required by the reports and has not helped the cause of many parents left behind in the United States.

As H.R. 1646 is currently written, there is no reporting requirement of the U.S. Department of State on the compliance with the provisions of the Convention on Civil Aspects of International Child Abduction done at the Hague in 1980, and this amendment simply extends the reporting requirement in last year’s State Department authorization bill from the current requirement of 2001 forward to 2003.

The entire purpose of this report is to educate judges, attorneys, and the public to promote remedial actions in current cases and to prevent as many new cases as possible. This depends on full disclosure by the State Department of information sought by Congress and the sort of widespread dissemination of the report that was called for in the last Congress’ law.

So again I thank the chairman for accepting this as part of the en bloc amendment, and I urge my colleagues to support it.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. UNDERWOOD. Mr. Chairman, I thank the ranking member, the gentleman from California (Mr. LANTOS), for yielding me this time; and I thank the gentleman from Illinois (Mr. HYDE) for including this amendment in the en bloc amendment.

I urge my colleagues to support the en bloc amendment, particularly my amendment regarding the former United States military facility in the Philippines. Basically, what my amendment does is support the joint statement by the United States and the Republic of the Philippines on the Framework for Bilateral Cooperation in the Environmental and Public Health, signed on July 27, 2000. This would encourage an objective non-governmental study which would examine the environmental contamination and health effects emanating from the former U.S. facilities in the Philippines following the departure of the U.S. military forces from the Philippines in 1992.

This is good responsible policy. It cements an ongoing dialogue that we have with the Philippines on the results of the contamination which was evident in the military facilities which we left in 1992. This is particularly important at this particular time as we examine our emerging relationships with the Philippines.

The United States and the Philippines have a long and proud history of friendship and cooperation. We originally acquired the Philippines under the Treaty of Paris in 1898, and frankly, we were engaged in a period of imperialism and forcibly took the Philippines. But since that time, we have helped the Philippines to develop its democratic foundations and its military, as most Philippine military and intelligence programs are modeled on United States. We could consider the Philippines the first pioneer democracy in Asia.
Now, this is particularly important at this time as we have finalized a visiting forces agreement with the Philippines. We continue to understand that in the ongoing environment of Asia we need the Philippines now more than ever. This is the time we take little responsibility for environmental cleanup and take a good strong look at it. I urge passage of the amendment and again thank the chairman and the ranking member.

Mr. Chairman, I urge my colleagues to support the amendment regarding the former United States military facilities in the Philippines under the Treaty of H.R. 1646, The Foreign Relations Authorization Act for FY 2002.

My amendment would support the Joint statement by the United States and the republic of the Philippines on a Framework for Bilateral Cooperation in the Environmental and Public Health signed on July 27, 2000, which I ask permission to submit for the record; and would encourage an objective non-governmental study which would examine environmental health effects stemming from the former U.S. military facilities in the Philippines, following departure of U.S. military forces from the Philippines in 1992.

The United States and the Philippines have a long and proud history of friendship and cooperation as military allies. Since then the United States has provided the Philippines its first modern military equipment as well as the facilities to operate it. The Philippines became a vital hub of U.S. forces during World War II. In turn, the United States helped the Philippines to develop its democratic foundations and its military. The most significant of these military institutions were modeled after United States counterparts. Depending upon one’s perception of history and definition of democracy, the Philippines could be considered the first pioneer democracy in Asia. In 1906, as a U.S. territory, the Philippines elected two Resident Commissioners to the U.S. Congress. In 1935, the Philippine Islands became the Commonwealth of the Philippines. Between 1907–1946, the Philippines elected 13 different Resident Commissioners to the U.S. Congress. In 1946, the Philippines became fully independent.

The United States and the Philippines maintained their relationship as allies during World War II and the postwar period. In 1941, then President Roosevelt called up members of the Philippine Commonwealth Army into the service of the United States. Over one hundred thousand Filipinos fought alongside the allies to reclaim the Philippine Islands from Japan. This valiant sacrifice and dedication to our shared values during their service in World War II is the foundation of the U.S. and Philippines relations.

In 1947, the U.S. and the Philippines signed the Military Bases Agreement, which resulted in Clark Air Force Base and Subic Bay Naval Base. Throughout, U.S.-Philippine relations have been and continue to be based on shared history and commitment to democratic principles.

During negotiations between the U.S. and the Philippines in 1991, the Philippine Senate rejected the renewal of the Military Base Agreement. On a visit to the Philippines in 1992, the U.S. government from Clark Air Force Base and Subic Bay Naval Base, thereby ending the almost 100 years of American military presence there. In the haste of our departure, unfortunately little effort was made to provide any environmental restoration in the bases, albeit none was required. This was a result of the 1988 Amendments to the Military Base Agreement. Moreover, the 1998 Defense Authorization Act specifically states that the armed forces in the Philippines should provide assistance to another nation in connection with environmental restoration in regards to the Philippines. However, I would strongly argue that while both our nations share a profound concern for the quality of the environment, the U.S. has a moral obligation to the Philippines to cooperate in ameliorating this environmental degradation.

Nevertheless, according to the General Accounting Office, the Department of Defense (DOD), and the World Health Organization, at least sixteen contaminated sites on or surrounding these former military installations in the Philippines have been identified. High levels of toxic materials were generated on these sites from over 45 years of intensive military activities, including the production, cleaning, use, and storage of weapons, ordnance, aircraft, naval vessels, land vehicles, and electronic equipment. Wastes were dumped with little regard for the environment as was the norm during the Cold War. As a result of frequent chemical waste dumping, and inadequate sewage and treatment facilities, these toxic materials directly polluted the soil, air, and water.

The urgency of my amendment is shown through the severe illnesses and increasing number of deaths experienced by the current Filipino inhabitants near the former bases. Their health concerns include high rates of urinary tract, reproductive, and nervous system problems, plus high rates of respiratory disorders in children. Various reports have suggested possible connection between these health problems and the drinking water containing mercury and lead. There has also been a high occurrence of skin diseases, miscarriages, stillbirths, birth defects, various cancers, heart and lung ailments, and leukemia. In only one village where mercury and other contaminants were found in the water, 68 deaths were reported between 1995 and 1999. Not only are the lives of numerous families at stake, but our actions should be considered within the larger scope of U.S.-Philippines relations. Clark Air Force Base and Subic Bay Naval Base were strategically valuable during the Cold War—especially during the Vietnam and Korean conflicts. The Filipino people have been our loyal allies throughout this century. Therefore we cannot ignore these pressing issues as the daily lives of thousands have been adversely affected from such contamination.

In a positive step forward, in 1999, the U.S. and the Philippines reached agreements to receive the security relationship, which had declined following the U.S. withdrawal from military bases in 1992. The two governments concluded a Visiting Forces Agreement that will allow U.S. military personnel to enter the Philippines for joint training and other cooperative activities.

In addition, in July of 2000, the U.S. and the Philippines signed a Joint Statement that outlines a cooperative partnership that would include increased sharing of information, best practices and partnerships through ongoing capacity building programs, among government and non-government experts. The goal of this Joint Statement would be to enhance the Philippines’ institutional and technical capacity to address environmental and public health problems throughout the Philippines and help coordinate military-to-military consultations to discuss ways to reduce the environmental impacts of peacetime military activities.

I would like to commend the DOD and the State Department for their collaborative efforts in working within the legal framework provided, and cooperating with the Philippines in turning over records and documents via the U.S. Embassy. Moreover, I would like to point out the many successful U.S. inter-agency team visits to the Philippines. In May 2000, officials from DOD, State, the Environmental Protection Agency (EPA), and Department of Energy (DOE) began to discuss the broad environmental issues facing the Philippines. In October 2000, a DOD team began a defense-to-defense environmental information exchange program, and conducted a workshop on hazardous waste management. In December 2000, yet another inter-agency team consisting of DOD, State, EPA, the US Agency for International Development, and US Geological Service conducted more workshops on environmental management system. My amendment supports these activities and provides further constructive steps by encouraging an objective non-governmental study that would build upon this positive work. A new study issued May 14th by the Rand organization, entitled “U.S. & Asia—Toward a New U.S. Strategy and Force Posture” reinforces the importance of U.S.-Philippine relations.

This study argues that the conflict between Taiwan and mainland China are key to U.S. security posture in the Pacific and recasts the U.S. engagement in the U.S.-Philippine relationships with the Philippines and Guam. Specifically, the study reports that the U.S. should “...expand cooperation with the Philippines” and “...the Philippines may present an interesting opportunity to enhance Air Force access to the Western Pacific.” Moreover, the study suggests that Guam “should be developed into a major hub from which the Air Force and Navy could project power into the South China Sea and elsewhere in Southeast Asia.

Given this analysis of the importance of the Philippines, Congress should seek to encourage better cooperation and increased dialogue between our two countries, which my amendment intends to do.

Passage of this important amendment will also help raise awareness of the environmental contamination and health issues at the former military bases in the Philippines. I urge all Members to support my amendment.

Joint Statement by the United States of America and the Republic of the Philippines on Framework for Bilateral Cooperation in the Environmental and Public Health

Whereas the United States of America and the Republic of the Philippines have a long and proud history of friendship and cooperation.
Whereas both nations share a profound concern for the quality of the natural environment and the impact environmental quality has on the health and well-being of our peoples.

Whereas both nations recognize the critical importance that environmental quality plays in the stability and security of nations.

Whereas both nations share a strong interest in working to prevent environmental problems that threaten public health or the national security of either nation.

Whereas both nations intend to cooperate to help protect air, soil, and water resources, marine life, wildlife, tropical forests, and biological diversity.

And taking note of the joint statement on clean energy and climate change signed by their respective governments, both nations do hereby express their intent to reduce industrial and toxic pollution and the emissions of greenhouse gases that can contribute to global climate change, and to enhance local capacities for improved environmental and public health management.

 Accordingly, the United States of America and the Republic of the Philippines announce that they intend to jointly expose ways in which this cooperation can further enhance their long tradition of friendship and help ensure the well-being of their peoples and the planet.

This cooperation is envisioned to include increased information, best practices and partnerships through ongoing capacity building programs, among government and non-governmental experts, directly and by electronic means. The goal of this cooperation would be to enhance the Philippines’ institutional and technical capacity to address environmental and public health problems throughout the Philippines.

In particular, cooperative efforts should be undertaken to build capacity for effective regulation of the competitive electric power industry that will be evolving in the Philippines in order to facilitate the market deployment of energy efficient technologies, renewable energy sources, and less carbon intensive fuels such as natural gas, all of which can help limit emissions of both carbon dioxide and conventional air pollutants.

In addition, these exchanges and consultations that enhance cooperation to minimize loss of life and property damage resulting for natural disasters.

Further, construction of the treaty alliance between the United States of America and the Republic of the Philippines, and believing strongly in the importance of a close relationship between our armed forces as part of our cooperative effort, we intend to convene defense-to-defense consultations to discuss ways to reduce the environmental impact of peacetime military activities.

Further specific priorities for this enhanced framework for cooperation on the environment and public health are to be defined in the dialogue by interagency teams of both Governments and should build on current bilateral efforts. Through this dialogue, the Philippine side will provide the United States a prioritized list of proposed cooperative activities with a view to achieving the objectives of this Joint Statement.

Washington, DC, July 27, 2000

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to my friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman and the ranking member for allowing this amendment to come to the floor. I support the en bloc, and I ask for the support of my colleagues for this amendment that places governments on notice that the United States pays attention to those nations who use children as soldiers.

The amendment mandates that the Department of State annual Human Rights Report for each country, where applicable, include a description of the nature of conscription, and participation in or of persons under the age of 18 by governmental forces, government supported paramilitaries, or other armed groups; their effects on national and international law; and what steps are being taken by the government of that country to eliminate such practices. This is important documentation that will tell us a great deal about the real human rights practices that occur when children are absorbed into armed conflicts.

The mere compilation of annual country reports regarding this human tragedy will be a critical tool in the United States foreign policy. We must stop children being forced into armed conflicts.

An estimated 300,000 children under the age of 18 were engaged in armed military conflicts in more than 30 countries are currently fighting in armed conflicts. Sadly, far too many of these wonderful children are forcibly conscripted through kidnapping or coercion and others joined because of economic necessity, to avenge the loss of a family member or for their personal safety. There are so many stories of children being abused in this way.

"B." [who wishes to remain unidentified], a 14-year-old young girl, was abducted in Uganda in February 1997: "I had gone to the garden to collect tomatoes at around eight or nine in the morning. Suddenly, I was surrounded by about 50 rebels. They started picking tomatoes and eating them. They arrested me and beat me terribly. Finally, they took me home. We went there and collected my clothes. There, they killed my mother. They made me go, leaving behind my little brother and two little sisters. . . . I was resisting. Then they started beating me until I became unconscious.

War is a daily reality for millions of children. Some have never known any other life—they have grown up in the midst of civil wars, guerrilla wars, guerrilla insurgency, or long-term occupation by a foreign army. For others, the world is suddenly turned upside down when invasion forces invade a territory that they have grown up in the midst of civil wars, guerrilla wars, guerrilla insurgency, or long-term occupation by a foreign army. For others, the world is suddenly turned upside down when invasion forces invade a territory that they have grown up in, to avenge the loss of a family member or to provoke outrage in each other's communities. Some, mainly girls are singled out for sexual abuse. While both boys and girls are used as fighters, girls are at particular risk of rape.

Casualty rates among child soldiers are generally high, because of their inexperience, fearlessness and lack of training, and because they are often used for particularly hazardous assignments, such as intelligence or planting landmines. Both governments and armed groups use children because they are easier to condition into fearless killing and unthinking obedience; child soldiers are sometime provided with drugs and alcohol to overcome their fear or reluctance to fight.

Last year, the United States government signed two landmark Protocols that address prostitution, the impact of pornography on children, and the global practice of child labor. This resolution, in an entirely complimentary
way, applauds the decision by the U.S. government to support the Protocol that condemns the use of children as soldiers by government and nongovernment forces. Further, the House passed H. Con. Res. 348, a resolution that condemns the use of children as soldiers. And there is good reason why we did that. This amendment is important.

It is important that the House accept the Jackson Lee-Lewis-Lantos amendment so that the U.S. Department of State may include reports on other countries that use children as soldiers. I urge my colleagues to support this amendment.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank the gentleman for yielding me this time, and rise to support an amendment which outlines a 3-to-5-year trade, aid and security agenda with East Timor which, as everyone knows, is currently under United Nations control and is scheduled for full independence later this year.

This legislation contained in the en bloc authorizes bilateral U.S. assistance in order to promote a civil society, independent media, job creation and economic development. It authorizes the establishment of a Peace Corps program in East Timor, requires that a developmental plan to establish full diplomatic facilities in East Timor be accomplished and mandates a series of steps to increase the involvement of U.S. trade and export agencies in East Timor.

I had the honor of having the chance to travel to East Timor with Nobel Prize winner Bishop Carlos Belo, and this was just after he received the Nobel Peace Prize. As my colleagues know, for the last 30 years East Timor has been fighting for its independence. Finally it won it.

Mr. Chairman, now we need to make sure that independence sticks and stability takes hold. In this Congress and in many other places, we prepare for war. And when we prepare for war, we make sure that we make an investment in order to win war once we have prepared for it. Now we need to win the peace. We need to make sure that peace takes hold in East Timor. So we also need to make sure that peace takes hold, and this legislation within the en bloc will make that possible.

Mr. Chairman, I encourage my colleagues to join me in support of this very important amendment which will help our relationship with East Timor and help it get underway.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Chairman, I rise to urge support for two amendments that we have offered as part of the en bloc proposal today. The first deals with fugitives, and those who continue to flee America and American justice. The world has gotten smaller and the number of criminals fleeing America continues to grow. With this amendment, Congress takes another step towards the days when there is nowhere in the world for fugitives to hide.

According to the Department of Justice, more than 3,000 indicted criminals have fled and remain out of our American justice system. These criminals include murderers, terrorists, drug traffickers, money launderers, child abductors, financial fraud, and cyber crime. Our extradition agreements are terribly outdated. Half of them predate World War II, and we do not have agreements with more than 40 percent of the world, so there are safe havens throughout the globe.

Mr. Chairman, our goal with this amendment is to ensure that the State Department creates a process for updating our outdated extradition agreements and starting a process to incur new agreements to return these criminals to face American justice and to work with the Department of Justice in doing so.

The second amendment is designed to express a sense of our Congress which is absolutely committed to ensuring the truth of the murder of a Texan American, John Elvis, who was brutally murdered last November in Baku, Azerbaijan. We are upholding our 4-year commitment to the International Republic Institute for Fair and Free Elections, and had only 2 weeks left before he returned home to Texas and his family.

We appreciate the support the government of Azerbaijan has provided us, the FBI, and our Ambassador onsite to attempt to solve this murder. This young man was a friend, a colleague and a true freedom fighter for America. President Bush and others continue to urge Azerbaijan to cooperate with us to ultimately find this murderer or murderers, and bring them to justice.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

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

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of the Slaughter-Waxman-Schakowsky amendment and thank my co-authors for their hard work on this important subject, and I thank the gentleman from California (Mr. LANTOS), the distinguished chairman and ranking Democratic member of the Committee on International Relations.

My district, the Ninth Congressional District of Illinois, includes Skokie and is home to one of the largest Holocaust survivor populations in this country. With passage, this body will make it clear to Holocaust survivors in my district and throughout the world that the United States places the utmost importance on providing some measure of justice, albeit long overdue, to those who suffered the worst atrocity of the century.

This amendment also puts it clearly on record in underscoring the critical timing of this issue for the aging Holocaust survivor population, and urges the German Bundestag to provide the funds for disbursement by the German Foundation to Holocaust survivors as soon as possible. Holocaust survivors have been waiting more than 50 years. This amendment will help assure that the German Foundation is acknowledged in some small way.

Mr. WAXMAN. Mr. Chairman, I join Representative Slaughter and Representative Schakowsky today in offering an important amendment to the State Department Authorization Act, H.R. 1445, which will ensure U.S. government oversight of the major Holocaust restitution settlement that created the German Foundation ‘‘Rememberance, Responsibility, and the Future’’.

Nearly a year ago, on July 17, 2000, the German Foundation was established to expeditiously pay Holocaust survivors who were tortured as slave and forced laborers, and settle claims for banking and insurance policies stolen by the Nazis. Unfortunately, its implementation has fallen far below expectations.

Thousands of aging survivors who suffered through the horrors of concentration camps continue waiting for the distribution of payments months after all of the class action slave and forced labor cases were dismissed in a matter of days. In the matter of insurance, merely 496 claims out of the 70,000 filed with the International Commission on Holocaust Era Insurance Claims (ICHEIC) have been settled. The rest have been idled or rejected because the companies have sought to evade standards for approving claims and publishing policyholder names.

During the ceremony preceding the announcement of the German Foundation, U.S. Holocaust Envoy Stuart Eizenstat said, ‘‘It is critically important that all German insurance companies cooperate with the process established by the International Commission on Holocaust Era Insurance Claims, or ICHEIC. This includes publishing lists of unpaid insurance policies and subjecting themselves to audit. Unless German insurance companies make these lists available through ICHEIC, potential claimants cannot know their eligibility, and the insurance companies will have failed to assume their moral responsibility.’’

We must vigilantly pursue resolution of these issues. The amendment asks the State Department for a status report on the progress of the German Foundation, including verification that all participating insurance companies abide by the same baseline set of claims handling procedures and standards for establishing injury, property and subjecting themselves to audit.

Mr. Chairman, this amendment should make these lists available through ICHEIC, potential claimants cannot know their eligibility, and the insurance companies will have failed to assume their moral responsibility.

We must vigilantly pursue resolution of these issues. The amendment asks the State Department for a status report on the progress of the German Foundation, including verification that all participating insurance companies abide by the same baseline set of claims handling procedures and standards for establishing injury, property and subjecting themselves to audit.

Congress played a vital role in fostering and facilitating the creation of the German Foundation, and we must be equally devoted to overseeing its proper implementation. We should continue holding congressional hearings on this issue, and briefings to help Members of Congress assist constituents in filing claims as the deadline to file to qualify for slave and forced labor payments is August 11, 2001, and the deadline to file for insurance claims is January 31, 2002.
We must do as much as possible to make sure that the German Foundation offers not just an "exclusive remedy," but the fair and just process that was envisioned.

Mr. SCHROCK, Chairman, I rise today in support of Mr. MANZULLO's Amendment and in support of a constituent in Virginia's 2nd district who will be directly affected by this amendment.

Ms. Chantal Ganther was the wife of one of the service men taken hostage on the hijacked TWA flight 847 in 1985. I support Ms. Ganther becoming eligible for compensation due to the TWA flight 847 in 1985. I support Ms. Ganther's request for compensation. The service men taken hostage on the hijacked TWA flight 847 in 1985 deserve. I encourage my colleagues to vote yea for the Manzullo amendment. It's time was recognized the legal right of these families, these victims of a terrible hijacking, to become eligible for compensation.

Mr. SMITH of Michigan. Mr. Chairman, I am disappointed that there was not an amendment addressing the Kyoto Protocol language in the international trafficking reauthorization bill. This language that calls for implementation of the protocol will potentially have far-reaching ramifications. An issue of such importance should have been debated before the House.

Under the Kyoto Protocol, by 2008 to 2012 the U.S. would be required to slash emissions of greenhouse gases to seven percent below the U.S. would be required to slash emissions of greenhouse gases to seven percent below the 1990 level—a level last achieved in 1979. Based on projections of the future growth in U.S. energy use, this would require a real cut in emissions of over 30 percent. In the meantime, major greenhouse-gas emitters, such as China and India, would be able to continue business as usual. While there is not scientific disagreement that more carbon dioxide and other greenhouse gases are in our atmosphere than before the Industrial Revolution, scientists disagree about the extent man-made gases contribute to global warming, or warming even if the planet is warming at all. Some research indicates even warmer global temperatures in the past then what we are experiencing today. Current computer models predicting warming over the next century may prove to be no more reliable than the five-day weather forecast. But even assuming that these models are right, achieving the emission goals in the treaty would reduce project warming by about two-tenths of a degree by 2050. But that does not mean we should ignore this potential problem.

There are many things about the climate system we still do not understand. That is why I support continued research to increase our understanding of climate variability and the potential human impact of greenhouse gas emissions. Instead of Kyoto's command and control approach, the Administration and Congress must work to develop new technologies, market-based incentives, and other approaches to increase energy efficiency and reduce greenhouse emissions. I fully support these approaches and urge my colleagues to do so as well.

Mrs. THURMAN. Mr. Chairman, I rise in support of the Sanders-Morella amendment. Last year, in enacting the Victims of Trafficking and Violence Protection Act, Congress provided relief to Americans victimized in five terrorist incidents sponsored by nation states. One of these incidents involved seven Americans who were taken hostage when TWA flight 847 was hijacked by terrorists allegedly sponsored by Iran. Through an unfortunate error, Congress did not provide compensation to six of the Americans who filed suit against Iran in March 2000. Enforcement Official Ken Bowen, a constituent of mine from Lake City, Florida, is one of those Americans. He and the other military personnel were taken to Lebanon where they were beaten and subjected to mock executions over 17 days before their release. We rescued at Equin demands that we correct this grave error. As we work toward the Memorial Day recess and the June 14 anniversary of the hijacking, I ask you to please join me in supporting the Manzullo amendment so that Mr. Bowen and the other American victims can receive the compensation they so justly deserve.

Mr. SHAYS. Mr. Chairman, it is my pleasure to address an issue of great importance to the
Peace Corps and its many fine Volunteers serving around the world—the potential application of the Secure Embassy Construction and Counterterrorism Act to require Peace Corps to “collocate” its offices with embassies abroad.

More than 7,000 Peace Corps Volunteers are currently serving in developing countries around the world. Volunteers give two years of their lives to provide assistance to, and learn from, the people of some of the poorest countries in the world.

Living and working with ordinary people, volunteers contribute in a variety of capacities to improving the lives of those they serve. They also seek to share their understanding of other countries with Americans back home.

For 40 years, Peace Corps offices have existed separately from U.S. embassies in their host country. Volunteers generally reside outside capital cities, often in remote villages at the same economic level as the people to whom they lend their energy, skills, and friendship.

There is a critical security aspect to this arrangement. When Volunteers are recognized as development workers serving a community’s needs, they are embraced, supported and protected by the community.

If, on the other hand, a perception arises that Volunteers are serving U.S. political objectives, are connected with intelligence activity, the protection the Peace Corps has traditionally relied upon will erode.

Mr. Chairman, my amendment expresses the sense of the Congress that the Secretary of State should give favorable consideration to requests by the Peace Corps and other executive agency waiver authority in order to permit the Peace Corps to maintain offices separate from U.S. embassies abroad.

I offer this amendment because I know first-hand that Volunteers are able to meet their goals only to the extent they are accepted into and trusted by their communities. Significantly increased reliance upon, and contact between, Peace Corps Volunteers and the embassy—an inevitable result of collocation—would compromise that trust.

I urge the Frank Chairman Hyde and his staff for their assistance in drafting this amendment and urge my colleagues to support it.

Mr. MANZULLO. Mr. Chairman, I rise in strong support of my amendment to the State Department authorization bill. My amendment is a simple, technical correction to legislation Congress passed and the president signed last fall: H.R. 3244, the Victims of Trafficking and Violence Protection Act of 2000.

In its closing weeks, the 106th Congress passed legislation to provide relief to Americans victimized in five terrorist incidents sponsored by nation states. H.R. 3244 permits the payment of anti-terrorism judgments with the frozen assets of countries that sponsor terrorism, such as Iran.

One of the five incidents involved seven Americans, retired and active duty members of the U.S. Navy and U.S. Army, who were taken hostage by terrorists allegedly sponsored by the nation state of Iran when TWA Flight 847 was hijacked from Athens, Greece to Beirut, Lebanon airport in 1985. The American were tortured and held hostage for 37 days. Of the seven American TWA victims, Robert Stethem was murdered. The remaining six Americans survived. One of them is my constituent.

Stethem’s family members filed suit against Iran in U.S. District Court for the District of Columbia on March 15, 2000, pursuant to the Foreign Sovereign Immunities Act. The remaining six American TWA victims filed a separate but similar suit against Iran in the same court on June 6, 2000. Through inadvertent stipulation, the court dismissed without prejudice that of the other six American TWA victims, when it provided relief in H.R. 3244 in the closing weeks of the 106th Congress. The two American TWA victim cases are now consolidated and await a joint trial during the summer of 2001.

My amendment would render the six American TWA victims eligible for compensation on the same basis as are complainants associated with the five other complaints listed in H.R. 3244.

This is a matter of fairness. I ask my colleagues for their strong support.

Mr. McGovern. Mr. Chairman, I rise in support of the amendment offered by the Ranking Member of the International Relations Committee that would outline and authorize three-year transition and transition to independence strategy for U.S. aid for East Timor.

I was proud to introduce this legislation as H.R. 675 with my colleagues, Representativies LANTOS (CA) and KENNEDY (RI). In February, I went to East Timor to personally extend their leadership in designing a bill that looks towards establishing permanent and productive relations with a soon-to-be independent East Timor.

This amendment calls upon the Administration to continue to facilitate East Timor’s transition to independence, to support democracy and economic recovery, and to strengthen the security of East Timor. Today, the situation on the border between East and West Timor remains tense and combative. Over 100,000 East Timorese remain trapped in squalid refugee camps just inside the Indonesian territory of West Timor. Indonesian-supported militia groups during the violence of 1999 forcibly removed most of these people from their homes in East Timor. International humanitarian and refugee organizations are limited or unable to provide these refugees with assistance because of the threatening climate created by Indonesia.

We should recall that three United Nations humanitarian workers were brutally and publicly murdered—stabbed to death—by these militias while Indonesian police and authorities stood by. The individuals who carried out the murders were tried and sentenced to the lightest of sentences, giving official sanction to similar violent acts.

While some areas of reconstruction and recovery have moved ahead in East Timor, a great deal more needs to be done to rebuild this tiny nation which has suffered so much in order to gain its freedom. Current reconstruction and longer-term economic aid should focus on creating employment economic security for the majority of East Timorese. It should include the participation of local communities in the planning and design of projects and help preserve, strengthen and expand local leadership. The people of East Timor are eager and more than capable of rebuilding their homes, businesses and communities.

International aid targeted at these tasks should hire and compensate the East Timorese for their productive labor, rather than flow into the pockets of high-salary consultants and officers of multilateral and other foreign organizations.

This amendment looks ahead to the future of an independent East Timor. It sets forth requirements for the provision of bilateral assistance, multilateral aid, Peace Corps assistance, scholarships for East Timorese students, security assistance, and trade and investment aid.

I can see that future, and I commend the gentleman from California in moving this amendment forward so that it can become a reality.

(Den from the Boston Sunday Globe, May 5, 2001)

Born Amid Violence, and Yet Looking to the Future

(By Arnold Kohen)

DILI, EAST TIMOR.—Jose Maria Barreto Lobato Goncalves typifies the youth of this country. But his own life is anything but typical.

When he was a toddler, Jose was snatched from the arms of his mother, Isabel, as she faced execution on that day in December 1975 when Indonesian forces invaded this island nation.

The boy—son of Nicolau Lobato, a legendary symbol of resistance—was himself nearly put to death, but at the last moment, the Indonesian commander was persuaded to spare him.

Adopted by his aunt, Olímpia, and her husband, the late Jose Goncalves, the boy was taken to live in the Indonesian capital of Jakarta. Kept unaware of his true parentage (and of his father’s death in 1978 in an Indonesian ambush), he was educated in Indonesia’s best Jesuit school, later studying computer science and management.

Now, at 28, he is back in his homeland, which was freed in late 1999 by international peacekeepers after nearly a quarter-century of harsh Indonesian military control.

Today, Lobato is an assistant to the chief executive at a local relief organization. He displays all the good humor and intellectual nimbleness of the best of his contemporaries anywhere, combined with a spirit of reconciliation that is all the more impressive in light of his family’s suffering.

In this way, he is said to reflect after his father. “He was a nationalistic, a man of rectitude, just and humane,” says Bishop Carlos Ximenes Belo, the 1996 Nobel Peace Prize laureate.

Indeed, Lobato’s father was a man who refused to seek revenge against Indonesian prisoners or Timorese accused of working for Indonesia, even after nearly all his family members were murdered.

The bishop, a priest in the Salesian Order, noted for its ministry to the young, knows that people like Jose Lobato must be groomed for the task of eventually running this new nation, on a tropical island off northern Australia whose beauty and perfume-scented air belies its tragic history.

It has been estimated that one-third of East Timor’s original population of 700,000 people during the nearly 25-year Indonesian military occupation. On April 2 an East Timor Genocide Documentation Project was launched by Yale University’s Genocide Studies Program, adding to existing Yale efforts on Cambodia and Rwanda.

The country, still reeling from its violent past, is struggling to rebuild.

The nearly two years Lobato has been administered by the United Nations, yet border attacks from Indonesian territory continue. Street children are common now, after never before having been a problem in East Timor. Essential systems, such as water and electric, have been hampered after Indonesian
military elements bent on vengeance de-
stroyed the manuals needed to operate them. The East Timorese are receiving help from the United States. There is a small U.S. military contingent based offshore, called USGET, the U.S. Support Group East Timor, which is by U.S. law operating independently of the peacekeepers. The USGET presence is an important signal of American backing for the transition to inde-
pendence. (East Timor had, before its annex-
atation, been a Portuguese col-
xon.) USGET receives periodic help from the Air Force, Army, Marines, and Navy in its work in East Timor, renewing schools, com-
munity centers, and repairing power and water lines.

Last month, hundreds of tons of U.S. relief aid were distributed, some of these donations with the help of Jose Lobato and his organi-
ization. Although young Lobato is far too diplo-
matic to even hint at this, the stability cre-
ses under the United States can provide,
given the billions of dollars in eco-
ic and military aid spent to support Ind-
onesia’s military occupation of East Timor. More reconstruction would be possible if Congress increased the modest $25 million if appropriated last year for East Timor.

Many concerned about East Timor’s fu-
ture—Bishop Belo certainly among them—see a continuing international presence as vital. Do not be surprised to see timely initiatives. Like many other things, it is simply a matter of political will.

For Lobato, he knows he has been blessed with an excellent education, and is eager to advance the prospects of others less privileged. Young leaders like him give hope. (By Arnold Kohen)

Easter is an especially verdant time of the year in East Timor, a tropical island off northern Australia whose beauty belies its tragic history. Regeneration, both within East Timor and of the international net-
works vital to the sustenance of this mar-
tyred society, is desperately needed. Addressed by the United Nations since an international peacekeeping force entered the former Por-
tuguese colony in September 1999, East Timor is making a slow and steady recovery. Masses of East Timorese are under great stress. (By Arnold Kohen)

About a third of East Timor’s original pop-
ulation of 700,000 perished from the combined effects of the Indonesian military occupa-
tion. As the East Timor resistance leader Jose Ramos-Horta recently said, his struggle was, in large part, a personal crusade. But the reality is that they miss a crucial point: something terrible has happened in East Timor over the past 15 months. The world has not been silent about human rights violations, but other newsworthy events have taken center stage. The French use Einhorn as a poster child for their crusade against capital punish-
ment in order to have him returned to the United States. The French Prime Minister, Lio-

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CONGRESSIONAL RECORD — HOUSE
May 16, 2001

For example, Maryknoll Sisters have med-
ical and psychological expertise, and are spe-
cialists on women’s health. Agencies associ-
ated with Caritas such as Cadof and Trocaire (who were among the most committed members of the resistance to the 24-year In-
donese occupation: often they did not pur-
sue their goals, but were expelled from polit-
ical activities. Their plight must be de-
ressed urgently.

UN-sponsored elections are due on 30 Au-
 gust this year. In these crucial transitional months leading up to the poll, the people of East Timor are under great stress. Yale Uni-
versity medical specialists report that a major-
ity of them are suffering from the after-
effects of the traumatic events surrounding the referendum of 1999. With only minor ex-
ception, the effects are dealt with by time and will take time to achieve—indeed, is im-
possible under current conditions, for the In-
donese military refusing to cooperate with prosecutors the trauma they are said to have caused for the guilty parties. An international tribunal should be established.

The East Timorese are demonstrating an enormous pride and resilience. Bishop Belo and other Eastern Timorese leaders have told the young people that this Easter should be joyful and happy about something terrible just happened in their nation. A major danger is that discontent fueled by East Timorese unemployment will lead to social breakdown which could sabotage the international peacekeeping mission and UN efforts. But such dire outcomes can be averted with timely initiatives and patience. Like many other things, it is simply a matter of polit-
ical will.

Mr. MILLER of Florida. Mr. Chairman, I first became involved in extradition reform in 1997 when there was a horrible crime in my district in Sarasota, Florida. Sheila Bellush, a mother of six, was brutally murdered in her home while her 2-year-old quadruplets watched. The murderer, Jose Luis Del Toro, immediately fled to Mexico where he managed to avoid ex-
tradition for almost 2 years. The Mexican gov-
ernment demanded that we waive the death penalty in order to have him returned to the U.S. Despite our cooperation, they still held up his extradition for over a year. This kind of pol-
icy is not acceptable. We are dealing with cases of Americans, killing other Americans, on American soil. No foreign country has the right to interfere in the justice system of these criminal cases!

Unfortunately, the Del Toro case is not an isolated one. In 1977 in Philadelphia, Ira Einhorn brutally murdered Holly Maddux. He bludgeoned her to death and then shoved her body, including her infant, into his closet for 18 months. While waiting to stand trial for this heinous crime, Einhorn fled overseas. He is now in France, successfully avoiding extradition by continuously hiding be-
hind false claims regarding his case. In 1977, the death penalty was not legal in Philadel-
phia, therefore it was never an option in the Einhorn case. Yet, the French use Einhorn as a poster child for their crusade against capital pun-
ishment and are still pursuing all options possible in holding up his extradition to the United States. The French Prime Minister, Lio-

Einhorn case. Yet, the French use Einhorn as a poster child for their crusade against capital punish-
ishment and are still pursuing all options possible in holding up his extradition to the United States. The French Prime Minister, Lio-

the matter. In the meantime, the family of Holly Maddux is in its 24th year of watching and waiting to see if justice will be served.

The more involved I have become in this issue, the more I realize that while the United States may not be to blame for the lack of cooperation of these countries, we simply have not done our part in formulating a solution. To date, the Department of State has no tracking system for extradition cases. It is absolutely incomprehensible to me that there is no place for anyone, whether a Member of Congress or a family member of a victim, to find simple answers on which countries are extraditing criminals and which ones are not. How can the State Department work effectively with the government of France in getting Einhorn returned, if they have no idea how many similar cases are pending in France? We need to have these answers. If Mexico has 35 outstanding extradition requests from the United States, and 10 have been denied—we need to know that! And we also need to know why!

My amendment will require that the State Department compile this information and submit it to Congress. It will provide a country by country report of the number of Americans being held by foreign governments, the number of extradition requests that the United States has made, the number of those requests denied, and any reasons for delays. This is not a controversial amendment. It is a matter of ensuring that justice is served. When foreign governments blatantly disregard reasonable and legitimate requests for extradition of U.S. citizens to the United States, our authority is undermined. My amendment would take us one step closer to ending this practice. My thoughts and prayers go out to the Maddux family and any others who have lost a loved one in a tragic murder where the killer remains free in a foreign land. I sincerely hope that you will all see justice served in the near future.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in support of the en bloc amendment to H.R. 1646 and my amendment which is contained therein.

The amendment I offered is a Sense of Congress provision that recognizes the extraordinary importance of the national elections this year in Fiji, East Timor and Peru, and urges the Secretary of State to support the holding of free and fair elections in these nations.

Mr. Chairman, each of these countries has recently undergone significant political instability and turmoil.

Fiji, the government of former Prime Minister Mahendra Chaudry, an Indo-Fijian, was deposed by an attempted coup in May of last year. Fiji has long suffered from political and economic tensions between its indigenous Fijian and the Indo-Fijian communities, which is comprised of individuals of Indian descent. I believe much of Fiji's problems today are a tragic result of Great Britain's bitter legacy of colonialism. For a century, Fiji was controlled and ruled by England as a colony. During that period, from 1879 to 1916, the British brought waves of indentured servants and laborers from Indian, another English colony, to work the sugar plantations of Fiji. The colonial policies of transmigration have resulted in a dilemma today for native Fijians who fear they may lose control of their government as well as their homeland.

This August 25th, Fiji’s caretaker administration will hold national elections intended to return Fiji to parliamentary government. Both New Zealand and Australia have pledged to assist with Fiji’s elections, and the United States should join that effort by providing election monitors to ensure free, fair and democratic elections.

As our colleagues know, when East Timor voted to break away from Indonesia in the August 1999 referendum, it triggered a campaign of killings and destruction by pro-Indonesia militias that devastated the territory. Five hundred thousand East Timorese were left homeless by a wave of violence that claimed burns of 2,000 East Timorese.

Under the guidance of the United Nations Transitional Administration, East Timor is slowly recovering stability and progressing toward democracy. A crucial part of that process will take place on August 30th, when East Timor holds its first national election to select the 88-member Constituent Assembly. Once seated, the new parliament will draft a Constitution for an independent and democratic East Timor.

The recent resignations from the National Council, the interim government, by President Xanana Gusmao and Nobel laureate Jose Ramos-Horta is not a good sign, indicating that problems may surface in the lead up to the elections. The United States should support East Timor's efforts to ensure that the first national elections are successful in consolidating democratic government for the people of East Timor.

Mr. Chairman, Peru is overcoming 10 years of authoritarian rule under former President Alberto Fujimori, whose administration has increasingly been revealed as crime-ridden, with high-level corruption spanning from top politicians to Supreme Court Justices to military generals. Fujimori’s intelligence chief, Vladimiros Montesinos, orchestrated the rigging of elections, bribing of high officials, and plotting against opponents. This culminated last year with Fujimori’s fraudulent attempt to win a third term, the collapse of his administration, and the former president fleeing the country in November.

This past month, the interim government of Peru held open and fair presidential elections which I was privileged to witness as an election monitor with a delegation led by former President Jimmy Carter. On June 10th, a runoff election will hold between the two top presidential candidates, Alejandro Toledo and Alex Garcia.

Mr. Chairman, I commend the Peruvian electoral officials for the open and impartial elections held in April and urge that our nation continue to support Peru, as well as Fiji and East Timor, to ensure that the upcoming crucial elections are conducted under free and fair conditions necessary for democracy to flourish.

I thank Chairman HYDE and Ranking Member LANTOS for their support of this provision and urge our colleagues to adopt the en bloc amendment.

Mr. LANTOS. Mr. Chairman, we have no further speakers, and I yield back the balance of my time.

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

The CHAIRMAN pro tempore. The question is on the amendments en bloc, as modified, offered by the gentleman from Illinois (Mr. Hyde). The amendments en bloc, as modified, were agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 8 printed in House Report 107–62.

AMENDMENT NO. 8 OFFERED BY MR. BARTLETT OF MARYLAND

Mr. BARTLETT of Maryland. Mr. Chairman, I offer an amendment made in order by the rule.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

(a) ADDITIONAL RESTRICTION ON RELEASE OF ARREARAGE PAYMENTS RELATING TO GENERAL ACCOUNTING OFFICE REPORT ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEMAKING OPERATIONS.—

(1) In addition to the satisfaction of all other preconditions applicable to the obligations and expenditure of funds authorized to be appropriated by section 911(a)(3) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the date on which the General Accounting Office submits a report to Congress under paragraph (2) or September 30, 2001, whichever occurs first.

The Chair recognizes the gentleman from Maryland (Mr. BARTLETT) and a Member opposed each will control 5 minutes.

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

Mr. BARTLETT of Maryland. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first I will include in the RECORD a brief report from GAO called “U.S. Costs in Support of Haiti, Former Yugoslavia, Somalia, and Rwanda” for the years 1992 through 1996.

Mr. Chairman, this is a very simple amendment. These documents which will be included in the RECORD indicate that the United States has spent about $18 billion on legitimate U.N. peacekeeping activities. There are reports from CRS, from GAO, and from Department of Defense indicating that we have spent about $18 billion on legitimate U.N. peacekeeping activities. Through the years 1992 through 1996, we have been credited for $1.8 billion of that against dues. There has been no other accounting and no one credited with the U.N. for the monies which we have spent on U.N. peacekeeping activities.

Before these funds are released, our amendment says that the Congress needs to know the cost of peacekeeping activities for which we have not been given credit by the U.N. This report is to be issued on or before September 30, 2001. The funds will be withheld until
that date. If the report is issued before that, then the funds can be released before that.

Mr. Chairman, I would note that this sequester of this payment to the U.N. is a much shorter period of time than the sequester which has already been published by the amendment. Again, this is a very simple amendment which simply intends to inform the Congress and the people of the United States, through a report of the GAO, of all of the moneys that we have spent on legitimate U.N. peacekeeping activities.

My hope is when this report comes to the Congress, that the people of the United States seeing the report of the GAO, and the Congress seeing this report will ask for an accounting; but our amendment does not withhold the payment beyond the issuing of this report or beyond September 30, 2001, whichever occurs first.

The American people need to know the amounts of money that we have spent and not been given credit for. Congress needs to know that the reality is, with all of these moneys that we have spent on legitimate U.N. peacekeeping activities, we have paid our quid pro quo. But notwithstanding that, this amendment does not prevent the release of this last payment of the dues, it simply withholds it until the report is issued and the Congress and the American people have a chance to look at the report, or September 30, 2001, whichever occurs first.

The report previously referred to is as follows:

[U.S. GAO Report to the Majority Leader, U.S. Senate, March 1996]

PEACE OPERATIONS: U.S. COSTS IN SUPPORT OF HAITI, FORMER YUGOSLAVIA, SOMALIA, AND RWANDA

U.S. GENERAL ACCOUNTING OFFICE, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION.

Washington, DC, March 6, 1996.

Hon. ROBERT DOLE, Majority Leader, U.S. Senate.

Dear Mr. Dole:

We are replying to your letter of December 5. As requested, we are providing you information on U.S. agencies' estimated costs for their support of U.N. peace operations in Haiti, the former Yugoslavia, Rwanda, and Somalia for fiscal years 1992 through 1995. For this report, we define peace operations as actions taken in support of U.N. resolutions designed to further peace and security, including observers; monitors; of U.N. resolutions designed to further peace operations in Haiti, the former Yugoslavia, Rwanda, and Somalia over $6.6 billion (see table 1). The United States has reimbursed the United States $79.4 million for some of these costs.

TABLE 1—REPORTED U.S. COSTS FOR SUPPORT OF SELECTED U.N. PEACE OPERATIONS

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<tbody>
<tr>
<td>Haiti</td>
<td></td>
<td>$79.7</td>
<td>$130.4</td>
<td>$530.8</td>
<td>$875.8</td>
<td>$1,116.7</td>
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<tr>
<td>Rwanda</td>
<td></td>
<td>126.7</td>
<td>406.7</td>
<td>939.0</td>
<td>629.5</td>
<td>2,186.9</td>
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<tr>
<td>Somalia</td>
<td></td>
<td>22.3</td>
<td>51.4</td>
<td>354.5</td>
<td>513.7</td>
<td>2,331.7</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>321.4</td>
<td>1,686.7</td>
<td>2,664.5</td>
<td>1,925.8</td>
<td>6,500.4</td>
</tr>
</tbody>
</table>

Note: As of August 1995, the United Nations had reimbursed the United States $73.4 million for its participation in these operations.

From fiscal years 1992 through 1995, the incremental costs related to the four operations were about $3.1 billion, the State Department's were about $1.8 billion, and USAID's were about $1.5 billion (including $556 million for commodities and transportation). The Departments of Justice, Commerce, Treasury, Transportation, and Health and Human Services reported incremental costs of which paid $91 million. Figure 1 shows the percentage distribution of agency costs from fiscal years 1992 through 1995.

FIGURE 1—DISTRIBUTION OF U.S. AGENCY COSTS IN SUPPORT OF SELECTED PEACE OPERATIONS

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<tbody>
<tr>
<td>DOD</td>
<td>51.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>27.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USAID</td>
<td>9.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other agencies</td>
<td>11.4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

AGENCY COMMENTS

The Department of State, DOD, and USAID generally agreed with this report, but each offered some technical and editorial suggestions, which we have incorporated where appropriate. DOD's written comments are reprinted in appendix II; State and USAID provided oral comments.

SCOPE AND METHODOLOGY

We met with officials from DOD, the Department of State, Agriculture, Justice, Commerce, Transportation, and Health and Human Services, USAID, and the U.S. Mission to the United Nations to obtain information on the costs in support of the four peace operations. We obtained DOD's reported incremental costs for the four operations from fiscal years 1992 through 1995. We also reviewed data supporting DOD's request for supplemental appropriations. For the other agencies and departments, we used a data collection form for initial data collection. The cost information, including funds obligated and transferred through lead agencies. We also obtained budget reports and documents from State Department officials and from finance officials at the U.N. Controller's Office and the Department of Peacekeeping Operations.

At all the agencies, we discussed with officials how they budgeted and accounted for peace operations' costs. In addition, we reviewed other GAO reports that previously reported the costs data for these operations. In some cases, the cost data we obtained from participating agencies changed from amounts previously reported because agencies used their cost reporting systems to report the costs data as they became available. We did not verify the accuracy of the costs reported; however, a forthcoming report will address issues concerning the consistent and reliability of DOD's incremental costs related to contingency operations.

We did our review from February to November 1995 in accordance with generally accepted government auditing standards.

We are sending copies of this report to appropriate congressional committees, the Secretaries of Defense, State, Agriculture, Commerce, Transportation, Justice, Commerce, and Health and Human Services; the Administrator, U.S. Agency for International Development, the Director, Office of Management and Budget; and the Secretary General of the United Nations. Copies will also be made available to others upon request.

Please contact me at (202) 512-4128 if you or your staff have any questions concerning this report. The major contributors to this report were Tetsuo Miybara, Joseph C. Brown, and Elizabeth Nyang.

Sincerely yours,

HAROLD J. JOHNSON, Associate Director, International Relations and Trade Issues.

REPORT TO THE CONGRESS FOR THE FOURTH QUARTER, FISCAL YEAR 1996 IN COMPLIANCE WITH SECTION 8113, DEFENSE APPROPRIATIONS ACT OF 1996

The Defense Appropriations Act for 1996 (Act) requires the Secretary of Defense to submit a report at the end of each quarter indicating "all costs (including incremental costs) incurred by the Department of Defense (DoD) during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council." The data included herein are provided in response to section 8113.

The Defense Finance and Accounting Service (DFAS) compiles incremental costs associated with United States support of U.N. peace operations based on data provided by the military departments and defense agencies. These data were modified, as necessary, to properly reflect transactions and unreported costs applicable to contingency operations. Data are presented below in both quarterly and cumulative (for the fiscal year) format. It is important to note that DFAS cost reports include information received during a particular quarter of the fiscal year; comprehensive cost data are not available in the immediately succeeding quarter. The Department collects only incremental costs, which are defined as additional costs to the DoD component appropriations that would not have been incurred if a contingency operation had not been supported. All other costs are available by reference to annual appropriations information. All incremental costs included below are current as of 30 September 1996, and are aggregated for FY96, with the exception of reimbursements received for troop contributions (section 2), which are presented individually.

(In thousands of dollars)

<table>
<thead>
<tr>
<th>Operation/Region</th>
<th>Reported for FY 96</th>
<th>Cumulative for FY 96</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Yugoslavias Operations:</td>
<td>$16,864</td>
<td>$10,929</td>
</tr>
<tr>
<td>Able Sentry (FYROM)</td>
<td>16,864</td>
<td>10,929</td>
</tr>
<tr>
<td>Deny Flight/Decisive edge</td>
<td>17,516</td>
<td>22,549</td>
</tr>
</tbody>
</table>

Reference:

[Note: As of August 1995, the United Nations had reimbursed the United States $73.4 million for its participation in these operations.]

[From fiscal years 1992 through 1995, the incremental costs related to the four operations were about $3.1 billion, the State Department's were about $1.8 billion, and USAID's were about $1.5 billion (including $556 million for commodities and transportation).]

[The Departments of Justice, Commerce, Treasury, Transportation, and Health and Human Services, USAID, and the U.S. Mission to the United Nations to obtain information on the costs in support of the four peace operations.]

[We obtained DOD's reported incremental costs for the four operations from fiscal years 1992 through 1995. We also reviewed data supporting DOD's request for supplemental appropriations.]

[For the other agencies and departments, we used a data collection form for initial data collection. The cost information, including funds obligated and transferred through lead agencies.]

[We also obtained budget reports and documents from State Department officials and from finance officials at the U.N. Controller's Office and the Department of Peacekeeping Operations.]
REPORT TO THE CONGRESS FOR THE FOURTH QUARTER, FISCAL YEAR 1997 IN COMPLIANCE WITH SECTION 809, DEFENSE APPROPRIATIONS ACT OF 1998

The DoD Appropriations Act for 1997 (Act) requires the Secretary of Defense to submit a report at the end of each quarter indicating “all costs (including incremental costs) incurred” by the Department of Defense (DoD) during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council. The data included herein are provided in response to section 809.

The Defense Finance and Accounting Service (DFAS) compiles incremental costs associated with United States military operations based on data provided by the military departments and defense agencies. These data were modified, as necessary, to properly reflect transfer actions and unreported costs applicable to support UN operations. Data are presented below in both quarterly and cumulative (for the fiscal year) format. It is important to note that DFAS cost reports include information received during a particular quarter of the fiscal year, whereas cost data are not normally available in the immediately succeeding quarter. The Department collects only incremental costs, which are defined as additional costs to the DoD component appropriations that would not have been incurred if a contingency operation had not been supported.

All incremental costs included below are current as of 30 September 1997, and are aggregated for FY97, and exclude reimbursements received for troop contributions (section 2), which are presented individually.

### Former Yugoslavia Operations

<table>
<thead>
<tr>
<th>Operation/Region</th>
<th>Reported for FY97</th>
<th>Cumulative for FY97 through Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Former Yugoslav Operations:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Able Sentry (FY97)</td>
<td>$2,950</td>
<td>$11,727</td>
</tr>
<tr>
<td>Deep Forge/Decisive Edge</td>
<td>30,101</td>
<td>183,266</td>
</tr>
<tr>
<td>IFOR/STOR Operations</td>
<td>548,739</td>
<td>1,792,861</td>
</tr>
<tr>
<td>Southern Watch (Iraq)</td>
<td>469,874</td>
<td>1,497,042</td>
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<tr>
<td>Northern Watch (Iraq)</td>
<td>31,771</td>
<td>135,976</td>
</tr>
<tr>
<td>Total</td>
<td>1,083,549</td>
<td>3,595,014</td>
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</tbody>
</table>

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

The CHAIRMAN pro tempore. Who claims time in opposition to the amendment?

Mr. LANTOS. Mr. Chairman, we are not opposed to the amendment. We deem the amendment redundant and unnecessary, but it will have no practical effect and we are not opposing it.

Mr. EVERETT. Mr. Chairman, I rise in strong support of the Bartlett Amendment to withhold the final payment of $244 million in UN arrears through the GAO completes a report to Congress relating to the U.S. voluntary contributions to the UN peacekeeping operations from 1990 to 2001.

I have long been suspicious of the United Nations. In fact, I have long hoped that we would end our membership in the United Nations. Given the recent slaps in the face that the United States has suffered—being voted off the secret ballot from the UN Human Rights Commission and being kicked off the UN International Narcotics Control Board—I am now more convinced than ever that the U.S. should remove itself from the UN and pursue an international agenda dictated by the American people.

The Bartlett Amendment is a common sense addition to this bill that will allow Congress to carefully review and make an informed decision on whether to release these funds to UN. It is important to note that this is only a delay in the funding and should not impact the deal that finally reduces the disproportionate share that the U.S. pays in UN dues. I urge all Members to support this amendment and vote to allow the Congress to see exactly how many millions of dollars for peacekeeping that the U.S. has given voluntarily compared to what the UN says we owe.

Mr. BARTLETT of Maryland. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Maryland (Mr. BARTLETT).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 18 printed in House Report 107–62.

AMENDMENT NO. 18 OFFERED BY MR. LANTOS

Mr. LANTOS. Mr. Chairman, on behalf of the gentleman from New York (Mr. WEINER), I offer an amendment on his behalf. He will arrive momentarily.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. LANTOS:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS RELATING TO STATE DEPARTMENT TRAVEL WARNINGS FOR ISRAEL, THE WEST BANK AND GAZA.

It is the sense of the Congress that—

(1) the Secretary of State should, in an effort to provide better and more accurate information to American citizens traveling abroad, review the current travel warning in place for Israel, the West Bank and Gaza, to determine which areas present the highest threat to American citizens in the region and which areas may be visited safely; and

(2) the Secretary of State should review the travel warning for Israel, the West Bank and Gaza, and Gaza as appropriate based on the above determinations.
The CHAIRMAN pro tempore. Pursuant to House Resolution 138, the gentleman from California (Mr. LANTOS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. WEINER), the gentleman from Illinois (Mr. HYNDE), Rep. LANTOS, Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment we are discussing was introduced by our colleague, the gentleman from New York (Mr. WEINER), calling for a State Department travel warning to Israel, the West Bank, and Gaza. I commend him for his leadership on this important issue.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I am happy to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, we have no objection to this amendment. If the gentleman wishes, we gladly accept it.

Mr. CROWLEY. Mr. Chairman, I rise to express strong support for the amendment by my colleague and neighbor Representative ANTHONY WEINER.

In January of this year I had the opportunity to travel to Israel on my third trip to that amazing country with my colleagues ANTHONY WEINER and JERRY MOYER.

While American media has focused on the West Bank and Gaza and attacks carried out by Palestinian terrorists against Israeli military and civilian targets, the media and our own government misses the other part of the story. Ben Yehuda Street in Jerusalem is not Hebron. Dizengoff Square in Tel Aviv is not the Gaza Strip.

Warnings from the State Department which lump trouble in the West Bank and Gaza Strip into blanket warnings for the entire State of Israel miss the larger picture.

For the majority of Israelis who live inside the 1948 borders of Israel what is known as the Greenline, they live their life every day without disruption.

For visitors to Jerusalem the eternal Capital, to visit Tel Aviv and to the Holy Galilee, by exercising common sense, they will have a wonderful, fulfilling visit.

At a time when the U.S. people should be standing with Israel, we do not need alarmist bureaucrats dissuading Americans from visiting the Holy Land.

It is time for the State Department to separate myth from reality. For American visitors travel to the major tourist sites and cities in Israel is safe.

I urge my colleagues to support the Weiner Amendment and to support the State of Israel.

Mr. LANTOS. Mr. Chairman, I appreciate the gentleman’s offer, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. LANTOS).

The amendment was agreed to.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the time allotted for the discussion of this amendment be extended by an additional 10 minutes equally divided between the proponents and the opponents. I have discussed it with the distinguished chairman who had no objection.

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

Mr. LAHOOD. Mr. Chairman, reserving the right to object, I wonder if the gentleman would allow just an additional 10 minutes on top. There are a number of Members that would like to speak on this amendment and I know that the gentleman did that earlier on. There is an amendment by Mr. HYDE, the gentleman from Illinois (Mr. LANTOS). If the gentleman could extend it by an additional 10 minutes in addition to what he has, we would be grateful to him for that.

Mr. LANTOS. If the gentleman will yield, I am sure that I understand my friend. I am asking for an additional 10 minutes equally divided between the proponents and the opponents, which I believe is fair.

Mr. LAHOOD. So the total time would be?

Mr. LANTOS. Twenty minutes. Each side would have 10 minutes.

Mr. LAHOOD. So I am asking the ranking member if he would do an additional 5 minutes on each side. I have many Members. It is obviously strictly up to the gentleman from California, but I know for the Hyde amendment, when he had many Members over there, he extended it. I do not think that I am asking for too much.

Mr. LANTOS. I think doubling the original amount is reasonable.

Mr. LAHOOD. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the time allotted for the discussion of this amendment be extended by an additional 10 minutes equally divided between the proponents and the opponents, which I believe is fair.

Mr. LAHOOD. I do not think that I am asking for too much.

Mr. LANTOS. It is not; but we will not capitulate to terrorists by saying to school groups you should not visit there; saying to businesspeople, if you travel there, your travel insurance will not be valid; to simply deal with the true effects of the status that Israel has.

Mr. Chairman, I would say to my colleagues that Israel is not a victim and that they are not cowering to the terrorism. It is a thriving country. It is the birthplace of the major religions of the world. It is a place that is joyful and historic to visit. This amendment asks the State Department to return to the drawing board and give us a comprehensive but fair assessment of where it is safe to travel in Israel and where it might not be.

While we consider this, let us remember that this is terrorism that exists in Israel should also be addressed by the State Department of why it is the Palestinians do not appear on the tourism watch list and why it is we continue to believe that terrorism is a state of being rather than something perpetuated on the people of the State of Israel. I thank the chairman and I thank the ranking member for their consideration of this amendment.

The CHAIRMAN pro tempore (Mr. SIMPSON). It is not; in order to consider amendment No. 23 printed in House Report 107–62.

AMENDMENT NO. 23 OFFERED BY MR. LANTOS

Mr. LANTOS. Mr. Chairman, I offer an amendment. The CHAIRMAN pro tempore. The Clerk will designate the amendment. The text of the amendment is as follows:

Amendment No. 23 offered by Mr. LANTOS: Page 153, after line 3, insert the following:

(a) MILITARY ASSISTANCE.—Notwithstanding any other provision of law, the President shall not provide assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) to the armed forces of the Government of Lebanon unless the President certifies to the appropriate congressional committees that—

(1) the armed forces of Lebanon have been deployed to the internationally recognized border between Lebanon and Israel; and

(2) the Government of Lebanon is effectively asserting its authority in the area in which such forces have been deployed.

(b) ECONOMIC ASSISTANCE.—If the President has not made the certification described in subsection (a) within 30 days after the date of the enactment of this Act, the President shall provide to the appropriate congressional committees a plan to terminate assistance to Lebanon provided under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund).
Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume. This is a very simple but a very important amendment. The amendment, Mr. Chairman, has two aspects. The first aspect is by far the most important, and I offer my colleagues on this side to drop the second aspect because that is not the thrust of the amendment. So let me deal with the first aspect which is critical for preserving peace and stability along the Israeli-Lebanese border. The amendment is intended to thwart one thin dime in economic aid going to Lebanon as long as it does not go to the Hezbollah terrorists.

Last summer, Israel withdrew all of its forces from the territory of Lebanon. Lebanon was obligated under U.N. Resolution 425 to deploy its robust army of some 60,000 people on the Lebanon-Israeli border to prevent the recurrence of another war in the area.

As Members will recall, Mr. Chairman, the terrorists controlled that border, a war ensued, and 17,000 innocent people were killed. A portion of the Lebanon-Israeli border today is controlled by Hezbollah terrorists. This is a well-known fact and the Lebanese Ambassador a few days ago confirmed it to me personally. The Secretary-General of the United Nations, Kofi Annan, made the following statement concerning Lebanon’s responsibilities with respect to the deployment of their forces on the border:

"I believe that the time has come to establish the state of affairs envisaged in Resolution 425. This requires first and foremost that the government of Lebanon take effective control of the whole area vacated by Israel last spring and assume its full international responsibilities, including putting an end to the dangerous provocations that have continued across the line."

Our own Secretary of State last summer made the following statement:

"Those with authority in Lebanon now have a clear responsibility to ensure that the area bordering Israel is not used to launch attacks." Attacks, Mr. Chairman, are being launched daily, most recently yesterday. And attacks invite retaliation. The most recent Israeli retaliation resulted in the death of three Syrian soldiers, which indicates the direction in which we are going.

The most recent terrorist attacks by Hezbollah, there will be stronger retaliation, and we may be on the verge of yet another military confrontation, a bloodbath in the Middle East, which is the last thing U.S. national interests would call for.

Let me spend a minute or two, Mr. Chairman, on the question of the nature of Hezbollah, the terrorist group which clearly controls a portion of an international border because the Lebanese Army is not deployed there. This is a group in conjunction with similar terrorist groups, which in recent years was responsible for the murder of 241 American Marines at the Marine barracks in Lebanon, 19 of our military at Khobar Towers, and 17 in the attack on the U.S.S. Cole, 277 military who have been forced to give up their lives because of this interlocking, complex web of extremist terrorism. We are now allowing them, unless we pass this amendment, to breach a portion of an international border.

Now, no people have suffered more in the last few decades than the Lebanese people as a result of war being waged on their territory. My resolution would require that it be stopped. It would eliminate the terror presence from that border, and would see to it that just as the Egyptian-Israeli border is now secure, the Jordanian-Israeli border is now secure, even the Syrian-Israeli border is secure, the final border between Lebanon and Israel would be secured on the one side by the Israeli military and on the other side by Lebanon’s 60,000-strong military.

It is difficult to fathom who would benefit by allowing a border, an international border in a volatile and fragile and explosive area, being controlled by terrorists who openly and clearly desire no return to the peace process. They want the bloodbath to continue. They would like nothing more but yet another explosion of military hostilities.

I urge all of my colleagues to support this amendment.

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

Mr. LAHOOD. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the distinguished gentleman from Illinois for yielding me this time.

Mr. Chairman, I appreciate the gentleman from California’s intent here. I listened very closely to his remarks. Each one of the incidents of terror and loss of American life which he so adequately illustrated, and I join him in condemning every one of those attacks. Any loss of innocent civilian lives is to be highly condemned no matter who the perpetrators.

But I ask my distinguished colleague, Lebanon was not responsible for these acts of terror. As the gentleman has said, the Lebanese themselves have suffered over the last couple of decades. The Lebanese are the victims. Let us face it, the Lebanese are the victims here.

Now, if we cannot take direct aim at Syria itself and, let us face it, Syria is very much a controlling influence in Lebanon, then why should we take aim at the innocent Lebanese government? This amendment attempts to send a message to Syria. It is clear and simple what its intent is concerning the cross-border attacks against Israel, which I condemn as well. But this amendment would not accomplish the intent of securing that border. All it accomplishes is to do more harm. Lebanon cannot comply with any amendment that it deploy all of its troops to the southern border between Israel and Lebanon, because Syria will not allow it. I believe that the sponsor of the amendment is fully aware of that.

The administration is against this amendment. Secretary Powell has sent a very strong letter stating what a disaster that situation would occur in the south if U.S. assistance and its training, both military and economic, were to be cut off. USAID helps send Lebanese children to school through scholarship programs. That is the economic, that is the humanitarian, and the economic, that is the national interest.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1/4 minutes to the distinguished gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Chairman, I rise in support of the amendment by the gentleman from California (Mr. LANTOS), the Democratic leader of the Committee on International Relations, and I commend him for his leadership.

I rise as someone who has consistently supported U.S. assistance to Lebanon, but I now believe that the Lantos amendment is necessary and I believe it has been carefully crafted to advance key U.S. foreign policy objectives. The Lantos amendment strikes a careful balance between promoting U.S. interests in Lebanon’s recovery and development and the need to incentivize the government of Lebanon to address a security problem which, if left unattended, could lead to a regional war.

Mr. Chairman, there is no doubt that Israel has fulfilled its obligations to the Security Council as Resolution 425 and it has fully withdrawn its forces from Lebanese territory. The U.N. Secretary-General has said so and the U.S. has confirmed it. The question is whether Lebanon has fulfilled its obligations under Resolution 425 to resume effective authority in the area bordering the State of Israel.

Unfortunately, the government of Lebanon has not lived up to its requirements, as demonstrated by the ongoing and unimpeded attacks by the Hezbollah from Lebanon’s southern border against the State of Israel. The continued absence of the Lebanese Army from the south of Israel is obvious and indicative of the fact that Lebanon is not even trying to keep its own border secure.

Some might argue that providing security to Israel is not a Lebanese obligation. Not only is this assertion wrong, it overlooks a fundamental truth and all nations are responsible
for securing their own borders. A secure border with Israel is overwhelmingly in the interest of Lebanon itself.

Lebanese Prime Minister Hariri campaigned and won on a plan for the reconstruction of Lebanon predicated on the active engagement, assistance, and support of the international community. There is no question that Lebanon badly needs foreign assistance to rebuild and recover from decades of strife. But the determining factor in whether or not Lebanon will be able to elicit the outside resources it needs, is whether or not there is peace and stability on the Lebanese-Israeli border.

So far the Lebanese government appears unprepared to take decisive steps to maintain a peaceful and stable border with Israel, as is its responsibility, and thus ensure that the region will not again be pushed into conflict due to cross-border attacks.

Mr. Chairman, I commend my friend the gentleman from California for offering this amendment. I strongly support the Lantos amendment and ask my colleagues to do the same as well to give their strong support.

Mr. LAHOOD. Mr. Chairman, I am pleased to yield 40 seconds to the gentleman from Michigan (Mr. DINGELL), the dean of the House.

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

Mr. DINGELL. Mr. Chairman, what does this amendment do? It eliminates two items of assistance. The first is $600,000 for the Lebanese Army. The second is $35 million to USAID for humanitarian concern and aid to U.S. educational institutions in Lebanon.

What my good friend, and I express great affection and respect for him, does is he aims at Hezbollah but he lands a haymaker on the person of the innocent Lebanese, USAID and U.S. educational institutions. That is what the amendment does.

If you are for peace in the Middle East, you do not want to hurt those undertakings.

The CHAIRMAN pro tempore. The gentleman’s time has expired.

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PREFERENTIAL MOTION OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.
to Lebanon, I support; and I am ready to increase that amount. But I want to be sure that those funds go to communities, organizations and institutions that are not under the control of Hezbollah.

Mr. CHAIRMAN. I yield to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I thank the distinguished gentleman from California for yielding to me, and I rise in reluctant opposition to the dean of the House.

Mr. Chairman, this amendment is funded on the principle that peace in the Middle East is based on security and that long-lasting peace in the Middle East cannot be based on Israel’s insecurity. As America has subsidized Lebanon, we have a growing insecurity on Israel’s northern border, and that does not help the peace process.

This sends a message that Lebanon must control her own border. And let us remove all artifice. There is no such thing has Hezbollah. Hezbollah is a wholly owned subsidiary of the MOIS, the MOIS Intelligence Service. It is, time that Iran’s control of Lebanon’s southern border with Israel ends, and this amendment sends that message.

Mr. LANTOS. Mr. Chairman, I yield to my friend, the gentleman from New York (Mr. Crowley).

Mr. CROWLEY. Mr. Chairman, I rise in firm support of the amendment introduced by the gentleman from California (Mr. LANTOS). One year ago, the Israeli government put its own security at risk in the name of cooperation and reconciliation. Israel unilaterally withdrew its armed forces from the security zone on the Lebanese-Israeli border. The hope for a reciprocal response from Beirut never occurred.

In conjunction with the Israeli withdrawal, the Lebanese Army was responsible for filling the vacuum left by the Israeli troops. In a location where law and order used to prevail under the watchful eye of the Lebanese Army, now exists chaos, disorder and lawlessness. The northern border zone is now occupied by Hezbollah troops, who filled the void when the Lebanese refused to take any action required by U.N. Security Council Resolution 425.

Two weeks ago, I stood alongside families of three Israeli soldiers abducted by Hezbollah along the Lebanon-Israeli border. It is the Lebanese inaction that allowed that to take place.

The State of Israel will continue to be at risk until Lebanon fulfills its obligation to the international community. I believe that this amendment is a proportional response to the current stance taken by the Lebanese government.

It is an honor to train with American troops. That privilege should continue to be extended to those who play by the rules. That is a message this amendment will convey, and I encourage my colleagues to join me in supporting it.

Mr. LANTOS. Mr. Chairman, I am pleased to yield to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I rise in support of this amendment prohibiting the IMET funding for the Lebanese Armed Forces in response to Lebanon’s failure to keep its border with Israel free of Hezbollah terrorists.

One year ago, Israel unilaterally withdrew from southern Lebanon. U.N. Secretary General Kofi Annan certified Israel’s complete withdrawal from Lebanon and its full compliance with U.N. Security Council Resolution 425. This resolution is the same resolution that commits Lebanon to deploy its security forces in order to secure its border with Israel.

However, Lebanon has not lived up to its obligation. Israel continues to face attacks, kidnappings and the prospect of rocket attacks from the north. Today, hundreds of thousands of Israelis live within range of Hezbollah Katusha rockets.

This amendment sends a very important message. If we are to treat Lebanon as a sovereign nation, it must fulfill its obligations. Lebanon must deploy its army to the Israeli border and fill the vacuum that is currently being filled by Hezbollah. The Lebanese-Israeli border should be more stable, not less stable, since Israel’s withdrawal. Hezbollah terrorists continue to operate in southern Lebanon because the government of Lebanon refuses to assert its effective authority in the area.

Mr. Chairman, I urge my colleagues to join me in supporting this amendment.

The CHAIRMAN pro tempore. All time for debate on the preferential motion has expired.

Mr. DINGELL. Mr. Chairman, I withdraw my preferential motion.

The CHAIRMAN pro tempore. Without objection, the preferential motion is withdrawn.

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. LAHOOD) has 7½ minutes remaining and the gentleman from California (Mr. LANTOS) has 2 minutes remaining.

Mr. LAHOOD. Mr. Chairman, I yield 20 seconds to the gentleman from Michigan (Mr. DINGELL), the dean of the House.

Mr. DINGELL. Mr. Chairman, it is with profound regret that I read to my good friend from California the language of his amendment, which concludes with saying that the President shall commit to the Congressional committees a plan to terminate assistance to Lebanon provided under chapter 24, part 2, of the Foreign Assistance Act, et cetera.

What the gentleman does is terminate all assistance, military and economic and humanitarian. I think with a more careful reading, perhaps the good gentleman’s amendment would join me in opposition to it.

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise to oppose the amendment offered by the gentleman from California, not because I oppose the goal of extending Lebanese government control to south Lebanon, but because I believe this amendment would be counterproductive to that goal.

I agree that the Lebanese government needs to secure its border with Israel to prevent attacks against Israeli soldiers and civilians, but the key to achieving this is to extract more cooperation from the Syrians. We should not be punishing Lebanon for the sins of Syria and the Hezbollah.

I also think that threatening to eliminate our foreign assistance program for Lebanon is the wrong way to go about this. All of the $15 million that we allocate to Lebanon in fiscal year 2001 is provided to non-governmental organizations, private, voluntary organizations, contractors. They implement our assistance programs in Lebanon. Not a penny of it goes to the government, and $3 million to the American University of Beirut and the Lebanese-American University to help with education. The largest program is the Rural Development Clusters program, which helps rural areas in Lebanon. It has been focused on the south in an effort to provide an alternative to the economic and social development activities of the Hezbollah.

Punishing the villagers of south Lebanon by withdrawing this program is not going to do anything to assist in the effort to persuade the Lebanese government to remove its security forces.

I urge my colleagues to vote against this amendment. It is not in the interests of Lebanon, Israel, or the United States.

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BONIOR), the distinguished Democratic whip.

Mr. BONIOR. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, let me just say that I have a deep respect for the gentleman from California (Mr. LANTOS) and how he has handled this bill, but I do rise in opposition to his amendment.

Next week marks one year since the withdrawal of Israeli troops from southern Lebanon. The Lantos amendment on the face of it cuts funding for the Lebanese military, education and training, but as the chairman of the House has just told us, if you look a little closer at the amendment, it sets in motion to cut all aid to Lebanon in 6 months after the passage.

Discontent in the Middle East has taken a tremendous toll on Lebanese
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infrastructure, and this is not the time to remove our efforts toward stability in the region. Our aid package is funneled through USAID, American NGOs, and not through the government; and it is directed at, as we have heard several times from the ability of the gentleman from West Virginia (Mr. RA-HALL), from the gentleman from Michigan (Mr. DINGELL), it is directed to ward building civilian infrastructure.

Secretary Powell has said that he opposes this amendment. He has also said we are hurting the ability of other nongovernmental organizations to provide the service that the people need. That sentiment has been echoed on this floor. I urge my colleagues to vote “no” on the amendment.

Mr. LAHOOD. Mr. Chairman, I urge my colleagues to vote “no” on the amendment.

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

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. Issa).

Mr. Issa. Mr. Chairman, I rise today to strongly oppose the Lantos amendment, which represents a major step backward in Lebanese-American relations.

The aid which we provide Lebanon is an investment in a future stability of Lebanon and the well-being of a people who only wish peace in the Middle East.

I share with the gentleman from California (Mr. LANTOS) the feeling of frustration that the south of Lebanon is today not secure and that, in fact, the south of Lebanon is being operated often by terrorists; but I must remind the gentleman from California that for over 20 years, the best trained and best equipped army in the Middle East, the Israeli Army, with billions of dollars of resources, was unable to completely quiet that aggression originating out of Iran. How would we expect an army that we fund at $600,000 to do so?

After the defeat of this amendment, I strongly hope the gentleman from California understands that, if we do not move forward, we will develop a funding package for Lebanon that would enable it to make some real dent in enforcing its borders.

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

Mr. LAHOOD. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman from Illinois (Mr. LAHOOD) has 4 minutes remaining.

Mr. LAHOOD. Mr. Chairman, close the gentleman from California (Mr. LANTOS) close on this amendment?

The CHAIRMAN pro tempore. The gentleman from California has the right to close.

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

This is far from a simple amendment. The idea that this is a simple amendment is simply not true. This is a slap at the face of the people of Lebanon, the Government of Lebanon. The gentleman from California, when he was here, and the gentleman heard him say that they are trying to forge a peace in Lebanon. The prime minister met with the President of the United States; the Vice President; the Secretary of State; Condoleezza Rice, the National Security Advisor; the Secretary of Defense. This is no way to treat Lebanon, and I guarantee my colleagues, this House would never pass an amendment like this against Israel, against Palestine, against Jordan, against any of the countries in the Middle East. We would not do this.

This is a slap at not only the peace process, but a small country who is trying to get its act together, and they are trying to get their act together economically, they are trying to get their act together as a democracy. They work very hard at it.

When the prime minister was here, he said they are working very hard to get their act together. Is it perfect? Of course not. It is an intolerable situation in the region with many people antipathetic to the process, does not help anyone. It does not send the signal that the gentleman wants it to send. It really hurts the process. It really hurts our government’s ability to be in that region and get the people to work together. If the gentleman is trying to send a message to the south of Lebanon, to the Lebanese Army, to the complete Israeli withdrawal, south of Lebanon remains under the control of the Lebanese Government.

Now, this amendment is opposed by the administration. The Secretary of State spoke out against it at the Subcommittee on Foreign Operations; and the chairman of the committee, the distinguished gentleman from Illinois (Mr. HYDE), is also opposed to this, amendment, as well as the Dean of the House.

The gentleman is not accomplishing what he wants to do here; and I wish, and this in no way diminishes my respect for the gentleman, the gentleman knows that I respect him. And I know the gentleman visited the region, and I know the gentleman has been to Lebanon. And I know the gentleman is trying to send a message to. I ask the gentleman, really, the gentleman still has time here to ask unanimous consent to withdraw this amendment, because the gentleman is sending us a message not only to our government, but all over this region. This simply is wrong. It is wrong-headed, and it does not help.

The money that we are allocating here is walking-around change in this House, compared to what we give to so many other countries in that region, including Egypt and Jordan and so many other countries in that region. This helps people get an education. It helps rebuild the country. It offers the people of Lebanon the chance to work the land, to work together.

So I urge Members to look carefully at this. This is not about Israel. This is about what we can do for Lebanon and throughout Lebanon.

Mr. LAHOOD. Mr. Chairman, I urge Members to look carefully at this. This is not about Israel. This is about what we can do for Lebanon and throughout Lebanon.

So I urge the gentleman from California (Mr. LANTOS) to give consideration to withdrawing this amendment.

The gentleman will send a message that he is for peace; he will send a message that he cares. If the gentleman cannot do that, then I ask all Members to defeat this amendment and send a message that we are for peace, true peace, and that Lebanon is a country that we can count on.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I thank the gentleman for yielding to me, and I am in support of his amendment.

U.N. Security Council Resolution 520 expresses strong support for Lebanese sovereignty “under the sole and exclusive authority of the Government of Lebanon through the Lebanese Army throughout Lebanon.” It is time that the Lebanese Government abides by the call of the Security Council and deploys its military throughout the country.

It is inexcusable that in the wake of the complete Israeli withdrawal, southern Lebanon remains under the control of the terrorist organization called Hezbollah. I will not stand idly by while the United States provides military support to a government which refuses to halt acts of terror on a neighbor.

I still favor humanitarian and educational assistance to Lebanon. I hope in conference we can continue economic assistance to Lebanon. But such assistance is put in jeopardy by the inaction of the Lebanese Government to control Hezbollah.

Mr. Chairman, I strongly support Lebanon. The Lebanese people have suffered enough. So I urge Members that all terrorist organizations need to get out of Lebanon now. It is not enough for the Government of Lebanon to issue a statement that they have no maneuverability. They need to act at least to take strong actions now.

Mr. Chairman, I urge my colleagues to vote for this amendment.
Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume, before yielding to our closing speaker, to just say, if my colleagues wish to see the terrorist organization Hezbollah control an international border and provide the opportunity for further bloodshed in the region, vote against this amendment. If my colleagues want peace in the Middle East and a stable border, vote for my amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I rise in support of the amendment. American domestic policy is built on the twin foundations of opportunity and responsibility. Our foreign policy should be built on no less of a strong foundation.

The opposition objects that Lebanon is not responsible, and this is precisely the problem. Lebanon has not taken responsibility for its own borders, and we ought to use whatever leverage device we have to require them to take control of their own borders.

The question has been made that we will give greater rein to Hezbollah and terrorism, and yet Hezbollah already has a free run on the border. What greater rein could be given to the Hezbollah?

Finally, the opposition argues that this will not accomplish what it has set out to do, and yet the opposition has no alternative to recommend, no alternative. If we cannot use the power of our purse and our financial support to force the Lebanese Government to exercise its own sovereignty, what else will work? Nothing. I urge Members' support.

Mr. HALL of Ohio. Mr. Chairman, I rise in opposition to the Lantos amendment which has the effect of hurting innocent people. I would urge my colleagues to vote against it.

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

RECORDED VOTE

Mr. LANTOS. Mr. Chairman, I demand a recorded vote.
Ms. HARMAN. Mr. Chairman, I rise today in support of the Lee Amendment, a provision in this bill included by my friend and colleague from California, BARBARA LEE.

I would like to begin by reminding my colleagues that since 1973, no U.S. dollars have been used to pay for the performance of an abortion as a method of family planning or for involuntary sterilizations overseas—None! The Lee provision does not alter that restriction, but instead restores U.S. support for international family planning organizations. In my view, the best way to reduce the number of abortions worldwide, a goal we all share, is to ensure access to family planning. Yet, supporters of the so-called Mexico City policy claim that we must limit all funds to prevent United States dollars from being used in clinics that only inform their patients on the option of abortion—including clinics in countries where abortion is legal.

Turning this into a vote about abortion does a disservice to the millions of women throughout the world who do not have access to the health care and reproductive services, education, and information that women in this country take for granted.

Mr. Chairman, I support a woman’s right to choose whether or not to have a child. I also recognize that for some women, that choice is about whether or not to give birth to a healthy child. More than 600,000 infants become infected with HIV each year worldwide. That is appalling. How can we possibly claim to be wholeheartedly join the Ethiopian community working to prevent the spread of HIV if we do more. The people of Ethiopia deserve to be treated humanely by their government.

Mr. Chairman, in the words of Franklin D. Roosevelt, “We believe that the only whole world. Unfortunately, the amendment process has overridden my earlier support. This bill now restricts international organizations, including the ones that provide such important services.

The first amendment passed by the House provided special protections from international prosecution to U.S. forces engaged in human rights abuses in Ethiopia. The Inter-American Criminal Court (ICC) was created to ensure that those people who violate internationally recognized human rights would suffer consequences for doing so. By providing special protection from prosecution to U.S. forces we are telling the world community that we are not committed to bettering the conditions of the people we support.

In the past, I successfully fought for a legislative measure that would prohibit the government of Ethiopia from receiving aid until human rights abuses are eliminated. We must do more. The people of Ethiopia deserve to be treated humanely by their government.

The Lee provision will prevent international family planning groups from being denied life-saving funds to carry out their work—both in preventing unintended pregnancies and the spread of the deadly HIV/AIDS disease.

We have the chance to really make a difference for millions of women worldwide. Let’s give women a better chance to make informed and educated decisions about their reproductive health. Vote for to keep the Lee provision.

Ms. JACKSON-LEE of Texas. Mr. Chairman, as we consider the authorization bills for our foreign policy agenda, it is necessary to recognize the continuing human rights abuses practiced by governments in the Horn of Africa, particularly in Ethiopia. The U.S. Department of State must carefully investigate the continuing human rights abuses in Ethiopia.

Just recently, I am outraged by the recent violence in Ethiopia, specifically the loss of life in the face of peaceful demonstrations on the campus at Addis Ababa University on April 11th. I am deeply disturbed that police forces used excessive force to prevent students from vocalizing their discontent in an academic setting. I understand that as many as 41 brave individuals were killed on or near the campus at Addis Ababa University, while another 250 persons were injured in an indiscriminate attack by the police forces. The recent action taken by police forces can never be justified.

Although I have strongly spoken out against human rights abuses in Ethiopia before, I wholeheartedly join the Ethiopian community in the United States in denouncing the indiscriminate killings that recently occurred in Ethiopia. Justice must be served swiftly and fairly even though the brutal attack has already exacted an unimaginable toll. Further, I am somewhat relieved that approximately 2,000 students who were detained by police have now been released. However, as some of you may know, the U.S. Department of State is concerned that dozens of persons who were arrested without warrant remain detained. The United States Government must vigorously call upon the government of Ethiopia to release all the students that remain in detention. Their freedom cannot be denied.

I do not believe that the only wholeheartedly support efforts to bring human rights abuses by government actors in Ethiopia to a halt.

Mrs. MINK of Hawaii. Mr. Chairman, I rise today to thank the Members of the House Committee on International Relations for including $135 million for the East-West Center in the FY2002 State Department Authorization bill. An amendment to delete this funding was overwhelmingly defeated in Committee on a vote of 6 years to 30 noes.

The last time we considered the State Department Authorization bill in July 1999, we had to defeat an amendment on the floor to reduce the funding authorization for the East-West Center, North-South Center, and the Asia Foundation. That amendment was defeated on a vote of 180 years to 237 noes. I am very pleased that we face no such amendment this year.

The East-West Center is an internationally respected research and educational institution based in Hawaii with a 40-year record of achievement. It is an important forum for the development of policies to promote stability and economic and social development in the Asia-Pacific region. Established in 1960 through a bipartisan effort of the Eisenhower Administration and the Congress, the Center is dedicated to promoting better relations and understanding between the United States and the nations and peoples of Asia and the Pacific through cooperative study, training, and research. Presidents, prime ministers, ambassadors, scholars, business executives, and journalists from all over the Asia-Pacific region have used the Center as a forum to advance international cooperation.

The Asia-Pacific region accounts for more than half the world’s population, about a third of its Gross World Product, the majority of its land resources, and a significant portion of its marine resources. The United States has vital national interests in connecting itself in partnership with the region. As the Asia-Pacific region continues to develop and change, it is essential that the United States be seen as a responsible and credible leader.

The most powerful force of U.S. influence in the Asia-Pacific region has been our ideas, and the East-West Center is the only program that has a strategic mission of developing a consensus on key policy issues in U.S.-Asia-Pacific relations through intensive cooperative research and training.

I want to thank my colleagues for supporting the mission of the Center with this authorization and I ask that the Commerce, Justice, States Appropriations Subcommittee fully fund this important national program.

Mr. STARK. Mr. Chairman, I rise in opposition to H.R. 1646 the Foreign Relations Authorization. When this bill was placed on the House agenda, I was surprised to see such a reasonable piece of legislation. For several years now this bill has been used to advance a conservative agenda including restrictions on international family planning activities, refusal to pay our commitments to international organizations, and fund totaling billions of dollars in direct military and economic aid to other countries.

I am encouraged that there is not a multi-billion dollar package of military and economic aid to other countries in this bill. It is foolish to help train and equip other countries for war when there are so many people here at home who need help to obtain prescription drugs, lift their families out of poverty, and educate our children.

Unfortunately, the amendment process has overridden my earlier support. This bill now restricts international organizations, including those that provide such important services.

The second amendment passed by the House halted repayment of our back dues to the United Nations until we are given a seat on the UN Human Rights Commission (UNHRC). I disagree fundamentally with this decision and was dismayed that a majority of my colleagues supported this amendment too.

This body has passed numerous bills and resolutions supporting democracy throughout the world. Unfortunately, when three other countries were democratically elected to the UNHCR rather than the United States, a majority of this House voted against democracy because we didn’t win the election. It’s an infantile reaction and I oppose it.

The third amendment passed by the House re-affirms President Bush’s implementation of the Mexico City policy provisions which prohibit U.S. funding for international organizations that support abortion in their counseling of people seeking family planning services. Existing law has prohibited these groups from using U.S. dollars to conduct abortions. This bill does nothing more than eliminate important services to people around the world, including access to contraception and other family planning services which reduce the number of abortions by decreasing the number of unwanted pregnancies. I strongly oppose its inclusion in this bill.

I am disappointed in the bill as amended. It has gone back to advancing a conservative agenda when it should advance a free and democratic agenda. I oppose this bill and the principles it now supports.
The CHAIRMAN pro tempore. There being no further amendments in order, under the rule the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Chairman pro tempore (Mr. GIBBONS) having assumed the chair, Mr. SIMPSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, pursuant to House Resolution 138, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I offer a motion to recommit. The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HASTINGS of Florida. Mr. Speaker, I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk reads as follows:

Mr. Hastings of Florida moves to recommit the bill to the Committee on International Relations with instructions to report the same back to the House forthwith with the following amendment:

Page 58, after line 20, insert the following:

SEC. 306. UNITED STATES SPECIAL COORDINATOR FOR KOREA.

(a) Statement of Policy.—It shall be the policy of the United States to engage diplomatically with the Democratic People’s Republic of Korea in order to reduce the threats from such government and to improve the stability of the Korean peninsula and surrounding countries until such time as the United States concluded that such efforts are no longer productive.

(b) Establishment.—There shall be within the Department of State a United States Special Coordinator for Korea who shall be designated by the Secretary of State.

(c) Consultation.—The Secretary of State shall consult with the chairman and ranking minority member of the appropriate congressional committees prior to the designation of the special coordinator.

(d) Duties and Responsibilities.—The central objectives of the special coordinator are as follows:

(1) To seek to reduce or eliminate the missile program of the Democratic People’s Republic of Korea and its export of ballistic missile technology through steps that include resumption of the discussions between the United States and the Democratic People’s Republic of Korea regarding a binding and verifiable agreement.

(2) To encourage compliance of the Democratic People’s Republic of Korea with the Non-Proliferation Treaty and the International Atomic Energy Agency agreement and increase the transparency of its nuclear activities.

(3) To reduce the conventional military threat of the Democratic People’s Republic of Korea to the United States.

(e) Duties and Responsibilities.—The special coordinator shall:

(1) serve as the primary advisor to the Secretary of State on security issues on the Korean Peninsula, including the central objectives outlined in subsection (d);

(2) coordinate United States Government policies, programs, and projects concerning security issues on the Korean Peninsula;

(3) oversee discussions and negotiations on issues concerning the central objectives in subsection (d);

(4) consult with the Governments of the Republic of Korea and Japan to coordinate negotiating strategy and overall policy toward the Democratic People’s Republic of Korea;

(5) serve as the primary liaison to Congress on issues relating to the central objectives in subsection (d); and

(6) take all appropriate steps to ensure adequate resources, staff, and bureaucratic support to fulfill the responsibilities of the special coordinator.

Mr. HASTINGS of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion 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 SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. HASTINGS) is recognized for 5 minutes in support of the motion.

Mr. HASTINGS of Florida. Mr. Speaker, as good as this bill is that is presently before us, I think this motion to recommit with instructions would make it even stronger.

Mr. Speaker, there are several realities upon which we can all agree. Security and stability on the Korean Peninsula is a matter of vital national interest to the United States.

Mr. Speaker, reducing and eliminating the North Korean long-range missile threat is a vital national interest of the United States.

Mr. Speaker, eliminating any vestiges of a North Korean nuclear weapons program is a vital national interest of the United States.

The motion that the gentleman from Maine (Mr. ALLEN) and I have drafted would create a special coordinator position within the Department of State for Korea. This official would be charged with serving as the primary advisor to the Secretary of State on security issues on the Korean Peninsula; coordinate United States Government policies, programs and projects; oversee discussions and negotiations with North Korea; consult with the governments of the Republic of Korea and Japan to coordinate negotiating strategy and overall policy towards the Democratic People’s Republic of Korea; and serve as the primary liaison to Congress on issues related to North Korea.

The previous administration had a special envoy on North Korea. This administration cannot afford to reduce the level of institutional attention to these matters by not creating a similar position.

Indeed, our colleagues in Europe in the European Union have already begun to fill the void that we have created. Mr. Speaker, we must not allow ourselves to be losing opportunities to shape the future of this region which is so vital to our national security.

Mr. Speaker, the North Korean threat to the United States and its allies in the region is too great to downgrade its management to lower-level officials.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN), my good friend, who is a cosponsor of this motion.

Mr. ALLEN. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS) for yielding, and I rise in support of the motion to recommit the bill to create the special position of special coordinator for Korea.

North Korea tested a missile in August 1998. They have not tested a missile since, because the Clinton administration successfully negotiated a moratorium on their test program.

North Korea has voluntarily continued this moratorium through 2003. If they cannot test missiles, they cannot deploy their missiles to threaten us. President Bush, Mr. Speaker, has refused to continue negotiations with the North Koreans.

Mr. Speaker, we can negotiate away the North Korean missile threat but only if we sit down at the table to discuss the subject. That is why we need a special coordinator for Korea. President Bush appears to be more interested in justifying a technologically unproven missile defense than in eliminating the missiles themselves. It is easier to defend against the missile that is never launched than one that is.

Let us seize this opportunity to negotiate an end to the North Korean missile threat. I urge my colleagues to support the motion to recommit.

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

Mr. HYDE. Mr. Speaker, I rise in opposition to the motion to recommit.
We should choose cooperation over unilateralism, and collaborate with our allies like South Korea, not alienate them.

Finally, we should choose engagement over disengagement, and pursue verifiable agreements like the one with North Korea that can eliminate real threats to our security.

By adopting this motion, we will demonstrate our commitment to reducing threats to the United States, at their source, before they spread to other unfriendly nations or are launched against us.

And we will indicate that we want our foreign and defense policies to go in the direction of preserving America’s security through leadership, engagement and cooperation.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the RECORDED VOTE was ordered.

There was no objection.

The SPEAKER pro tempore. Without objection—the Chair will now vote aye.

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

So I hope my colleagues will vote this down. We can pass this bill and get on to something more important.

Mr. GEPHARDT. Mr. Speaker: this motion to recommit symbolizes the direction I believe we should be steering U.S. national security policy in the 21st century.

Last year, our diplomats made significant progress negotiating an agreement with North Korea in which it would end its ballistic missile program.

Unfortunately, President Bush has backed away from these discussions, publicly telling South Korean President Kim Dae Jung that the North Koreans could not be trusted.

Meanwhile, the administration is proceeding full speed ahead with plans for a costly missile defense system, whose initial purpose is to defend against ballistic missiles from North Korea.

These actions and others strongly suggest that the Bush administration is taking us down the wrong path: toward a policy of isolationism, unilateralism, and disengagement that jeopardizes our security and undermines our leadership role in the world.

We must resist this direction. Instead, we should convince the Administration that there is a better way to serve our interests and enhance the security of our citizens.

We must choose leadership over isolation.

We must work to shape the international security environment rather than simply insulate ourselves from it by relying excessively on a defensive shield.

AYES—189

[Roll No. 120]
Mr. THOMPSON of California and Mr. GORDON changed their vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HUMAN RIGHTS VIOLATIONS IN ETHIOPIA

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a few minutes ago on this floor I attempted to rise and speak out about the outrage of human rights violations in the country of Ethiopia. Unfortunately, it was objected to.

Mr. Speaker, what I cannot understand is how this House can ignore the fact that police forces use excessive force to prevent students from vocalizing their discontent in an academic setting. I understand that 41 brave individuals were killed on or near the campus in Addis Ababa. Two thousand students were detained.

It is imperative that as we talk about human rights around the world, that we are ultimately concerned that people who are our brothers and sisters are treated fairly. I am glad to know that the 2,000 students have been released, but this is not enough. There are dozens of persons arrested without warrant about whom they remain silent.

It is extremely important that we say to Ethiopia that freedom cannot be denied, and it is extremely important that this floor and this House and Members of this House allow those of us who are concerned about human rights violations in Ethiopia to get on the floor of the House and debate it and ask that, in fact, we support human rights violations in Ethiopia.

Mr. Speaker, as we consider the authorization bills for our foreign policy agenda, it is necessary to recognize the continuing human rights abuses practiced by governments in the Horn of Africa, particularly in Ethiopia. The United States Department of State must carefully investigate the continuing human rights abuses in Ethiopia.

Just recently, I am outraged by the recent violence in Addis Ababa, Ethiopia, especially the loss of life in the face of peaceful demonstrations on the campus at Addis Ababa University on April 11th.
I am deeply disturbed that police forces used excessive force to prevent students from vocalizing their discontent in an academic setting. I understand that as many as 41 brave individuals were killed or on near the campus at Addis Ababa University, while another 250 persons were hurt in an indiscriminate attack by the police forces. The recent action taken by police forces can never be justified.

Although I have strongly spoken out against human rights abuses in Ethiopia before, I wholeheartedly join the Ethiopian community in the United States in denouncing the indiscriminate killings that recently occurred in Ethiopia. Justice must be served swiftly and fairly even though the brutal attack has already acted an unimaginable toll.

I am somewhat relieved that approximately 2,000 students who were detained by police have now been released. That is not enough, however. As some of you may know, the U.S. Department of State is concerned that dozens of persons who were arrested without a warrant remain detained. The United States Government must vigorously call upon the Government of Ethiopia to promptly and unconditionally release all the students that remain in detention. Their freedom cannot be denied. In the past, I successfully fought for a legislative measure that would prohibit the Government of Ethiopia from receiving aid until human rights abuses are eliminated. We must do more. The people of Ethiopia deserve to be treated humanely by their government.

Mr. Speaker, in the words of Franklin Delano Roosevelt, “We believe that the whole man is a free man.” I hope we can support efforts to bring human rights abuses by government actors in Ethiopia to a halt.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

RICH SANCHEZ LEAVES WSVN AND MOVES TO MSNBC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. Ros-Lehtinen) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, today I would like to congratulate Rick Sanchez, a beloved television anchor in my district who is leaving WSVN Channel 7 to move on to even greater challenges nationally at MSNBC.

I am sure that many of my colleagues across the Nation have seen Rick’s reporting. My colleagues would have seen it years ago when watching an energetic reporter ride along with police to get the real story. My colleagues would have seen it when the station first watched a young roving reporter absolutely transform a newscast. My colleagues have seen it when they watched a professional and genuine, but unusual, piece of reporting and thought, “What the heck is happening here?”

That is Rick Sanchez; Rick Sanchez, doing an unconventional but honest and impassioned style of reporting before that came into current fashion. Perhaps the name “Rick” really stands for “maverick,” for that is what he always has been. His unconventional ways are always talked about. His high-energy, in-your-face style, his use of colorful adjectives, and his penchant for visual aids brought an interesting element to the traditional newscast.

City Link Magazine voted him the best TV newscaster in Florida, saying that “TV has come around to Rick’s style. He asks the best questions, and he is not afraid to speak his mind.”

Runaway Rick has never shied from danger. He began behind-the-scenes police beat reporting before there was a show which seemed to start that trend. “Maverick Rick” has always been a man of firsts. He was the youngest reporter and anchor hired in south Florida, brought on as a 21-year-old, right out of the University of Minnesota in 1992.

He was the first-ever Cuban American main anchor in south Florida, with the highest-rated newscast among all other clock newscasts in the Nation.

He was the first to have a south Florida talk show. He was the youngest to win an Emmy for his five-part documentary, which aired nationwide, on Cuban American exiles. He has covered world news stories from Nicaragua, Cuba, Haiti, and Grenada. Even when he’s just back from home, Rick’s unique style transformed you to a new place. Who can forget turning on Channel 7 just to see what props Rick had this week? Who can forget the places he has been to, and the places he has taken us to?

This has been quite a journey for the son of a factory worker and a dishwasher, who was born in Havana and came to Miami when he was only 2 years old.

Although his high-profile status has made him a local celebrity, Rick has remained humble and appreciative. He has been the station spokesperson for wonderful organizations such as Habitat for Humanity and DARE, the program to keep kids off drugs.

Rick was honored by the Florida Broadcasters Association and the George Bush White House for his coverage of and his relief effort after Hurricane Andrew. Rick spearheaded an effort to move relief supplies while coordinating it with the U.S. Customs and U.S. Coast Guard.

At heart, Rick is a nice guy and a hungry reporter whose hard work and determination has made him the success story he is today. I have had the pleasure of knowing Rick for years and watching him grow up on television. I have seen his work. I know of his dedication to his family and of his deep service to our community.

Mr. Speaker, I appreciate the four-year south Florida-based career to come to a close. Rick will not be forgotten by our local area. Now he will be shared by millions nationwide. Rick Sanchez has never been afraid to ask tough questions, say what is on his mind, and do whatever it takes to get the story and get people to speak.

Thank you, Rick Sanchez, for taking your job seriously and making the news. It is interesting for us to watch you and every one else wish you and your family, your wife Suzanne, your sons Ricky, Jr., Robert and Remmington, and your newly arrived daughter Savannah, a smooth transition and the best of luck.

Rick, Felicidades! Y muchas gracias por tu servicio. (Thank you for your service.)

Macedonian Government Must Make a Choice

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, I think all of us grew up in families where we were taught from an early age to be proud of our ethnic heritage. Millions of Americans were raised in homes where it was not uncommon to hear relatives speak Polish or Italian or Yiddish or Chinese. The American experience meant to bring the multiculturalism to bear in the constitution. But it was always understood that no matter what language our family spoke and what their ethnic minority, at the core we were all Americans.

Imagine if it were different. Imagine if because your family spoke a different language or honored different traditions, you were barred from being a police officer or working for the Post Office or even attending college. Imagine for a moment that this bigotry was not only sanctioned by the government but it was actually written into the Constitution.

If my colleagues can imagine that, then they have a pretty good idea what it is like to be an ethnic Albanian living in Macedonia. In fact, the Macedonian government is being applauded by leaders worldwide; but has it truly earned its praise? Yes, the creation of the unity government was a step in the right direction. But it was a very small step in a time that calls for great strides, strides that can only begin with acknowledging the reality of today’s Macedonia. It is a country whose constitution disenfranchises 33 to 40 percent of Macedonians who are ethnic Albanians.

Mr. Speaker, in any true democracy, equality is conferred by citizenship, not by ethnicity or by religion. That is why the Macedonian government must make a choice. Are they committed to true democracy or to a sham democracy on the order of the one that distinguished South Africa throughout the era of apartheid? □

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It is a question we have yet to hear a satisfactory response to.

What we do know is that today ethnic Albanians are treated like second-
class citizens in their own country. We know they are denied the same educational and job opportunities enjoyed by Slavic Macedonians. We know that Slavic Macedonians hold 9 percent of the public sector jobs and they compose 7 percent of the police force and that 9 percent of the university students are Slavic Macedonians. We know that Albanians are even penalized for speaking their own language. Universities which use the Albanian language are actually denied public funds.

Macedonians and Albanians should both have equal opportunities to use their native languages. Albanians are made to suffer in poorly funded schools and universities because they speak, quote, the wrong language. But that is not all. Ethnic Albanians not only have second- and third-rate schools, they have bad roads and inadequate health care.

There might be a time when Macedonia earns our applause, Mr. Speaker, but that time has not arrived and it will not until all of its people are treated equally. It will not until their constitution recognizes ethnic Albanians as citizens of Macedonia. It will not until ethnic Albanians have the right to use their own language. It will not until ethnic Albanians have the right to preserve their own cultural heritage.

Power sharing is not just about who holds the positions in the government. It is about who has what status in a society as a whole. This is no time for baby steps or token gestures. This is the time for the Macedonian government to take action to remove the institutional discrimination against Albanian Macedonians. This is the time for the Macedonian government to take on initiatives that make amends to the Albanian people.

The challenge of democracy is that it does not ask leaders to do what is easy. It challenges them to stand up and do what is right.

Mr. Speaker, in conclusion let me say that I hope that this ethnic violence in Macedonia will cease and it can only cease when equality is brought to all of its people.

The SPEAKER pro tempore (Mr. GIBBONS). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana 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 Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

(Mr. ENGLISH 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 Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

(Mr. LANGEVIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

INTRODUCTION OF RESOLUTION IMPROVING THE WAY WE MEMORIALIZE OUR FALLEN HEROES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Mr. GRUCCI) is recognized for 5 minutes.

(Mr. GRUCCI. Mr. Speaker, with Memorial Day only 12 days from today, veterans’ graves are graced with our Nation’s flag on Memorial Day in my district as is customary across our Nation since the end of the Civil War. However, too often these flags are removed immediately after the Monday observation of Memorial Day, not giving the sufficient recognition deserved these fallen heroes. The original intent of Memorial Day was for it to be a time of reflection on our hard-earned freedom and to pay our respects to those men and to those women who made the ultimate sacrifice for the citizens of our Nation. We have all heard to preserve that freedom. Yet today the true meaning of Memorial Day is often lost to a sense of commercialism.

For this reason, local veterans organizations within my district have partnered with one of our national cemeteries, Calverton National Cemetery, to improve the way we memorialize our fallen veterans. They leave the American flags in place until May 31 so that they fly in honor of our brave service men and women through to the original date of Decoration Day, May 30.

The flag is the symbol of America’s greatness and all of its compassion, perseverance and values. It is part of the tapestry that has been woven with the lives and the efforts of our men and women in uniform during times of crises that makes America what it is. It honors those brave service men and women who have made the ultimate sacrifice so that freedom, peace and democracy can be assured to all of us here in this great Nation.

I and my colleagues from both sides of the aisle have sponsored House Resolution 120 which urges all cemeteries to institute this policy of maintaining the flags placed on the grave sites of American veterans on Memorial Day through at least May 31.

Mr. Speaker, I call upon my colleagues to please join me in honoring those men and women who gave their lives to preserve our freedoms.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MALONEY) is recognized for 5 minutes.

(Mrs. MALONEY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to share with my colleagues two items of concern relative to our national security. First of all, about this time last year, we heard a lot of ranting and raving in this Chamber and on national TV, allegations of massive fraud in our missile testing program. In fact, Mr. Speaker, 53 of our colleagues signed a letter to the FBI demanding an investigation of a fraud that was alleged by an MIT professor. The MIT professor said there was abuse, there was waste, that the Defense Department has been completely exonerated. For those 53 colleagues and for Ted Postol, I think you owe the Department of Defense an apology.

**FBI CLEAR TRW INC. OF FRAUD CHARGE IN MISSILE DEFENSE TEST**

(By Tony Capaccio)

Washington, May 4, (Bloomberg)—The Federal Bureau of Investigation cleared TRW Inc., of allegations it manipulated the test results in a program for the U.S. missile defense system, according to a government document.

It’s the second time the allegation has been dismissed. A 1999 review by the Justice and Defense departments in a separate whistle-blower lawsuit covering with the same charge also found no basis for fraud in TRW’s testing.

Last June, 53 members of the U.S. Congress asked the FBI to investigate charges by Massachusetts Institute of Technology professor Theodore Postol that TRW and Pentagon officials committed “fraud and cover-up,” by tampering with the results of program’s first test flight to conceal that company’s warhead can’t distinguish between decoys and the real thing.

Postol, another antinuclear missile critic, Dr. Nira Schwartz, alleged that TRW and the Pentagon manipulated the results of a June 1997 flight test. Military and TRW officials said they were shocked and surprised.

Postol and Schwartz claimed the data was manipulated to indicate success after the test failed. The test was conducted in a competition between TRW and Raytheon, the company which TRW eventually lost. Their charges were aired in March and June 2000 front page New York Times articles that became the basis for congressional request and folder for arms control critics.

The FBI closed the case in late February, saying Postol’s charges were “a scientific dispute that a federal investigator has no basis to pursue.”

The FBI’s action removes a cloud over the missile defense program just as the Bush administration presses ahead with plans to expand it.

A spokesperson for TRW said the company hadn’t been told of the finding and is “delighted” if it’s true. Both Postol and Rep. Dennis Kucinich, an Ohio Democrat who organized the congressional opposition, said they too were not interested in doing anything except covering its back.

Kucinich, who organized the June letter that prompted the FBI inquiry, said he hadn’t been told.

“It is interesting that the day after the president announced plans to spend billions more dollars on a missile defense system, it’s revealed that the FBI had terminated its investigation into fraud regarding Postol’s claims,” he said in a statement.

Kucinich was referring to President George W. Bush’s 8-year-old Missile Defense Initiative plan to bolster a missile shield that will likely include the ground-based system.

TRW spokesman Darryl Fraser in a statement said “if this is accurate, we are delighted to hear the FBI has vindicated TRW for the years of hard work.”

[US. Department of Justice, Federal Bureau of Investigation, Feb. 26, 2001, Washington, DC]

**NATIONAL MISSILE DEFENSE SYSTEM FRAUD AGAIN THE GOVERNMENT—DEPARTMENT OF DEFENSE**

In a June 15, 2000, letter to Director Freeh, Dennis J. Kucinich, U.S. House of Representatives, and 52 other members of Congress re- quested the FBI to investigate allegations that the Department of Defense (DOD) covered up fraud relevant to the experimental failure of testing involving the National Missile Defense System. This anti-missile defense system is designed to defeat nuclear warheads launched at the United States by inexperienced nuclear powers such as the states of Israel and North Korea.

Specifically, it’s claimed the FBI has not been informed that the DOD and Postol’s allies committed fraud.

Dr. Postol also contended that his letter to the White House, its attachments, and all the information and data he used to draw his conclusions, as well as the documents derived from unclassified material and were subsequently classified by DOD in an effort to conceal the fraud and wrongdoing.

Toward Washington, Field to the FBI opened a preliminary inquiry into allegations of fraud in the National Missile Defense System specifically address the following charges: (1) Dr. Theodore Postol’s decision because he was uninterested in doing anything except covering its back.

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Postol said in an interview he was surprised by the FBI’s decision because he was uninterested in doing anything except covering its back.

It is interesting that the day after the president announced plans to spend billions more dollars on a missile defense system, it’s revealed that the FBI had terminated its investigation into fraud regarding Postol’s claims,” he said in a statement.

Kucinich was referring to President George W. Bush’s 8-year-old Missile Defense Initiative plan to bolster a missile shield that will likely include the ground-based system.

TRW spokesman Darryl Fraser in a statement said “if this is accurate, we are delighted to hear the FBI has vindicated TRW for the years of hard work.”

[US. Department of Justice, Federal Bureau of Investigation, Feb. 26, 2001, Washington, DC]

**NATIONAL MISSILE DEFENSE SYSTEM FRAUD AGAIN THE GOVERNMENT—DEPARTMENT OF DEFENSE**

In a June 15, 2000, letter to Director Freeh, Dennis J. Kucinich, U.S. House of Representatives, and 52 other members of Congress re- quested the FBI to investigate allegations that the Department of Defense (DOD) covered up fraud relevant to the experimental failure of testing involving the National Missile Defense System. This anti-missile defense system is designed to defeat nuclear warheads launched at the United States by inexperienced nuclear powers such as the states of Israel and North Korea.

Specifically, it’s claimed the FBI has not been informed that the DOD and Postol’s allies committed fraud.

Dr. Postol also contended that his letter to the White House, its attachments, and all the information and data he used to draw his conclusions, as well as the documents derived from unclassified material and were subsequently classified by DOD in an effort to conceal the fraud and wrongdoing.

Toward Washington, Field to the FBI opened a preliminary inquiry into allegations of fraud in the National Missile Defense System specifically address the following charges: (1) Dr. Theodore Postol’s decision because he was uninterested in doing anything except covering its back.

The FBI closed the case in late February, saying Postol’s charges were “a scientific dispute that a federal investigator has no basis to pursue.”

The FBI’s action removes a cloud over the missile defense program just as the Bush administration presses ahead with plans to expand it.

A spokesperson for TRW said the company hadn’t been told of the finding and is “delighted” if it’s true. Both Postol and Rep. Dennis Kucinich, an Ohio Democrat who organized the congressional opposition, said they too were not interested in doing anything except covering its back.

Kucinich, who organized the June letter that prompted the FBI inquiry, said he hadn’t been told.

“It is interesting that the day after the president announced plans to spend billions more dollars on a missile defense system, it’s revealed that the FBI had terminated its investigation into fraud regarding Postol’s claims,” he said in a statement.

Kucinich was referring to President George W. Bush’s 8-year-old Missile Defense Initiative plan to bolster a missile shield that will likely include the ground-based system.

TRW spokesman Darryl Fraser in a statement said “if this is accurate, we are delighted to hear the FBI has vindicated TRW for the years of hard work.”

[US. Department of Justice, Federal Bureau of Investigation, Feb. 26, 2001, Washington, DC]
been committed. Since all logical investigation has been completed, this matter is being closed.

Mr. Speaker, I also want to point my colleagues to a story that ran just the last few days where we now have seen that Danny Stillman has evidence and material he collected that shows that the Chinese were aggressively trying to acquire supercomputers so that they could miniaturize their nuclear weapons. Up until 1996, China had no supercomputers. That was the year President Clinton lowered the standard and within 2 years China acquired 700 supercomputers. The information Danny Stillman allegedly has gives us the details as to how China uses the supercomputers we gave them to build miniature weapons, nuclear weapons to be used against us and our allies.

Right now, the Department of Defense and Department of Energy are refusing to allow Danny Stillman's notes to be made public. I am today writing Secretary of Energy and the administration to demand that these questions be answered. As a member of the Cox Committee that looked at this issue in depth, we need to know for sure what impact the President's decision in 1996 had on Chinese supercomputers. These supercomputers not only benefited the Chinese weapons labs and bomb testing sites, they also provided the means to develop miniature nuclear weapons which they could use against America today.

Mr. Speaker, I include for the Record the letter to Secretary Rumsfeld.

DONALD H. RUMSFELD, Secretary of Defense, Defense Pentagon, Washington, DC.

Dear Secretary Rumsfeld: I am writing with regard to today's article in the Washington Post entitled, "U.S. Blocks Memoir of Scientist Who Gathered 'Trove of Information.' " As a member of the Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China, I am alarmed and concerned that the Chinese government was never informed about Danny B. Stillman or provided with the materials he collected over the years.

The article states: Stillman said Chinese physicists told him that they had begun research on miniaturization during the 1970s, but could not complete it because they lacked the computing power to carry out massive calculations. When the Chinese physicists got access to supercomputers, they pulled out their old research, ran the numbers and designed the new devices. These supercomputers not only benefited the Chinese advanced conventional weapons programs but also their weapons of mass destruction programs. Now these weapons are targeted at the United States and our friends and allies in the region.

Please answer the following questions:
1. Where did the Chinese get the supercomputers?
2. What other weapons systems did they use the supercomputers on?
3. Were export control officers made aware of the importance of supercomputers to the Chinese weapons programs?
4. When did the previous Administration learn of this?
5. Why was Congress not informed?

The article also states: In Stillman's collection of documents he collected the names of more than 2,000 Chinese scientists working at nuclear weapons facilities, recorded detailed histories of the Chinese program from top scientists, inspected nuclear weapons labs and bomb testing sites, interviewed Chinese weapons designers, photographed nuclear devices, each time he returned home, passed the information along to U.S. intelligence debriefers.

Please provide to me Stillman's trip reports, notes, photographs, videos, the list of Chinese scientists and a draft of his book. Along with a list of all DOE employees who have visited Chinese nuclear weapons facilities.

Sincerely,


The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DeFazio) is recognized for 5 minutes.

Mr. DeFazio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

AIDS in Africa

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Rush) is recognized for 5 minutes.

Mr. Rush. Mr. Speaker, each day, 16,000 more people become infected with HIV/AIDS. Nowhere is this statistic more acute than sub-Saharan Africa, where 25 million people are HIV positive. Last year alone, 2.4 million sub-Saharan Africans died of HIV/AIDS. One particular group deserves our particular attention and assistance due to the disproportionate burden that they have borne, that is, the women of sub-Saharan Africa.

Sub-Saharan African women are now the fastest growing HIV population in Africa. They constitute 55 percent of all adult HIV infections in the entire region. Most disturbing, sub-Saharan African women are becoming infected at earlier ages than their male counterparts. Teenage girls are infected at a rate five to six times greater than their male counterparts. Of course, the escalation of HIV/AIDS among sub-Saharan African women has a direct and important impact upon the most vulnerable population in the sub-Saharan region, its impact on children. Two-thirds of the 500,000 orphaned children in Africa lost parents to HIV/AIDS. Over 30 percent of children born to HIV positive women will develop pediatric AIDS.

I have personally witnessed the orphanages overflowing with children who have lost parents to this disease, and it is both astonishing and heart-wrenching.

Mr. Speaker, many social factors have resulted in these staggering statistics. Sub-Saharan African women often suffer from lower social status and lower economic status. They are economically dependent on males in their society. Many do not have the same access to health care or education as their male counterparts.

Also, despite the fact that many women are primary sources of income for their families, poverty abounds and abounds and abounds. This pervasive policy forces many women into vocations which make them more susceptible to HIV/AIDS.
These inequalities, Mr. Speaker, begin early in life. Young girls are less likely to be informed about the risks and dangers of HIV/AIDS and also far more likely than boys to be coerced or even raped. Even when they are taught about prevention, they are often unable to avoid unsafe sexual practices because of their lack of social influence.

Mr. Speaker, many of us may ask, what can we in this country do to change the status of women in sub-Saharan Africa? Well, there are many things that we can do. There are many things that we can and must do right now.

Right now, Mr. Speaker, we must focus national and international policies toward the eradication of poverty in order to empower women. Right now, Mr. Speaker, we must affirm the human rights of girls and women to equal access to education, skills training and employment opportunities. Right now, Mr. Speaker, we must intensify efforts to determine the best policies and programs to prevent women and young girls from becoming infected with HIV/AIDS.

Mr. Speaker, there is a lot we can do and we must do it right now.

DEVELOPING A COMMONSENSE, COMPREHENSIVE NATIONAL ENERGY POLICY

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentleman from Utah (Mr. MATHESON) is recognized for 5 minutes.

Mr. MATHESON. Mr. Speaker, this week there will be a number of different energy policy proposals that will be introduced, a number of events that will attract a lot of attention, attract a lot of press; and we are at the outset of a time when Congress will be asked to take on the very difficult task of trying to develop a commonsense, comprehensive national energy policy.

This is a complicated issue, and we really should not take a simplistic approach. In that context, we should not take a simplistic partisan approach. Energy should not be a partisan issue. We should find a common ground within this body to tackle such a complicated issue.

We are going to hear concerns about this issue, where we talk about some short-term issues and some long-term issues, and it is important to consider both of those time frames in terms of making good public policy decisions.

The short-term is the set of issues that we can all relate to the most, because we are all consumers in this country and we have all felt the pain of the gas pump. We have all seen our electric bills come in at higher prices. We have all seen our gas bills come in at higher prices.

The short-term issue is the more tangible issue. Although it is the more tangible issue, it is also one that is very complicated to solve, because there are not too many options we have right now. But we should recognize that consumers are feeling the pinch.

We should promote policies that encourage any potential incremental production that we can accelerate quickly to bring about relief. We need to encourage policies that are going to encourage efficiency and better use of our energy supplies.

That is really the best weapon we have got in terms of short-term solutions to our energy supply problems, because if you really want to take a step back and talk about the problem, as I said, it is very complicated in nature. It comes down to where we have a supply and demand imbalance. And in the short-term, supply is going to be very hard to affect so we really need to take a look at the demand side and see what we can do.

There are a lot of technologies out there right now. This is not something where we have to come up with something that does not exist today, they are proven, and we have to be smart about how we use energy in our country.

But let me shift to the long-term issues, which get to be a broader range of issues needed to talk about. We need to talk about ways to enhance our supplies; there is no question about it. We need to do this in a comprehensive, balanced way. We need to rely on technology to give us the best available options for creating additional energy supplies.

From a public policy perspective here in Congress, we need to try to create a more predictable policy environment. I used to work in the energy business. I know how complicated it can be when you want to site a power plant and you are trying to figure out, what are the rules? I have to play by the rules, but I do not know what they are.

We need to create a situation where we can have certainty as to what the rules are, a more transparent situation, so people can make informed decisions, because we are talking about investments of hundreds of millions of dollars in an individual energy facility. If we are going to make those types of investment decisions, we have to have a predictable future about what the marketplace is going to look like and what the rules of the game are going to do.

So I call on Congress to make sure that as we make these policy decisions, we do not make the situation more complicated. We need to pursue something where we are clear and predictable in the policy environment.

Energy should not be characterized as a partisan issue. Our constituents expect more of us. Our constituents recognize how difficult energy policy can be. They are also feeling the pinch today. I think as we sit here at the outset, it is important for us to take a step back and make a commitment to take a comprehensive approach, looking at both supply and demand, and address this in as comprehensive a manner as possible.
They said, “People here once lived from agriculture and from selling small amounts of timber, but changes to forestry controls under free trade have brought multinational corporations and clear-cutting. Soils for food crops are destroyed, and it is important to say the soil layer in Mexico is very thin. For them, it is survival.”

They said, “Laws have been imposed that favor companies from other countries. The local Catholic Church referred to legislation that had preceded NAFTA’s passage, and said these laws have enabled much wealth to be taken from the Sierra, leaving behind growing poverty.”

They said, “We saw the impact of this in the ulcerated sightless corneas of a child, whose mother had nothing to feed him now, but a soup of ground beans, now only can often only afford to eat a soup of ground corn and lately they have witnessed a new cause of death, previously unheard of in the ulcerated sightless corneas. We also heard from the respected, church-based commission for the Defence of Human Rights (COSYDDHAC) how instead of providing solutions to the hard economic realities and growing poverty the NAFTA has forced some very clear regulations, so that the Mexican government has militarized the region. COSYDDHAC has documented arbitrary detentions, torture, disappearances and extrajudicial killings of police and military, who justify their actions in the name of the ‘war on drugs’. In a joint letter to the Mexican government that was shared with us, Bishop Jose Luis Dibildox and 28 priests, religious and lay workers stated: ‘The methods used by the army create a doubt in the minds of the public as to what is the real aim of their actions, which in some instances seem to be responding to other interests, such as the militarization of Mexico, especially in indigenous regions.”

In Baborigame, we witnessed the trauma and terror that repression by state security forces is causing amongst inhabitants of the community. We witnessed the pain of people who have lost relatives with cold blood, victims who included a local indigenous leader. We also heard from the respected, church-based commission for the Defence of Human Rights (COSYDDHAC) how instead of providing solutions to the hard economic realities and growing poverty the NAFTA has forced some very clear regulations, so that the Mexican government has militarized the region. COSYDDHAC has documented arbitrary detentions, torture, disappearances and extrajudicial killings of police and military, who justify their actions in the name of the ‘war on drugs’. In a joint letter to the Mexican government that was shared with us, Bishop Jose Luis Dibildox and 28 priests, religious and lay workers stated: ‘The methods used by the army create a doubt in the minds of the public as to what is the real aim of their actions, which in some instances seem to be responding to other interests, such as the militarization of Mexico, especially in indigenous regions.”

Mr. Speaker, I will continue in the future. I will enter this particular report in the RECORD.
small farmers who must leave their communities in search of work for 4 to 5 months at a time. This means the women, as they told us, “are left to assume the roles of both women and men, working on a tarmac load of caring for their homes and families, looking after their farms, and often seeking paid work in order to feed their children."

The story of Ciudad Juarez as we were told by the respected Democratic Campesino Organization, as well as many of the farming families we met with, is a direct result of economic policies that were enacted to make Mexico NAFTA-ready. Unlike in the United States—and to a lesser extent in Canada—Mexico was producing and exporting food to be subsidized for the costs of production, with subsidies to corn producers in Mexico were competitively phased out in 1997. 12 years ahead of schedule, thus creating an unlevel playing field. Moreover, since NAFTA came into effect in 1994, tariffs have been lifted and cheap corn and beans from the U.S. have flooded the markets, taking on a price comparable with Mexican producers to compete. In addition, free market policies that began prior to 1994 but which have been made permanent in NAFTA, in the elimination of credit for small farmers, leaving them at the mercy of local loan sharks who charge usurious interest rates.

All of these policies have had a predictable effect, one which was impossible to ignore in the faces of those we met with: increasing poverty and desperation. Mothers worry how they will get by from one day to the next. As in the Sierra Tarahumara, we heard of families reduced to a diet of cornmeal soup, and of the existence of preventable diseases due to chronic malnutrition. It is this situation, in which vast numbers are robbed of their very dignity, that is forcing people to look for other means to survive, provoking family and community disintegration in the process.

Polls taken in both NAFTA have also effectively privatized what were once communal or ejido lands, that provided rural and indigenous communities with a guaranteed land base in perpetuity. Unable to get a just price for their products and saddled with overwhelming and unpayable debts, Mexican farmers are increasingly being forced to sell those lands to developers to avoid the starvation of land in few hands. Those buying up the land or renting from farmers unable to make a go of it—including multinationals like US-based fast food giants—are left to produce potatoes for the fast food markets of the three NAFTA countries. In an arid state where we were told that “water is gold,” PepsiCo has stolen access to water rights, which small farmers had been denied, and its large scale irrigation has reduced the already alarmingly low water table. This, together with an extensive use of chemical fertilizers and pesticides that means that arable land is being destroyed, and with it, the means for rural Mexicans to be guaranteed the basic human right to adequate nutrition and food security.

It is clear to us that one of the factors that is fueling this crisis in the countryside is that a significant proportion of Mexico’s gross domestic product is being used to service its foreign debt. We wish to share with you what we were told by the Democratic Campesino Organization, a position which we support: “Developing countries like Mexico need to have food security and policies that provide better welfare. The don’t, the 40 million people who live in poverty and the 20 million people who live in extreme poverty in Mexico will continue to migrate.”

CIUDAD JUAREZ

In the border city of Ciudad Juarez—home to 397 maquila factories employing 281,000 workers that assemble electronics products and car parts for export to the United States and Canada—we saw where many whose means of survival has been eliminated under NAFTA, or the owners of failed farms of the plains of Chihuahua, end up. It is a reality we would not wish on any one. The political leaders of this hemisphere know that their citizens will continue to demand a solution. The breakdown of democracy in the process.

The only right people have here is the right of a job. But in reality that’s nothing more than the right to be exploited.”

None of the maquila workers we spoke to in Juarez had the right to unionize freely to protect their rights. Workers who have tried to challenge such a situation was brought home painfully to us by the testimony we received from maquila worker, Mr. Lopez, who was murdered in May. Mr. Lopez told us about his experience trying to help organize an independence union at the Duro Bag Company, a maquila where labor rights were routinely violated. The first such initiative to occur under the new administration of President Vicente Fox, the vote took place on March 2, in what can only be described as a climate of intimidation and violence. Workers were locked inside the factory and had to declare their vote verbally (rather than a secret ballot) in the presence of heavily armed men (who the day before had entered the plant with machine guns), hired by the “official” union affiliated with Mexico’s former ruling PRI party.

International and Mexican observers were not allowed to enter. Needless to say, the independent union lost the vote. The following day, Mr. Lopez had to be hospitalized when a vehicle was rammed into by two others, the “accident” leaving a scar still visible on his face.

The 3 metre high wall that runs along the border with the United States is a sign that desperate people from other parts of Mexico can come to Juarez to be a source of cheap labour in the maquila factories but are not welcome any further north—was always visible during our stay. Visible too was the militarized U.S. border patrol, posted along the fence at regular intervals. Borders between Canada, the United States and Mexico under NAFTA have been opened to the free passage of goods and capital but not to people.

It is deeply troubling to us that a wall has been erected on the border between the United States and Mexico under NAFTA, in contrast to the experience of Europe, where the Berlin Wall has been dismantled and the European Union has opened up its borders to increased movement of workers between member countries. As we heard from social organizations in Juarez, militarizing the border does not stop the desperate for the means to adequately provide for their families from trying to get across. It only makes the crossing more dangerous, as those attempting to get into the US take greater risks, such as picking routes that require days walking in the desert or other hazards.

A VIST TO NORTHERN MEXICO SHOWS JUST HOW BADLY ECONOMIC DEMOCRACY IS NEEDED—BUT WILL THE SUMMIT OF THE AMERICAS ADDRESS THAT CHALLENGE?—April 2001

Mexican President Vicente Fox’s arrival in Canada is sure to occasion, on the part of apologists eager to have the Summit of the Americas extend free market policies, rhetoric that would be even more alarming than a second coming. For they regard it as gospel that it was the North American Free Trade Agreement that brought democracy—and President Fox to Mexico.

Fox is, by all accounts, a gifted and concerned leader, but I’d like to ask him and his NAFTA partners how they square the supposed revolution of free trade—steel, chain-linked, three metres high and guarded by armed Border Patrols at regular intervals—that I saw along Mexico’s border with the United States?

It’s a strange, capricious fence. Trucks roar through its gates night and day, loaded
with goods. Money floods over it; investments heading south, profits heading north. Canadians and Americans pass through, with only a cursory glance from officials. For Mexico, the now $6 billion a year that 380 million Mexicans who live in grinding poverty despite their country's "rapid economic growth"—it's a different story. The fence is there because the future is fearing the past.

Earlier this month, I travelled to northern Mexico with other Canadian church leaders to see what has happened to those the fence was built to retain.

In the once densely-forested mountains of the Tarshumara Sierra, we met with the indigenous people of San Alonso who gave us a letter for our government, signed with their thumbprints, that pleads for "an end to the impoverishment of our people". People here are forced to work in agriculture and from selling small amounts of timber. But changes to forestry controls under free trade have brought multinational companies and clear cutting. Soils for food crops are eroding. "Laws have been imposed that favour companies from other countries," says the local Catholic Church, referring to legislation for NAFTA. These laws have enabled much wealth to be taken from the Sierra, leaving behind growing poverty.

We saw the impact in the ulcerated, sightless corn. We saw the impact in the ulcerated, sightless corneas of a child whose mother had nothing to feed him but a soup of ground beans. We saw the impact in the ulcerated, sightless corneas of an indigenous woman who had brought her dying baby to a dispensary run by nuns, and heard that 48 percent of infants in the Sierra die before the age of five because of chronic malnutrition. Other than suicide—a new phenomenon in indigenous communities, the nuns told us—many see only two alternatives: cultivate marijuana or poppies for drug traffickers or migrate.
Mr. Speaker, I think the gentleman for yielding.

The gentleman from Tennessee (Mr. DUNCAN) is totally correct, Mr. Speaker. We have an energy crisis in this country today and for the most part, I believe, it has been caused because of the extreme views of some people in this country about the environment.

Now, of course, no one is opposed to clean air, clean water, safe working conditions. We all want those things. But, I think, we must be careful that the sense applied when we deal in those areas. We need some good scientific data; we need cost analyses, risk assessment, due process built into what we do concerning our environment and how that relates to our economy and to our energy.

As the gentleman just stated, this has cost our economy, it has cost the working people in this country millions upon millions of jobs. Since 1990, as a matter of fact, more than 100,000 jobs have been lost due to lower domestic oil and gas exploration and production. And then we can multiply that probably several times over when we look at all of the other industries, the truth of the coal industry. If we look at what has happened, we certainly, I think, have seen a self-imposed energy crisis; and it now is affecting our economy, costing more jobs. Every time someone pulls up to a gas pump today and they see $2 per gallon gas and every time they get their electric bill and every time they get their gas bill or home heating oil bill, that has an effect on our economy and on the ability of our constituents and citizens across this land on the bottom line, how are they going to make ends meet.

I yield back to my friend.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman. Let me just say this. What we are talking about here tonight is the hope that we can get some balance and moderation brought back into our environmental policies.

I voted for the toughest clean air law in the world, and I voted for the toughest clean water law in the world, and I voted to require double hulls on oil tankers and for higher grazing fees on our Federal lands and the Tongas Timber Reform Act, and so many environmental laws I probably could not even count them all, and I am sure the gentleman from Kentucky has as well. But some of these groups keep having to raise the bar and are demanding more and more and more, or their contributions dry up. So I really think that all of these needs to be joined here tonight by one of my constituents, the House of the most respected Members of Congress, the gentleman from Kentucky (Mr. LEWIS), I would like to yield to him at this time for any opening comments that he wishes to make.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

One of the subcommittees on which I serve is the Subcommittee on Forests, and I was told by the staff of that subcommittee that in the mid-1980s, Congress passed a law saying that we were going to cut more than 8 percent of the new growth in the national forests, and the environmentalists wanted that law. Today, we are cutting less than one-seventh of the new growth, less than 14 percent of the new growth, and that at a time when the amount of forest land in this country has been going way up. Yes, I said, way up.

I have been reading, and I am almost through with Bill Bryson’s very fine book called, A Walk in the Woods,” about hiking the Appalachian Trail. At one point in the book he mentions that New England in 1850 was only 30 percent forest and 70 percent open farmland. Today he writes, New England is 70 percent forest in land. In my own State of Kentucky, according to the Knox News Sentinel, in 1950 it was 36 percent forests. Now 50 percent of Tennessee is now made up of forests. Yet left-wing environmentalists have so successfully brainwashed many members of Congress that I am not sure if I went into any school and asked them if the number of trees had gone way up or way down in the last 50 or 100 or even 150 years, almost all of the children would say way down, when the truth is exactly the opposite.

The Subcommittee on Forests in early 1998 had a hearing in which we were told that 39 million acres of forest land in the western part of the country was in immediate danger of catastrophic forest fires, and when we cut less than 3 billion board feet, and to somebody who does not know anything about it, 3 billion board feet probably sounds like a lot, but as I said earlier, that is less than one-seventh of the new growth in our national forests, much less what is already there. But we are cutting less than half of the dead and dying trees.

So those dead trees which we cannot even get to or remove, once again, because we do not have the capacity to produce the gasoline. So it does not take too much reasoning to figure out the problem we are in here. We just do not have enough supply for the demand, and it is hurting our Nation. It is causing some real problems. As the gentleman just said, it is hurting the people that our workers, our middle class, our poor, because they depend on the ability for low-priced fuel. We are going to see more problems.

What is the answer? I guess that is the question. What is the answer? Well, we have a great supply of oil in Alaska. We have great supplies of oil off our shores; and with the technology that...
we have today, we have the technology to go in and get those oil reserves without hurting the environment.

Mr. Speaker, this is the problem. We have come a long way since the 1970s in producing technology that protects the environment, but allows us to have the energy we need to keep our economy moving in the right direction. But there are those that are extreme, the extreme environmentalists. They do not want to use the technologies. They do not want to do anything. They want to make sure that not one penny interest in jet fuel cost the industry as a whole $200 million. So if oil prices go up, airline tickets have to go up. Then more people are forced onto our much less safe highways, the infrastructure of our agriculture is hurt, and almost everything is hurt. Then, as the Washington Post asked on its cover, “Will rising oil prices kill the boom?”

I can tell the Members that Aviation Daily reported last December that 12 airlines went into bankruptcy last year, mainly due to higher-than-expected oil prices. The Air Transport Association told me, and I chaired for the last 6 years the Subcommittee on Aviation so this was of special interest today. They told me that each one penny interest in jet fuel cost the industry as a whole $200 million. So if oil prices go up, airline tickets have to go up. The efforts that would be put in place there to get that 30-year supply of oil would certainly, with the technology we have today, would certainly do no harm to that environment.

What would this mean to American workers if we go after that oil, if we start to work on our own domestic supplies for energy? I was reading in the Washington Times yesterday that the energy plan that the President is talking about would call for building between 10,000 and 19,000 power plants and spending $150 billion on new pipelines and transmission facilities, creating millions of jobs for carpenters plus energy, electrical, and construction and operation and maintenance workers all over this land. It would create a lot of jobs to get us back, really, to where we need to go for our energy supply in this country.

But if we do not, if we do not go after what we have that God has blessed this Nation with, there goes a lot of jobs lost because of this extreme view. And I think, yes, here in Congress we should, in a bipartisan way, come together and work for the good of the American people and not let this be a political football.

But there are already those, our friends across the aisle, that are saying the way out of this mess would be to conserve our energy. Well, we would have a tough time conserving our way out of our energy crisis at this point, even when we are about this utility power plants behind, we are depending on 60 percent of our oil from foreign sources, and we still do not have

But the gentleman from Kentucky (Mr. Lewis) mentioned the oil situation.

Last September 25, long before the current administration came in, the Washington Post National Weekly Edition had a cover story headline which said, “Will rising oil prices kill the boom?”

Mr. Speaker, the sad part about it, there are many here in Washington that want to support that extreme point of view, and they do not want to do what we have to do, and that is go after the resources we have and use those resources, the oil, the coal, and the natural gas. I yield back to the gentleman.

Mr. Speaker, I thank the gentleman. I think the gentleman is exactly right. When we cut fewer and fewer trees, we destroy jobs and we drive up prices, as I said, for homes and furniture and every type of paper product. When we restrict and cut back and eliminate coal companies and coal production, we drive up utility bills and drive up costs for businesses that have to be passed on to the consumer for every type of product, and we destroy more jobs.

When we close half of the oil refineries, as we have done since 1980, and we sign, as President Clinton did, orders to not allow oil drilling in Alaska, and 80 percent of our offshore capabilities, we drive up the price for oil and gas and destroy more jobs. When we sign, as President Clinton did just before he left office, an order locking up 213 trillion cubic feet of natural gas, we drive up utility bills and destroy prices. For anyone who wants more information on this lockup of natural gas, they can read last month’s Consumers’ Research Magazine and the article by Rider from USA Today in which he said that President Clinton locked up 213 trillion cubic feet of natural gas. Mr. Speaker, then what happens? People’s utility bills all over the country go way up.

I have the mayor of Engelwood, Tennessee, a small town in my district, who comes to me and tells me that he has senior citizens who are having to choose between eating or paying their utility bills again. I say where are we hurt with this environmental extremism is not these wealthy environmentalists; but we hurt the poor and the lower-income and the working people because we destroy jobs and drive up prices, and it hurts those lower-income people now even more and who are becoming very concerned about how these bills are going up.
enough. We do not have enough refineries.

Yes, we can do some more conservation, but the bottom line is, we have to go after the supply to meet the demand for this country and meet the needs of our economy. that is our economic system. The U.S. now purchases 25 percent of the world’s goods, though we have just slightly over 4 percent of the world’s population. Many countries are jealous of this, and believe they could take more of our jobs if we had to reduce our energy use by 30 percent, as the Kyoto agreement would require.

The Kyoto agreement excludes such large polluters as Mexico and China and more than 125 other countries. This treaty would devastate our economy, and we should all praise President Bush for not caving in to the demands of extremists and going along with such a potentially harmful agreement.

Some people who support the Kyoto agreement and oppose any type of coal or oil or lumber or natural gas production in this country know that their policies would be very harmful to the U.S. economically, and yet they do these things anyway.

I yield to the gentleman from Kentucky (Mr. Lewis) for any comments he wishes to make. Mr. Lewis of Kentucky. Speaking of the Kyoto treaty, I was in China a few years ago. I was in Sian, China. The smog, coal, smoke in that city was so bad that the people, the citizens of that city, had to wear like surgical masks. We could not see for the pollution. In the Kyoto treaty, it is my understanding that they were exempt from the environmental restraints that we would have been placing ourselves under. That did not make a lot of sense to me.

We have done a good job in this country with technology, we have done some good things with our environment, and new technology and reasonableno regulations can make increased consumption of our energy supplies possible and continue to decrease pollution. But there has to be, again, some common sense built into it.

In Kentucky, I can use Kentucky as a good example, through clean coal technology, we use a lot of coal in our utilities, and we have the lowest or I think probably the second- or third-lowest electricity rates for our electric utility bills of any State in the Nation. But through coal technology, we have really reduced emissions, and in fact, it is almost as clean now as the natural gas being used in other utility companies. With clean coal, we have been able to increase coal by 195 percent over the last 30 years, while cutting coal air emissions by one-third. So we have a 300-year supply of coal, and we have done the right things in being able to use that energy source, but no one wants to reward that. They want to take it even to a greater extreme and say, basically, no coal, no oil; we are going to have to move on to some alternative energy sources that we will not meet the demand that we have today.

Again, it comes back to getting rid of the extremism and getting into a scientific-based commonsense approach to how we are going to deal with our energy supply in this country.

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We are blessed and we need to use those blessings to benefit our population here in this country. I think it is certainly time that we start looking at the handwriting on the wall and today start turning the situation around.

I think you can compare the situation in Kentucky and California. We have a lot of power online. We have the energy. We have low-cost energy, so we could do that across this country, but we have to start.

Mr. Speaker, 1,300 or 1,900 new power plants over the next 20 years to just get us to the supply we are going to need to keep the lights on in this country, if anything, stands in our way and that does not make sense. We are hurting our economy, and we are
hurting the working people in this country.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman, and he is exactly right. I mentioned the briefing that Vice President CHENEY gave us this morning. They were not given all the details, but President Bush, among other things, I am told, is going to announce in his energy plan tomorrow $2 billion for clean coal technology.

The President is not going to announce any tax breaks for big oil companies or big gas companies, but he is going to advocate tax breaks or incentives for alternative energy sources and for renewable energy sources. Yet he still will be attacked on it. I am sure.

The gentleman from Kentucky (Mr. LEWIS) mentioned the Kyoto agreement. The global climate information project said that, quote, So while the U.S. cuts energy use by more than 30 percent, most U.N. countries get a free ride. Meanwhile, the U.S. will be one of the few countries that will raise, American products could be more expensive at home and less competitive overseas. That will slow down our economic growth and cost American jobs, all for a treaty that will produce little or no environmental benefit.

One thing it would do for sure is speed up the transfer of wealth and jobs from this Nation to underdeveloped countries.

I can tell you unless you can reduce your standard of living by 30 percent overnight, which very few people in this country would want to do, and no one should want to do, no one should have to do because we do not have to, if we can just get a little moderation and balance back into our environmental policies instead of following the extremist groups that have power far beyond their numbers.

As I mentioned earlier, some of these people I think know that this Kyoto agreement would devastate our economy, and yet they do not believe they should think of themselves as Americans first and foremost, but they should consider themselves as citizens of the world.

They think things like national borders and patriotism are old-fashioned anachronisms totally out of date and out of place in our sophisticated, globalized world economy of today.

I know Strobe Talbott who roomed with me at Clinton in Oxford and who was one of his main advisors. He wrote this: He said within the next 100 years, nationhood as we know it will be obsolete. All States will recognize a single global authority.

He may be right, but I certainly hope not.

I want to read to you what nationally syndicated columnist Georgeanne Geyer wrote recently about those individuals and multinational corporations that she refers to as globalizers.

First, they came and took away Main Street and all that meant in terms of the individual and the community and of small businesses who supported the Fourth of July parades, the Girl Scouts and the old folks home. Finally, they took away American industries and corporations. They could have headquarters anywhere in the world. They were proud not to belong to any archaic nation-state. What will they be like tomorrow? They have always been with such a patronizing smile in such old things. In between, they managed to denigrate patriotism, citizenship, environmental protection, labor, including child labor, human rights protection, all that made for an American society.

As I said earlier, these extreme policies that we have been going to have hurt for many years and are hurting now the small companies, and now even the medium-sized companies and driving them out of business and hurting what I do not like to refer to as the little guy, but that is the most accurate way you can portray it.

I have always heard that what happens to the little guy and the poor soon has to hit the rest of the Nation. We better hope not, because people in California wonder why their utility bills have gone up so much. And once again, these environmental extremists have made sure that power plants were built in many years there.

So while demand was going up, capacity was not keeping up. The brownouts and blackouts of recent weeks were inevitable.

The national news a few weeks ago showed scenes of California farmers dumping out huge amounts of milk because processing plants had to shut down because of lack of power. So people all over the country will see milk prices go higher.

As I said repeatedly tonight, we just need to get some balance and moderation back into some of these policies so we do not drive up the prices and hurt the poor and the lower-income and the working people of this Nation.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

The gentleman mentioned the low-income people. Who, or what, are these high-energy costs, yet back when this started to happen in the winter, when the costs of heating oil and the costs of natural gas to heat their homes, some people were getting these enormous bills, they could not even afford to make their house payments because of the fuel bills that they were having to come up with.

Of course, we all know about the $2-per-gallon gasoline price now to get worse through the summer. This just is not fair. It is not right because of a small group that have had their way for the last 30 years. Now they have put us in a situation where our people, the citizens of this country, are not able to enjoy the fruits of their labor.

The economy has been running in a magnificent way, but it is in danger of putting the brakes on the success that we have seen for the last, goodness, 20 years in this country of prospering and growth in our economy in ways that we may not have ever imagined.

But now we are facing a situation where we could have some problems. We do not have to. We have the resources and we have to go after it. Yes, there are going to be some long-term efforts that we are going to have to make, but there are some things that we can do now.

We can start to remove some of the restrictions that are some problems in getting our energy sources.

Mr. DUNCAN. The gentleman is exactly right, and that is the sad thing. We have plenty of oil, plenty of coal, plenty of natural gas, plenty of timber; and, much more than we had 50 or even 100 years ago. We have got plentiful supplies.

As the gentleman said, God has blessed this Nation greatly, and yet to stop everything and shut this country down economically just would devastate, first, the poorest people in this country. Yet some of these people who know that it would shut us down and would harm us greatly economically, they feel justified at times because of a misguided belief that we are all destroying the world because of global warming.

Mr. Speaker, I would like to just mention that for a moment. I have a report of Sallie Baliunas, who is a senior staff astrophysicist at the Harvard-Smithsonian Center for Astrophysics and deputy director of the Mount Wilson Observatory. In 1991, Discover Magazine profiled her as one of America’s outstanding women scientists. She received her master’s and Ph.D. degrees in astrophysics from Harvard University. She put out a very detailed report. I would be glad to provide copies of it to any Member who wishes, or staff member who needs it, but she says this global warming scare assumes that human emissions of carbon dioxide and other greenhouse gases are the dominant driving force in recent and probably future climate changes.

Yet surface temperature records indicate that the world is warmed only about 0.5 degrees centigrade during the last 100 years, roughly half of the amount predicted by the computer models on which warming scenarios are
based. Moreover, at least half the warming observed during the 20th century occurred before 1940, while most of the increase in greenhouse gas concentrations occurred after 1940. That suggests that of the observed warming, man-made responsibility for only about one-twentieth or two-tenths of a degree. It further suggests that future temperature increases due to industrial activity during the next century are likely to be extremely modest.

I could come here tonight armed with all kinds of reports that say the exact same thing, and even that the very, very small amount of global warming that has occurred has actually helped us increase crop production and helped alleviate starvation in many parts of the world.

The gentleman started off earlier tonight and said we need to have some sound science behind some of these policies. We have not had that, and we have not had cost-benefit analysis on some of those things, so we have ended up following many policies that have been very costly and very harmful to this country.

Once again, as I say, maybe they have helped a few extremely big businesses because much of their competition has been driven out of existence; but it should be of great concern to all Americans, particularly those who are concerned and upset about these higher utility bills and higher gas bills and higher costs are so high because so little land around at every place in this country can be developed that they have to put up with a few elitists at the top and huge underclass.

The great thing about the United States of America is that we have kept our government relatively small in comparison to other countries, and therefore we have had few people at the top and many at the bottom and a huge middle class.

I can tell my colleagues, you can never satisfy government’s appetite for money or land. If we gave every agency, department and parliament here twice what we are giving them, they would be happy for maybe a few weeks or a few months, but then they would come back to us crying about a shortfall in funding.

I also want to mention something about government’s appetite for land, because that ties into private property. It certainly ties into these economic problems. But I will yield to the gentleman from Kentucky (Mr. Lewis).

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding. Mr. Speaker, I would love to know the numbers. How many jobs have been lost? How many jobs has this movement cost the workers in this country? How many automobile workers? How many miners? How many timber workers? How many laborers have lost jobs because of this very extreme position on the environment? It has to be thousands upon thousands, upon thousands of jobs that have been wiped out, and you end up with a super agency for their families. They pull up to the gas station and, gosh, there is $2-a-gallon gasoline, and it could be getting worse.

I think this is what is happening because of this self-imposed energy crisis. But this can be turned around. Yes, there is no short-term solution. But in the long-term, this can be turned around, and it can provide a lot of employment for a lot of people in this country.

So I think we certainly have to be good stewards. We have to use good science. We have to make sure that we continue on the path of keeping our environment clean and sound. But we have the technology to be able to use our resources in such a way that the people in this country are able to live their lives to the best that they can live. To have anything at this point to stand in the way of that, I think, would be a tragedy, especially when there was no real need for it to happen.

Mr. DUNCAN. Mr. Speaker, I could not agree with the gentleman from Kentucky more. He is exactly right. Last year, we had the largest or biggest trade deficit in our history. It is the worst trade deficit in our history. It is the worst energy crisis that has ever taken place in this country. State and local governments and quasi-governmental agencies control or own another 20 percent. So half the land is in some type of public ownership. That government keeps placing more and more restrictions on what can be done with the land that remains in private hands. In fact, I was told by the Home Builders Association a few years ago that, if the wetlands regulations were strictly enforced, over 60 percent of the developable land that is out there right now would be off limits. So what does that do? That drives up the prices for homes. So we have young families that, in past years, would be able to afford a home now, they cannot afford a very important part of the American dream.

What happens, too, people developed subdivisions in the 1950s and 1960s with big yards. Now developers, the land costs are so high because so little land can be developed that they have to put homes on quarter-acre lots or one-third acre lots. They have to jam more and more people into closer and closer quarters, and so people get this crowded feeling. It really adds to this urban anxiety. Environmental extremists are always attacking. Yes, they are the very ones that are causing it.

I can tell my colleagues, private property or while most people do not think about it, it is one of the main things that helped create the prosperity of this country. It is one of the great foundation stones, knowledge of our freedom, but of the prosperity that we have had in this country.

And again I urge to read a book called The Noblest Triumph, Property and Prosperity Through the Ages by...
Tom Bethell. The whole book is important, but a couple of brief excerpts. He wrote, “Leon Trotsky, a leading Communist, long ago pointed out that where there is no private ownership, individuals can be bent to the will of the state under threat of starvation. The Nobel Prize winner Milton Friedman has said that ‘You cannot have a free society without private property’... Recent immigrants have been delighted to find that you can buy property in the United States without losing your citizenship.”

“The call for secure property rights in Third World countries today is not an attempt to help the rich. It is not the property of those who have access to Swiss bank accounts that needs to be protected. It is the small and insecure possessions of the poor.”

“This key point was well understood (by) Pope Leo XIII (who) wrote that ‘the property of those who have access to Swiss bank accounts that needs to be protected is the small and insecure possessions of the poor.’”

What we have been saying all night here tonight is some of these liberals and left wingers claim to be the friend of the little guy most of all. That they do end up hurting the small businesses and the small farmers and the little guy most of all.

Over the years, when private property has been taken by government, it most often has been taken from lower- and middle-income people and from poor or small farmers. So it is like all these industrial parks that are created. We do not need any more industrial parks in this country. We take land from poor farmers and then turn it over to these big multinational corporations for free or very reduced costs.

Then when we have all of these Federal projects, agencies in my area, for instance, twice the amount of land that they needed to take for their project. It has been a very sad thing to see. But if we allow more and more land to be taken, then we are going to ultimately destroy the freedom that we have in this country and the prosperity that we have in this country. It will be a sad day if we continue to allow that to happen.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. Lewis) for any final comments that he wishes to make.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding to me. There has been a lot of polling data over the years; and the question is, would you prefer clean water as opposed to more oil exploration or clean air as opposed to more increased utility power companies? When one asks that question, of course we all want clean air. We all want clean water. We all want safer working conditions.

But the question should have been asked, do you want to be able to have your automobile? Do you want to be able to have reasonable prices for your energy? Do you want to have the living standards and conditions that you are used to? Do you want running water in your home? Do you want to be able to flip a switch and get the lights to come on? The American people want that.

I think what is happening in California today, they are in danger of losing the ability to flip a switch and have their electricity. They are in danger of having hot water because they do not have their hot water tanks generating heat. So there are consequences to the extreme position that these environmentalists have taken over the last many years and put the American people in a very tough situation if this continues.

That is why we need to start turning it around now. Yes, continue to work very hard to use the technology and to create new technologies to make sure that, yes, when we explore and when we drill for oil, that the environment is protected; yes, that when we use coal, that that is done cleanly and efficiently so that the environment is protected like it is being done now, natural gas, so forth.

Yes, we want those things. But these extremists, they have a Walden Pond and they have to be able to have the standard of living that we have today because it is going to destroy planet Earth.

Well, the reality is that we are not going to destroy planet Earth. We do have the technology. We do have the opportunities to provide the energy resources that the people of this country need and do it in the right way, the environmentally correct way. But get rid of the extremism and make sure that we are not going to sacrifice the workers of this country and their jobs and take away from their families.

Mr. DUNCAN. Mr. Speaker, let me just say very quickly in summing up. One example that I wanted to mention was President Bush has been hit real hard on the arsenic in the water. Yet one water district in Illinois said, if we went to those unrealistic standards that former President Clinton advocated, their water bills would have to go up $72 a month.

So what I am saying is we need some balance and moderation brought back into our environmental policies. We cannot keep going along with these environmental extremists who are not hurt when water bills go up $40 or $50 a month or gas prices go up to $4 a gallon or utility bills double. But millions of people throughout this country are hurt if we have to do all of that.

We do not need to shut this country down economically and continue to hurt worse the poor and the lower-income and the working people and the middle-income in this country by forcing more jobs to leave to go to other countries and forcing people to reduce their standard of living by at least a third, as some of these policies would mean, because it is totally unnecessary. Then we would not be able to do the good things for the environment that we all want to do.

So we just need some balance and moderation brought back into these environmental policies.

I thank the gentleman from Kentucky (Mr. Lewis), my friend, for taking time out from his busy schedule to be with me here tonight to discuss these very important issues.

LIVABLE COMMUNITIES

The SPEAKER pro tempore (Mr. SIMMONS). Under the Speaker’s announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority. Mr. BLUMENAUER. Mr. Speaker, we have had the first hour discussing issues that relate to energy and the current situation. Some would label it a crisis. I must say that I listened to my esteemed colleagues from the other side of the aisle, the President, his chief spokesperson, and most recently, Vice President CHENEY are setting up a false policy conflict for the American public. This has nothing to do with cutting back on the American quality of life, throwing vast numbers of people out of work.

They would like us to believe that somehow being more thoughtful about the use of energy and the Federal Government’s role in promoting a better approach is somehow an assault on the American way of life. Nothing could be further from the truth.

America works best when we give people choices so that they can determine what works best for them. What choice do our friends in California have today paying far more for energy using far less when energy supplies are actually in pretty strong condition? We are going to hear from one of my colleagues tonight from California discussing that situation in greater detail.

A country that disregards the value of conservation, that ignores fuel efficiency for automobiles, that seeks to maximize production at the expense of
environmental quality is not protecting the American way of life, nor is it doing American families or business any favors.

With all due respect to the Vice President, he got it exactly wrong. Energy conservation is not just a matter of personal virtue. If we are to prevent the next generation from paying for the mistakes of the previous generation, there is nothing wrong with formulating energy policy that recognizes the importance of this virtue.

Energy conservation should be the foundation of our national policy, not belittled by our national leaders.

Now, luckily, the Vice President and the President have been backing away from that for the last two couple of days, and maybe we are going to get some positive recommendations from them; but the fact remains that it is the only way we will provide significant amounts of additional energy in the near term, not the proposal to go nuclear, not the proposal to build a power plant a week.

Energy conservation is an approach that has already been proven to be effective and has received, when we get a chance to talk about it here on the floor of this Chamber, broad bipartisan support. All the hotly debated talk about drilling in the Arctic Wildlife Refuge is not going to alleviate problems facing the consumers now. Indeed, the administration has proposed cutting the budget for energy conservation. We need a set of policies that actually encourages it.

Tonight we are going to discuss some of these elements, because there are simple, energy-efficient conservation methods that we can be taking today. In my State of Oregon, like 10 other States, there is a bottle bill. Aluminum can recycling saves 95 percent of the energy needed to make aluminum from bauxite oil. Energy savings in 1999 alone was enough to light up a city the size of Pittsburgh for 6 years.

Now, let me bring this down to a more tangible example. The energy saved from recycling one aluminum can will operate a home computer for 3 hours. Energy saved from recycling one glass bottle will operate a 100 watt light bulb for 4 hours. Recycling seven aluminum cans saves enough energy to operate a 60 watt bulb for 28 hours.

Now, let me talk from the other side of the aisle about somehow taking cars away from the American public. That is ludicrous. That is not the issue. We are talking about extending fuel-efficiency standards so that the 40 percent of oil that is used by cars and light trucks goes further. Switching from driving an average new car to a 13-mile-per-gallon SUV for 1 year is the equivalent of leaving your refrigerator door open for 6 years. And it has been discussed at great length. The notion of just setting fuel standards for SUVs three miles per gallon will more than offset the amount of energy that we could hope to extract from the wild-life refuge, which the American public does not want us to invade; and it will get that energy to us quicker.

We are going to discuss this evening issues that relate to energy conservation with building standards. If we simplify changes to a light bulb to a light color, it will reflect the heat rays and lower home temperatures by as much as 5 degrees.

We have issues that we are going to be discussing this evening in terms of dealing with other standards for energy-guzzling appliances. Rather than rolling back the standards that would improve these efficiencies that are improved by the last administration, we ought to maintain them.

We have, today, an opportunity to move forward and make a difference. And, sadly, it is my friends on the other side of the aisle and the Republican administration that are out of step with the American public. In Monday’s poll in USA Today, an overwhelming majority of Americans favored conservation over drilling in the ANWR or moving in other directions. The American public understands that that will make a huge difference.

Mr. Speaker, I would like, if I could, to turn to my colleague from California, who has had some firsthand experience in the impacts that this has. We are going to have a spirited discussion. We have a number of colleagues, but I would like to turn the first 3 or 4 minutes of our discussion over to the gentleman from California (Mr. SHERMAN), who can talk a little bit about the perspective of what we are facing in the State of California and what we ought to be doing to help this country.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman from Oregon, who has a distinguished record on trying to move our policies toward livable communities and sustainable approaches to energy and to the quality of life.

I am ground zero for a crisis. But rather than focus on the long term, because the gentleman has, I think, illustrated that rather well, I want to focus on the short term.

We are told that what California is suffering now is somehow our own fault; that energy companies wanted to build power plants in our State, were desperate, knew how profitable it would be, and we just would not let them do it. No, we are not concerned about the environment. Nothing could be a bigger lie.

First, private industry did not particularly want to build power plants in California because they did not think they would make big money. When they bought the plants, they bought them for rather modest prices. And if they were desperate to build new ones, they certainly would have paid a premium for old ones. They were not trying to build new ones, and they did not buy old ones. They did not realize, until they lucked into it, that energy would be tight enough in California so that they could gouge the California consumer; that what looked like a modest investment in a State that could produce enough electricity to meet its needs would turn into a gold mine of gouging not because of actual shortages but because of a new concept, in electric, power called “closed for maintenance.”

We have seen in each of the last 8 months double or triple the amount of capacity “closed for maintenance” than in that same month 12 years ago. Closed for maintenance means closed to maintain an ungodly price for each kilowatt.

And so just to prove that there was not some intense desire to build power plants in California somehow stopped by these environmental extremists we are tagged with, reflect on the fact that California is not by itself an energy market. Each of the adjoining States, particularly Nevada and Arizona, are part of that energy market. And so if there is a plant built in Arizona, Nevada, those plants can sell into California. The electrons really do not know when they are coming to a State boundary.

So if industry was desperate to build power plants to supply California, they could have built them in Arizona, Nevada, or Oregon. They chose not to, until quite recently. What they chose to do instead was to operate the old power plants, close a few for maintenance, and make a fortune on each kilowatt.

In 1999, we paid $7 billion for our electricity in California. The next year, the year 2000, we actually used less electricity at peak times, and they charged us $32.5 billion. This year we will not use more electricity; but we will be paying 50, 60, or perhaps even $70 billion for the same electrons that we were paying $7 billion for just a couple years ago.

The answer to this crisis is here in Washington. Now, we are told that California should not expect a bailout. I do not want one penny from any of the States represented here. There are some programs to help out a few people in California, and those are wonderful programs; but we do not need a single penny. All we need is to regulate on a fair basis, with generous profits for the power plants in California.

Now, we are told that California should solve the problem ourselves. Why are we not self-reliant? We are not going to alleviate problems facing the consumers now. Indeed, the administration has proposed cutting the budget for energy conservation. We need a set of policies that actually encourages it.

Now, let me bring this down to a more tangible example. The energy saved from recycling one aluminum can will operate a home computer for 3 hours. Energy saved from recycling one glass bottle will operate a 100 watt light bulb for 4 hours. Recycling seven aluminum cans saves enough energy to operate a 60 watt bulb for 28 hours.

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costs, with fair profit to those generating electricity in the West. Until that happens, we will have an artificial crisis, transferring billions and tens of billions in wealth from all the people of California to a few megacorporations, which must happen to be based in Texas.

Mr. Speaker, I yield back to the gentleman.

Mr. BLUMENAUER. I appreciate the gentleman’s forceful explanation this evening, and he is one who has been a tireless advocate for trying to make the situation in California. I really appreciate his focusing on what has happened to a State over the last couple of years that is actually using less energy, that is working on conservation, and is paying a terrible price, multiple, multiple times what they paid just 2 years ago.

The gentleman’s tireless advocacy is extraordinarily useful in helping us understand this situation.

Mr. SHERMAN. If I can have just a couple of seconds, I would like to point out that per capita California uses less electricity than any State except Rhode Island. And in a couple of months, we will be number one in minimizing our use of electricity among all 50 States. This rape of California is not justified.

Mr. BLUMENAUER. I thank the gentleman for that clarification.

I would now, if I could, turn to the gentleman from New Jersey (Mr. PALLONE), who has been a tireless advocate for trying to shine a spotlight on the situation in California. I really appreciate his focusing on what has happened to a State over the last couple of years that is actually using less energy, that is working on conservation, and is paying a terrible price, multiple, multiple times what they paid just 2 years ago.

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ground zero, but there are those of us who feel we are getting a few of the after-shocks.

Mr. INSLEE. Mr. Speaker, I yield to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I would like to pick up on the gentleman from New Jersey’s comment about this really ludicrous idea put forward by the President that his tax cut bill is a solution to the gouging of prices that we face in California, both for gasoline and electricity.

Mr. Speaker, what we Democrats have proposed is a short-term solution. We need a long-term solution, but we have to have some short-term solution to this. Unfortunately, the President, what has he decided to do? What has his message been to America? Go fish. You are on your own. We do not have any short-term solution. We are not going to do anything.

Mr. Speaker, we have suggested a couple of things. Number one, that he call FERC, the Federal Energy Regulatory Commission and ask them to impose a 2-year cost-based pricing system for wholesale prices for the western grid of the United States. We are asking a simple thing; that the companies for the next 2 years get their costs and a reasonable degree of profit, and pick the highest degree of profit, it will still be half of what they are charging today.

When they have increased their prices 1,000 percent, like if you bought a car now costs you $300,000 to $600,000, if Detroit did the business the way that the generators are doing right now.

We are asking for a time-out on this ludicrous explosion of prices. People have said, did you decrease the supply of electricity? Hogwash. If anything, it will increase it. These companies have figured out how to reduce supply and drive the price up. Fully one-third of all of the generating capacity in the last in these 12 months has been turned off, and they have driven these prices sky high.

Mr. Speaker, we have asked the administration for simple relief. They have refused it, and they give us no simple relief.

I want to say that there is good news in the long term and short term when it comes to conservation and efficiency. We should be optimistic. There are plenty of causes for this country to move forward in the next years. We decided to go to the Moon, and there were naysayers then too about new technology. But there is just as good news for us from a technological basis for wind, solar, new transmission, fuel cells, as there was for new technologies which took us to the Moon.

For example, in Seattle right now, there is a company called MagnaDrive. MagnaDrive is manufacturing a coupling device based upon, as you can guess, an electric motor. It is driving two plates which act as a coupling for electric motors. This device can save 30 to 40 percent of the electricity to drive an electric motor. It is just starting to develop a market. We need to recognize technologies like MagnaDrive and recognize their potential. That is the good news.

The bad news is that some of these technologies are being developed not in America, because we have not given them the incentives for the development of these. For example, hybrid cars, electric gasoline-powered cars. The one on the road right now is from Japan. Why should America give up this market to the Japanese manufacturers? Why should we give up this potential development of jobs to those manufacturers?

Mr. Speaker, I think this Nation ought to be confident enough in our technological ability that we are going to lead the Nation in new car technology. Yet in that very specific field, the President’s budget has gone backwards. We ought to lead the Nation in efficiency and conservation. If we stand up to Mr. CHENEY’s short-sighted division is not just a personal ethic but does not have anything to do with sound economic policy, he is dead wrong. Efficiency is a personal virtue, and it is an economic virtue, and it is a job-growth strategy that this country ought to use.

Mr. Speaker, that is why I am proud that the Democratic Party has come up with a comprehensive plan to combine conservation and short-term price mitigation. It is a short-term solution and a long-term solution, and I appreciate the gentleman from Oregon (Mr. BLUMENAUER) bringing us here tonight.

Mr. BLUMENAUER. Mr. Speaker, we have also been joined by the gentleman from Connecticut (Mr. LARSON), who has had lots of practical experience in this State that has dealt with the past with energy problems. I know that from leadership as the Senate president of the great State of Connecticut, he has had a chance to navigate these problems that they currently face. And I am honored that the gentleman joins us for this discussion.

Mr. LARSON of Connecticut. I thank the gentleman and also recognize that the current Speaker also hails from the great State of Connecticut and is doing an outstanding job.

I want to applaud the gentleman from Oregon for his leadership in every arena here in the White House relates to our environment most notably, as was pointed out by the gentleman from New Jersey (Mr. PALLONE), in the area of livable communities but also in recognizing the need to make sure that a core component of any energy plan has got to be conservation, that overall the number of examples that he put forward, if followed, should serve as the cornerstone to any policy moving forward.

I also join with my colleagues from California and the Northwest as well and not only sympathize but empathize with the problems that they currently face and understand that today it may be California but tomorrow it could be Connecticut. And so as a Nation, we must pull together and make sure that we are enacting sound public policy.

The fact of the matter is that there are a lot of fingers that could be pointed and a lot of blame that could be distributed, but for a number of years, each different Senate, House, and Congresses have not addressed this issue the way that it should be tackled. I believe that first and foremost and
I yield to the gentleman from New Jersey.

Mr. PALLONE. I wanted to briefly point out that although the comments I made earlier were primarily with regard to the President's proposal, with President Bush and Vice President Cheney's proposals and what they are likely to come up with tomorrow from their task force in terms of a policy to address energy issues, that it is also true that for the last 6 years since the Republicans have been in the majority in this Congress, that they have conveniently forgotten, or failed really, to address what has now become an energy crisis.

And each year from 1995 on when President Clinton and the congressional Democrats tried to present commonsense, balanced, both immediate and long-term solutions to the energy problems that existed then and were continuing to build, the Republicans blocked those efforts in the Congress. And I could just mention a few. I think the most egregious was in 1999, I remember, I was here, when the Republican leaders, the gentleman from Texas (Mr. ARNEY), the gentleman from Texas (Mr. DELAY) joined in others to introduce a bill that would have eliminated the Department of Energy altogether and the Strategic Petroleum Reserve.

As I mentioned, President Bush still says that he does not want to tap the Strategic Reserve, but they would have abolished it completely. In the same year, the Republicans rejected an Energy Department proposal to buy 10 million barrels of oil when crude prices were only $10 a barrel that would have allowed us to build up the SPR.

So they wanted to abolish it. They did not want to fill it. In addition to that, every year in those 6 years the President and congressional Democrats would introduce initiatives that would help with energy efficiency and renewables. But between fiscal year 1996 and fiscal year 2001 the Republicans underfunded energy efficiency and renewable energy programs by $1.4 billion and now that is estimated to be $40 billion and now that is estimated to be something closer to $100 billion in cost, that money could be better spent at developing alternative energy sources.

Specifically, I feel that the energy systems in most of the country and most of our fuel cells hold the key to provide us with both the power and efficiency we need to get to 80 to 80 miles per gallon out of an SUV and also the by-product of which is vapor that is clean.

This kind of environmentally sound policy, this kind of energy alternative is exactly the kind of can-do spirit that took us to the Moon. And what got us to the Moon frankly were spacecraft that were built to work. These are the requests were at the time. We have seen essentially no effort to address the problems that existed then and were continuing to build, the Republicans blocked those efforts in the Congress. And it is not going to address the problems in California and just wanted to point out, this is from my colleague, the gentleman from California (Mr. WAXMAN), who is a leading member, a more senior member of the Committee on Commerce, he cited four major flaws with the bill. Keep in mind this is the Republican answer to the California energy crisis.

First, it fails to address runaway wholesale electricity prices. The efforts by the gentleman from California (Mr. WAXMAN) of the Committee on Energy and Power, then in the subcommittee, next week in the full committee, to impose some sort of cap as the Democrats would like to see on wholesale electricity prices is not included in the bill. The bill, the Republican bill, also fails to require energy consumers to address the electricity crisis. It increases the State's dependence on the spot market. It inhibits the State's ability to acquire and operate transmission lines in California. It conflicts with California's action to address the electricity crisis. It increases the State's dependence on the spot market.

It also, and I note that my colleague from Oregon has repeatedly noted the effort to break down environmental laws, this bill creates loopholes in the Nation's environmental laws. It opens up every national park and wilderness area to the construction of new power lines. It allows States to waive environmental requirements applicable to hydro-power projects. It authorizes extensive waivers of the Clean Air Act requirements for electricity generation. And lastly, of course, the bill fails to adequately address conservation.

I know that my colleague, the gentleman from Oregon (Mr. BLUMENAUER), has repeatedly said how they in California have a conservative component in our energy policy. The Democrats have that. The Republicans do not. This bill does nothing to improve it. Tomorrow we are going to hear about the Bush-Cheney report and how that is going to work we are going to hear about the Barton bill and how great that is going to be to solve the California problem. Neither one solves any of those problems. Un fortunately we continue to have Republican inaction.

Mr. BLUMENAUER. Mr. Speaker, I yield to the gentleman from California. Mr. SHERMAN. The Vice President made some remarks recently that have been rather surprising. The idea that conservation might be a good cash generation politics, but it is not the basis, not the sufficient basis, for a comprehensive energy policy. I think we can only respond that degrading the environment and maximizing energy growth might be good cash generation politics, but it is not the basis, not the sufficient basis, for a comprehensive energy policy.

I want to talk a little bit about how California is being hurt because we do not have rate regulation on the wholesale generation of electricity. Technically what is being called for is not
Mr. HUNTER. Mr. Speaker, re-
claiming my time, I thank the gent-
lman. Clearly he has identified a
critical area where 12 percent of our
Nation’s population is facing some-
thing that surely we are all going to
have to contend with.

What have we discussed here at this
point this evening? Well, first and fore-
most, we have established that con-
servation may be a virtue. I think it is,
but certainly it is an important part of
our energy policy, and we are arguing it ought to be part of the
foundation. Without the conserva-
tion that was inspired in the mid-1970s
and, sadly, to a certain extent rolled
back during the Reagan years, without
that energy conservation, the use in
the United States of energy in the year
2000, if we had kept on the same line,
would have been 40 percent higher and
Americans would have spent $260 bil-
lion more for energy. Conservation
works.

But we have just barely scratched
the surface of the potential for achiev-
ing more savings. If we had one of the
popular SUVs that had an average of 40
miles per gallon over the next decade,
it would save the equivalent of 50 bil-

lion barrels of oil, 15 times more than
would be reclaimed from the Arctic
Wildlife Refuge, if that is where you
want to go.

We have been dealing with the facts
surrounding the energy situation. We
have heard about what the situation is
in the State of California. We are in
fact now building, and any reader of
The Wall Street Journal this last week
has learned that we are building ahead
without a Federal initiative, to build
more generating capacity. More is on
line; markets are in fact responding.

We have heard this myth somehow
that people, for example, in California,
or the “radical environmentalists,”
were at fault for not building up refin-
ing capacity in this country and talk
about how there has not been a lot of
new refineries built.

In fact, there have not been new
refineries built is because the in-
dustry has been going through consoli-
dation. We have more refinery capacity
today, fewer refineries. And if you look
at what the petroleum giants are doing, they are shedding refining ca-

pacity because it is not profitable
even.

What measures up to the hundreds of
percent or thousands of percent rate of
destruction that can be extracted from
some of the situations that we have de-
scribed on the floor today? It is not
somehow the fault of the environ-
mentalists, it is market forces that are
at work.

We understand, and I have heard
twice now the Vice President extolling
the virtues of going back to nuclear
energy. Interesting. I come from a State
that shut down a nuclear plant. The
private company that owned it shut it
down, earlier than its license would
have required because it was not profit-
able.

It is true that over 20 percent of the
generation currently comes from nu-
clear power, but there has not been a
new nuclear power plant ordered in
the United States in over 23 years. And
it was not just in my State that they
shut it down. The gentleman from New
Jersey can testify that there was the
same situation occurring there and in
Maine, Illinois, and Connecticut, where
people were backing away from nuclear
energy.

We still do not have a safe place to
store nuclear waste in this country. We
have been tied in knots over that. Yet
some want to go ahead and deal with
more.

The assertion somehow that nuclear
energy is the salvation, the silver bul-
let, that it does not provide pollution,
will excuse me if I raise a nuclear
waste continues for a quarter of a mil-
lion years or longer. Nuclear waste,
when you are dealing with it, is not
just nuclear energy; it is the very
warm water that is generated. It pol-
lutes the waterways.

The process of enriching uranium
uses a substantial amount of elec-
tricity in and of itself that produces
congressional record — house

May 16, 2001

many of the same sort of traditional fossil fuel air pollutants. Nuclear energy is not a silver bullet.

We have heard some arguing that somehow the environmentalists have locked up all the land. We cannot have access. Right now the oil and gas industry has access to huge tracts of BLM lands. Only 3.5 percent of the BLM land in Colorado is off limits to exploration; only 2 percent in Montana; only 2.5 percent in Wyoming; 4 percent in New Mexico. It simply is not true that it is not accessible.

It is interesting watching the little struggle between the President’s brother and the people in California and Alaska who are concerned about offshore drilling, but there is still over 80 percent of the Nation’s undiscovered economically recoverable oil and 80 percent of the economically recoverable gas that is located in areas that are accessible. There are opportunities for further exploration. It is the private sector that to this point has chosen not to take advantage of them.

I guess I will conclude my remarks before turning to the gentleman from New Jersey to wrap it up to just make one other point, that there are many opportunities now for low-income people to be able to reduce their energy costs over time.

We have talked about the lunacy of having a massive tax cut that is not going to benefit the vast majority of low-income people, but somehow they are going to take this tax cut and pay it for higher energy costs. But if for a moment we can spend upwards of $2 trillion over the next 11 years, is it not possible that Congress and this administration could design programs to help very low- and moderate-income people pay some of the higher costs through rebates or direct tax credits that go back to them, so they can afford to be more energy efficient, to their electrical bills today, not tomorrow or 20 years from now, lower those costs today, save them money today, and have additional savings that will accrue to the broader community because we will not have to build an energy plant a week?

It seems to me that this is a simple, commonsense approach; that if we could get it to the floor, I am convinced an overwhelming majority of Republicans and Democrats would agree with the American public to put conservation, wise use, invest in American technology, do that first before we move ahead with things that simply are not being told by the American public.

With that, I will turn to the gentleman from New Jersey (Mr. PALLONE) for the last word in our special order this evening.

Mr. PALLONE. I thank the gentleman. I do not mean to take the last word, but I just wanted to comment on what the gentleman said, because I think what he pointed out is that the Democrats’ energy policy is a well-rounded, commonsense approach.

We are saying that we want more production in those areas that are available to be done; to drill for oil, to drill for natural gas, in an environmentally sensitive way. It can be done. We are for more production. We are saying we want conservation. We want the use of more renewables. We want more energy efficiency. We have tax credits for energy efficiency. If you buy a car or do something to your home that is more energy efficient, we do that first before we have to build an energy plant a week.

We basically are very well rounded in our approach in terms of the types of fossil fuels that could be produced, and I for the life of me do not understand why we have to take this Bush-Cheney approach that just says drill, drill, drill, and nothing else. Even in our Democratic proposal, we have a supplement to the LINEAP program for low-income individuals, recognize that they are going to need additional help. If you think about what the Democrats have put forward, more production, more energy efficiency, more use of renewables, and direct or indirect payments to low-income individuals so they can pay for their rising costs, all of these things are in there.

But we want this energy policy to be well rounded. We do not want it to just be limited to something that the oil companies want, which is to drill and drill and drill. There is no way that you can possibly look at what the President has in mind and look at what he will propose. The President’s proposal is nothing more than a payback to the special interests, to the oil industry. We have seen that.

I know tomorrow it is going to be unveiled. We heard a lot about it, but I am waiting to see what happens, because, as the gentleman says, we want to be bipartisan, and we are hoping that maybe he will incorporate some of the conservation and other things that we are talking about today. I doubt he will, but I hope he does, because I would like to see a responsible energy policy passed. I just do not see that coming from the White House so far.

With that, I thank my colleague for all he has done and continues to do on these issues.

DIABETES, A DEVASTATING PUBLIC HEALTH ISSUE

The SPEAKER pro tempore (Mr. CANTOR). Under a previous order of the House, the gentleman from California (Ms. MILLENDER-McDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, as we observe National Women’s Health Week this week, I rise as the Cochair of the Congressional Caucus on Women’s Issues to bring attention and highlight a disease that has become more than just a public health issue. That disease is diabetes, and it is wreaking havoc on women, especially African American women.

Recent studies confirm the numbers of women being diagnosed with Type II diabetes each year, and these numbers are increasing in alarming rates.

Mr. Speaker, diabetes kills one American every 3 minutes, and a new case is diagnosed every 40 seconds. No person is immune and no community remains unaffected. Almost 16 million Americans have diabetes, with 60 percent of those being women.

Statistics have shown that women with diabetes have a five-fold higher risk of coronary heart disease than do non-diabetic women. In addition, coronary heart disease is the number one killer of people with diabetes and poses a greater risk for women who develop heart disease. Furthermore, close to three-fourths of deaths in individuals with diabetes will be directly attributable to cardiovascular disease.

Another disturbing aspect associated with this disease is that it is the number one killer of African American women with diabetes and has reached epidemic proportions. An alarming statistic is that 11.8 percent of African American women who are 20 years old or older have diabetes, and about one in four African American women over the age of 55 have diabetes, which is nearly twice the rate of white women.

Statistics reflect that among older populations, women make up 75 percent of diabetes cases. One of the reasons diabetes disproportionately affects women is because there are more obese women than men, and women live longer and maintain less active lives than men. Inactivity puts women at a greater risk for obesity, which is often a direct precursor to diabetes.

The poor health habits of mothers increase the risks of their children developing similar behaviors and health challenges. Therefore, it is vital that we highlight the need to educating women about healthy living.

It is also important to conduct more diabetes-related research studies. Diabetes research has been an invaluable tool, that has paved the way to extraordinary breakthroughs for women.

However, more research must be funded and conducted as a standard protocol for women’s health initiatives. We must research new and progressive treatments for women with diabetes and promote prevention as a response to this challenge.

Dr. William cross is critical to reducing morbidity, mortality, and economic costs associated with cardiovascular disease in diabetic women. Diabetes is the single most costly disease in America, totaling about $105 billion a year. That is why the Caucus submitted an appropriations request for fiscal year 2002 that would fully fund NIH programs and which will provide the resources necessary to address this issue.

Therefore, Mr. Speaker, I urge my colleagues to raise their voices, open their hearts, and enhance their commitment in educating our communities.
about diabetes and primary prevention. I also ask each one to join in the fight for adequate funding for research.

Mr. Speaker, I will be introducing legislation in the next few days to bring attention to this important public health issue. The legislation will address this disparity that exists among diabetic women. It will focus on research, increased representation of minority scientists, and education outreach. I hope that my colleagues will cosponsor this legislation with me.

THE ENERGY CRISIS IN THE UNITED STATES

The SPEAKER pro tempore (Mr. CANTOR). Under the Speaker’s announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, first of all, in regards to the gentlemwoman from California, this diabetes is a horrible, horrible disease and there are lots of statistics that support exactly what the gentlemwoman from California has said. If we could figure out a cure for diabetes, according to the statistical data, what I have, it would be amazing how dramatically we could cut health care costs in this country. A huge portion of our Medicare and Medicaid budgets in this country are directly attributable to diabetes, juvenile diabetes, adult diabetes, et cetera, et cetera. So, there was another gentlemwoman from California to go on with her efforts.

Mr. Speaker, this evening I want to talk about the energy crisis that we have in this country; and I want to talk about what is our future. What is the future for this country? I want to talk about conservation. I want to talk about realistic conservation. I want to talk about the solutions that start at home, not solutions that are dictated at Washington, D.C.

However, before we do that, I just listened to an hour of rambling on about how bad the Republicans are here, how bad this is here and how bad that is there, and how California has innocently suffered the wrath of the United States, because California, after all, does not deserve this blame. I think we need to take just a couple of minutes of rebuttal.

The gentleman from California (Mr. SHERMAN), why do you not just for a moment say, all right, maybe in California we have to change some of the philosophy we have had; maybe we have to come up with the approach that maybe somewhere it is not the fault of the State of California and the legislature of California; it is the fault of the oil companies or it is the fault of this and that.

Mr. Speaker, we want to help California. Let me say something about California. Despite the fact that a lot of people in this country think they have it coming because of the fact that they do not want it in their backyard and, although they will never admit it, that is the attitude in California, and frankly, that has been the attitude in California. Despite the fact that some people think they have it coming, I am telling my colleagues here today, California needs our help. California is the sixth most powerful economic factor in the world. If California were a State of its own, California would be the sixth most powerful economy in the world. The United States of America is very dependent upon the State of California. After all, they are a State of our country. They are fellow citizens. We have an obligation to help California.

But, Mr. Speaker, before we go out to help somebody, especially somebody that got into that jam largely because of their own doing, we like to hear some kind of admission from the person that we are about to help; hey, I made a mistake. We would like to see a little humbleness come out of some of the people that have made this mistake, like the government and the legislature in California. But that is not what we are hearing. Instead, what we are seeing is the blame game. It is Washington, D.C.’s fault, it is Colorado’s fault, it is Nevada’s fault, it is everybody’s fault but us here in California.

Come on, Governor. One does not need to be a defense attorney. We are not out to prosecute California. We are not putting California on trial. Do not act like a defense attorney. Do not delay the pain game. Do not pass the blame game. Do not pass the game on to the rest of the United States. Let me tell my colleagues, we have built three power plants a week, three power plants a week last year that came online in this country. Three a week. Multiply that times how many weeks we have in a year, and that is how many came online in this Nation. How many came online in the State of California? Zero. How many natural gas lines has the Governor of the State of California allowed? Zero. For 8 years their leadership out there has not had it come. Do not let California put the blame game on the rest of the United States.

As I said earlier, the United States has an obligation to California. They are important for our economy. They are the people of California are people that are working hard and want this resolved. But the politicians in California, specifically that governor who I heard last Sunday on Meet the Press talk about maybe the answer is to seize the power plants; a Governor of California who blames everybody but himself for this problem in California.

Come on. One cannot blame everybody else when one has not had a natural gas line in 8 years. They have not had any power plants come online in California last year, although throughout the rest of the country, we had three a week come online. You place price gaps; all you are doing is artificially messing with the market.

Take a look. Every time the government gets involved, the consumer suffers. Tonight we hear some of my colleagues say, what we should do is go out and freeze the prices. Now, I know that sounds great. Who does not want to do that? But we do something for nothing. The best way to destroy conservation is to tell people the prices are not going to go up. I can tell my colleagues right now, the reason my wife and I are conserving, is because our prices have gone up. If we let the market take its place, the market will work. California has artificially tried to guide the market, first through deregulation, and then through their government sponsorship of no price increase, et cetera, et cetera, and look what has happened.

California. If you want help, let us help you; but you have to participate. You have to be willing to help the other States produce this power. You have to be willing to let transmission lines be built in your State. You have to be willing to let a natural gas transmission line come through your State and distribute it in your State.

Anybody in these Chambers, anybody in these Chambers who does not want
to help California ought to leave these Chambers. I mean that. Any one of my colleagues in here who does not want to help the State of California ought to leave these Chambers. That is a State in the Union. I think we have an obligation to California. But as a matter of fact, California has got to help pick itself up by its own bootstraps too. They have to help. And to the governor and the politicians out there in California, you have to help. The people of California deserve more, frankly, than I think you are giving them; and you do not help the situation in California by getting on the Sunday talk shows and blame it all on Washington, D.C. and blame it on all of the western States, blame it on everybody but your own regime out there in the government of California.

Now, let us talk about not just California, let us talk about our entire country. What can we do with this energy crisis? How bad is the energy crisis? First of all, let me say to my colleagues, I think it is going to work itself out. Now, that might be heresy around here. What do you mean it is going to work itself out? We have a crisis that is going to sink this country. I do not think it is going to sink this country.

In fact, I think the electrical power production will increase fairly dramatically in the next year or two. In fact, if we turn on every light in this country without any pain. My colleagues say, do it tonight. Let us do it. I am sure we will have some other things. I have thought a lot about conservation; and I can tell my colleagues, I am exercising it myself. In fact, in the mornings, when I usually go back to my office, when I go into my office in the mornings, I get to the office oh, 6:30, 7 o’clock in the morning, and the first thing I do is I turn on every light in my office. I turn on every light.

I started thinking about this a couple of months ago. I do not need any light. I probably have six or seven different lights in my office. What I do for the first 2 hours is if the office is read or work on the phone. I have one light that provides enough light for that. So in my office five lights stay off for an additional 2 hours. I just turn on the one light that I need to do my work.

We can do it. All of us can conserve without a lot of pain.

I have some other ideas here that I would like to go over, because we can do it without economic pain. We do not have to pay money to do it or go out and buy some fancy device or go out and buy a hybrid automobile in order to help us conserve, in order to help this country take a look at its consumption of energy and figure out how to get the same product with less energy.

Let us go through a few things. Obviously, turn off room lights in rooms not in use. Although obvious, this tip saves the most. Nothing is more useless than to have a light on in a room that is not being used.

Take a look at a city. I was in Denver the other day. It was interesting to notice in Denver how many of those tall buildings which had cleaning crews in them, how many of those tall buildings had lights on them from the bottom floor clear to the top. If we could just go, if all of us could accept the responsibility of conservation, by just shutting the light off after we leave the room, we would have a dramatic impact.

In the State of California alone, if the citizens in California, I say to Governor Davis, if his citizens in California would just simply change the oil when the owner’s manual tells them to change the oil, the oil change becomes this whole crisis would be much less than it is today.

I am here to help. Let me tell the Members, every State in the Union is dependent upon the State of California, and, frankly, California is dependent upon us. We are a union of States.

Let us go on. Set the thermostat to 69 degrees or less during the day. 60 degrees or less at night. Bundle up. Put on an extra sweater. Keep all exterior doors tightly shut and avoid frequent in-and-out traffic.

Lower the temperature of the hot water heater to low, or 120 degrees. That is really a pretty simple thing. If that is the case, the water will be adequate. The current 130 degree, that is plenty hot. We are not going to suffer at all. We are not going to get a chill. We are going to feel that water is as hot as we could possibly want it, but we save energy by simply going down into the basement tonight, go to the hot water heater, turn that little button.

We do not have to call the plumber in or call the electrician in. It is made for pretty simple adjustment by the homeowner. Go down and turn the switch from high, from medium to low. I assure the Members that tomorrow morning, morning tomorrow when we take a shower or bath or wash our hands in hot water, we will have to add cold water to hot water because that temperature will be adequate. Over night we will have helped this country begin to work its way out of this energy crisis.

Again, I am optimistic that we are going to work out of this crisis. In fact, I am more optimistic than most people here that we will get out of it sooner than we will later, but it is good for us to accept long-term conservation.

We are going to stop our conservation efforts once we work out of this crisis. What we are going to be able to do once we work out of this is we are going to be smarter. We are going to know how to use our energy better.

Let us continue on, here. Do not let the hot water run while washing hands, brushing teeth, or shaving. That sounds pretty simple, but I was thinking about the comments I was going to make today. Believe it or not, this morning when I was at the gym I was shaving and I had the hot water running. Instead of just filling a bowl in the sink, I had the hot water running. Then I would go over and switch the TV channel and I would come back. I got to thinking, I probably had several gallons of hot water run down that drain. I can do it better, and we can do it better.

Let us go on from there. Take shorter showers. Do not let the hot water run while washing hands, brushing teeth, or shaving, more optimistic than most people here. That runs out exactly when we do need to change the oil in that vehicle.

I am going to get the oil out of the car. My guess is, at a minimum, 5,000 miles, maybe 6,000 miles. Take a look at all of the advertising in the newspapers by the quick lubes and people like that. You should change your oil every 3,000 miles. I say to my colleagues, we could conserve lots of oil in this country without any pain, without any harm to our vehicles, without any harm to the motors that we operate, by simply taking the time, read the owner’s manual and find out exactly when we do need to change the oil in that vehicle.

Let us go on. Change the oil at a minimum, 5,000 miles, maybe 6,000 miles. Take a look at all of the advertising in the newspapers by the quick lubes and people like that. You should change your oil every 3,000 miles. I say to my colleagues, we could conserve
the sink. The garbage disposal does not require hot water, it will run with cold water.

By the way, do not let it just run and run, with the water continually flowing and flowing. We can dispose of the garbage much quicker than most people under the sink. We do not need to run that garbage disposal for 2 or 3 minutes. We can run it probably for 15 or 20 seconds, run the water for 15 or 20 seconds instead of running it five times as long as that to accomplish the same results.

Let us just keep going. Wash clothes in cold water. Schedule washings so we can do the laundry in as few loads as possible. Air dry the clothes when possible.

Close blinds, shades, and draperies. That is amazingly simple. When we leave during the day, if we want to maintain the coolness during the day in the summer coming up, close those blinds. It is amazing over a period of time how much energy and money, by the way, we will save for ourselves.

These are pretty easy conservation tips that can be followed. Let us go on.

Regular maintenance is important to the efficient operation of heating and air conditioning systems. Clean the air filters, clean the place air filters monthly. Vacuum and clean the condenser coils, fan blades, registers, and dampers frequently.

Again, this does not require an electrician, it does not require a master mechanic. A lot of these are simple methods that we ourselves can do, like turning down that hot water heater.

Shut off any unneeded lights, computers, motor-driven appliances and fans. If you use ceiling fans, blades should rotate.

This is very important. I did not know this until I read this tip. If we are using a ceiling fan, and most of us have ceiling fans in the home, run it clockwise in the summer months because it pulls cool air up from the floor.

I never even looked at my fans at my house, my ceiling fans, to see which direction they are running. I do know that the fans run either direction. But in the summertime, run those fans clockwise. It pulls the cool air off the floor and will reduce the utility bill, and it is more money in our pockets while at the same time we are helping the Nation conserve its energy. That is a win-win deal. That is how we are going to get to the bottom of this energy problem.

Finally, before we move on, keep the doors closed as much as possible on refrigerated coolers. That makes a lot of sense.

Tomorrow morning when we get ready for breakfast, let us take a look at what happens when we get the milk. We will run over and still have the refrigerator door open because we are going to go back and get the butter. Shut the door.

Or many refrigerators have an outside door where one can open up a little door and keep the most frequently-used food products in that little box, and we will save ourselves some money. Over a period of time, that kind of money makes a lot of difference.

Let me pull up this next one. I thought this was a fabulous poster when I saw it. That is why I have reproduced it. I want to go over it.

"How does electricity power my home? The electricity in a home travels through the house wires." We know that. "The wires leave to light switches and outlets which power televisions, computers, lights, and most everything else in the home. Electricity makes our homes very comfortable to live in, but electricity is not free. Before electricity gets to our homes, some type of fuel must be used."

Again, before the electricity gets to our house, some type of fuel must be consumed to generate that electricity. It can be coal. It can be nuclear electricity, simply using coal powered electricity. We give up certain parts of nature to enjoy electricity, so we must do our part to conserve electricity.

There is the balanced statement. We give up certain parts of nature. We do give up parts of nature to enjoy the benefit of electricity, but while we do that, it is incumbent upon us to act in a responsible fashion. It is incumbent upon us to help conserve the utilization of that part of nature that we are bringing in so we have the convenience of electricity.

For example, if we leave a light on in the room after we leave it, we are using electricity that we do not need. To conserve electricity, shut off the lights in the rooms we are not using.

Other examples include: Shut off the TV when nobody is watching it. Keep the computer in sleep mode if we are not using it, and shut off the monitor. Use fluorescent lights or use gas-filled lights, like halogen lights. These light bulbs use less energy than regular light bulbs.

Unplug appliances, like curling irons and irons, simply unplug right away. Letting them sit while turned on wastes electricity, and on top of that, it is unsafe.

There are lots of different ways we can conserve. My purpose in starting my comments out this evening about conservation is this solution, number one should not be dictated out of Washington, D.C. As I said earlier, my colleague, the gentleman from California (Mr. SHERMAN) says, "Regulate. The solution rests with you, D.C." I appreciate the compliments of the gentleman from California that he has given to this respectable body in Washington, D.C., but I am telling the Members, the best answers start at home. The best answers start at home with conservation. The best answers start in our own States, where, on an environmentally sensitive and an environmentally clean and a safe project, it can allow natural gas transmission lines, shut down, or allow electrical transmission lines.

There is a balance out there that can be reached. What I have seen since we have gotten into this energy crisis is an extreme on this side and an extreme on this side. Some people say, drill wherever it is necessary to drill. Some people over here want us to live on the pretense that conservation alone will solve the problem or that we do not need to build any new plants in this country or that the oil and gas companies really somewhere in this world have a huge pool of gas that they are hiding because they do not want to sell it to us right now. It is interesting, the price the highest has been in a long time, and they do not want to sell gasoline to us when they can make a lot of profit.

Let us go on from there. Let us talk about some of the facts. I think tonight my real focus in the balance of my time is to do a little research, to look into some of the facts, and then let my colleagues draw their own conclusions. But I think I have some interesting information to reflect on here. Energy consumption has risen while emissions have declined. Take a look at the emissions from a car or from a coal plant or from a nuclear plant or Florida hydro dam. Take a look at the pollution that was emitted 30 years ago. It is the difference from 25 years ago to today as a car 25 years ago, its radiator system, its fuel system, all of that. Energy consumption has risen while emissions have declined.

Here are some of the facts. It is American technology at work. Technology today has moved that car to a point that is fairly dramatic. We have done the same thing. Despite what we are hearing from one side, that we continue to generate electricity without any regard to the environment, that we continue to run our cars that are dirtier than ever, we hear misstatement after misstatement after misstatement.

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Here is our gross domestic product. That is recognized right here by the green line. It has gone up 147 percent. Our economy, our gross domestic product, has gone up 147 percent in the last 30 years.

Vehicle miles traveled, the amount of miles we put in our vehicles country-wide, and obviously the population has gone up in the last 30 years. Some people say, drill wherever it is necessary to drill. Some people over here want us to live on the pretense that conservation alone will solve the problem or that we do not need to build any new plants in this country or that the oil and gas companies really somewhere in this world have a huge pool of gas that they are hiding because they do not want to sell it to us right now. It is interesting, the price the highest has been in a long time, and they do not want to sell gasoline to us when they can make a lot of profit.

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American technology. That is one of the key ingredients. We have to encourage technology.

Let us not be fooled, there are a lot of people that sell us the magic, like the old medicine man that drove around in a wagon and whatever sickness we had, he had a cure for it. We are going to see the same in this energy crisis. We are going to see all kinds of wild ideas they have the cure for it.

The taxpayers of this country, by the way, have for some period of time funded research on technology, and it is not working. It has not worked. We have to have enough guts, frankly, Mr. Speaker. I say to my colleagues, to stand up to a technology that is not working and take that money from a technology that is not working and put it into a technology that has some promise.

President Bush has stepped forward and said, I have a number of programs out here that the American taxpayers have spent billions of dollars on and we have no real result, we need to use that money on other technology. It is not working. It just reject out of hand our proposition that all technology that is being studied out there is giving us promising results. It is not.

It was of interest that I heard I think again from the gentleman from California (Mr. SHERMAN) talk about hybrid cars, and the Japanese are the only ones who really have it out. He is wrong on that fact. In fact, Americans have a few out. But the Japanese in this article, it is in the majority, I would like to do that. The fact that they really have problems. They are not sure how much more production they can continue with that.

Take a look at that. Do Members know what the Japanese are saying? "We have to find a technology that conserves energy, that satisfies the consumer, and that operates in an economic manner such that the average consumer out there can afford it." [2200]

Mr. Speaker, these are not graphs that I made up. These are graphs that are all sourced. It is information that if you listen to the emotional arguments that are going on out there, you would say this does not sound like what I just heard at coffee this morning. That is why I thought it would be important this evening to look at the facts.

Let us put the emotions aside. Let us put the political arguments aside and look at some of the facts. The U.S. economy is more energy efficient. Energy use has been constant since 1972. Right there, that is the energy use.

If we look at 1950, if we come back in 1950 and go to about 1972, the amount of energy use, we tracked the actual amount of projected energy use and the actual energy use. We recognized no savings, no efficiency, no real efficiency. But because of the fact that the American people begin to demand from products more energy efficiency, we begin to see a dramatic gap.

Today, had we not exercised that energy efficiency, had American technology and, frankly, some foreign technology not been deployed in everything from our appliances to increased mileage in our cars, our actual energy consumption is probably much higher today. The American technology has that actual energy use right here. In a way, in a way, this energy crisis that we have today will actually be somewhat beneficial, because right now there are more Americans conserving every minute of the day than there were just 1 year ago.

There are many, many more Americans that will be conserving next week than were conserving this week. This gap right here will continue to grow. That is positive. Efficiency is being realized. This next chart I think is very, very important. We cannot continue to ignore the fact. As I showed you that earlier poster with electricity, having electricity come into your home means that somewhere, somewhere, fuel is being utilized to generate that electricity.

It is the same thing with refrigeration. It is the same thing with our petroleum, like wrong from the making of clothes to driving vehicles, air-conditioning units which preserve everything from medicine to our poultry, to our agricultural fields out there, all of these things require energy.

What has happened in this country is that there has been a fairly directed attack, saying that any kind of pursuit of energy, any kind of development of oil and gas products, any kind of development of a coal product, any kind of a development of a nuclear product, any kind of development of a dam on a river for a hydroproduct, for some reason is fundamentally wrong; that this country should not do it.

What has happened, unfortunately, is in some of those cases, including especially the nuclear generation case, these arguments have prevailed.

Now, maybe that is what the American people want. I do not think so. Because, you know what it does? It makes us more dependent on countries who are not exactly allies of the United States of America.

What happens when you become dependent on foreign energy resources? Then you are subject to their whims. Sixty percent, 60 percent, of our energy comes from overseas; 60 percent of it. If tomorrow OPEC, for example, decided they did not want to sell to the United States, can you imagine what that would do to us?

If, for example, air, let us take the air, every breath you breathe in, you are dependent on 60 percent of your air from one source, and all of a sudden that source is shut off, you are all of a sudden going to be gasping for air. You are going to be short of air; dramatically short.

That is exactly what happens if OPEC tomorrow decides to shut off the valve. That is not what we need, because that then brings on all kinds of panic. That is the kind of panic that brings on exploration that is not environmentally sensitive.

That is the kind of panic where people begin to do things they should not be doing. So what we need to do is have some kind of a logistical balanced plan for a clean energy product.

Take a look right here. This is our consumption since the 1970 line. These are not imports, that is the percentage. It is above 60 percent right now. That is a very dangerous line. That dependency on these countries puts our nation at the whim of governments that do not have the best interests of the United States of America in their minds.

As we begin to explore a little further this evening, I thought it would probably be useful to take a look at where this energy consumption is by sectors. Take a look at it from 1970. In 1970, this is residential, the blue reflects residential use.

Compare residential use in 1970 with the jump that it is going to take by the year 2000. Take a look right here on industrial, and we come over here on industrial. I mean, these lines are going like this.

Finally, transportation. Transportation takes a huge leap, a huge leap, talking to people, not prove facts. Remember that when you hear people talk about we need to reduce the number of cars we have and we need to get trucks off the road, remember that is what trucks provide.

There is lots of transportation that takes place, and it is not transportation of a person from point A to point B; it is transportation of products from point A to point B.

Most of the products you have on right now, if I were to take a look at my own clothing, every piece of clothing I have on right now, my eyeglasses, my ring, all of this was dependent upon transportation. None of this was produced in the community in which I lived. I purchased it locally, but it was transported in.

Transportation is a critical energy consumer in our economy. But now we have an idea of what a relation of what energy consumption is, let us go a little further.

As we continue in our society to provide, put more computers in rooms, to have more conveniences, even as we begin to do things like putting schools in our country, as we have more products that help us with different needs in this country, better machines in our hospitals, et cetera, et cetera, here is what is happening. Our energy consumption continues to go up, and this is 1970 to the 2000 growth rates. In other words, production is flat, consumption is going up.
A portion of this gap, this gap, somehow we have to provide for that gap. The more this goes up, the red line, the more the green line stays flat; then the more we become dependent on foreign oil supplies or foreign energy supplies like OPEC. Again, that is very dangerous.

Mr. Speaker, a portion of this red line, I think we can move this from an angle like this, perhaps down to an angle more like this, if all of us help conserve. That is where conservation comes in to help.

But do not let us be led down the straight path by some of the speakers, including some who preceded me this evening. Do not believe that this entire gap here, like this line will come down to energy production level simply through conservation alone. Conservation is a critical factor. It helps, but it is not the total solution.

Therefore, we have to continue to build generation facilities in this country. And we are, by the way. Construction of generation facilities has not stopped in this country. It has stopped in California, but it has not stopped throughout the rest of the United States. Obviously, now it is restarting in California. We need this production. We need it handled in a safe way. I do not want my workers, and I think every worker does not want your workers working out there in an industrial facility that is not safe.

We want safe facilities. We want clean facilities. My district has some of the cleanest water in the United States of America. On the other hand, it is the highest district in the Nation. It is the Rocky Mountains in the State of Colorado.

I happen to think that all of us take a great deal of pride in our district, but I happen to think that my district has a lot of unique beauty. We do not want dirty water in our district. On the other hand, we think we have hydroelectric power plants in our district, which we have some right now. We can have a hydroelectric power plant in our district without dirtying the water.

We have hydroelectric plants that are safe, because we need them. We need the electricity. We need the energy. We need it done in an economic way that not just the wealthiest people of our society get the benefits of turning on a light switch anytime they want, the American people, regardless of their income level, have come to expect when they turn on the switch in the house, the lights come on. They have a right to that expectation, and we can provide that energy. We can provide that juice to them again in an efficient manner, in a safe manner. Not secondarily, but importantly of all, in a clean manner.

Now, we have heard lots of emotional arguments in the last few weeks. The evil oil, the word “oil.” You would think if you heard the word “oil,” it is almost a curse word. When you were a young child, the teacher would slap you on your wrist: Do not say the word “oil” around here.

Look, we need oil. There is a lot of our routine life that is fully dependent on oil: our health care, our medicines, our transportation, our air-cooling systems, our homes, construction; I mean, whatever you talk about, it is very important to us. We speak very badly against oil. They think it is terrible that we have oil in our society. They come to the meeting, they drive up in a car, and they expect the room they are in to be at 68 degrees. They expect the light to go on when they flip the switch. And, by the way, you need oil to generate electricity.

Oil is not an evil word. It is a resource that the entire world is dependent upon. It is a resource that we cannot afford to let go. It is a resource that we must conserve. It is a resource that is fair game for us to utilize to provide for the needs that we have in our society.

In the next 20 years, our demand for oil will increase by 33 percent. Yet, as demand rises, domestic production drops. We now produce 39 percent less oil than we did in 1970; almost 40 percent. We produce less oil, 40 percent less oil than we did 20 years ago. We are down nearly 4 million barrels a day. Unless our policies change, domestic production will continue to drop to 5 million barrels a day in 2020, down from 9 million barrels a day 30 years ago.

We are increasingly, and this is what frightens me, and I say to my colleagues take a very careful look, we are increasingly dependent on foreign governments for our oil. Back in 1973, we imported just 25 percent of our oil from overseas. Today we import 54 percent of our oil.

When you add the other energy that we import, almost 60 percent of the Nation’s energy needs are imported from foreign governments. The number of U.S. refineries has been cut in half since 1980.

There has not been a new refinery built in this country, in the interior of the United States, for 25 years. We have to come to some policy decisions. As I said earlier, those policy decisions are best made at the State level, not at the level of this Congress in Washington, D.C. I keep hearing over and over, California, the Governor of California, again acting like a defense attorney, blaming it on everybody else and focusing his blame on D.C., and saying Washington, D.C. ought to come up with the remedy.

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California, you need to help yourself, and you can begin by conserving. You can begin by forgetting these artificial lines, getting back to the music. The reality is you have got to allow electrical generation to be built in your State. The reality of it is, despite the fact that the Governor and some politicians may despise the oil industry, it is sometimes necessary. Not sometimes, it is necessary.

It is necessary to my colleagues in California that you, like every other State in the Union, allow natural gas transmission lines. Look, we can do it in a clean manner, and we have a responsibility to do it in a clean and efficient manner.

I despise somebody coming into my district who thinks they want to explore for natural gas resources and leaves a scar on the land or damages the environment or, worse than that, dirties our water. Because back where I am, water is like blood. We can do it in an economic way, that kind of destruction. We have a responsibility, one, to provide energy to our constituents, and, two, to do it in an efficient manner that is also a clean and safe manner.

Natural gas. Let us move to natural gas very quickly. Consumer prices for natural gas have increased twenty-fold in some parts of the country over the past year. America’s demand for natural gas is expected to rise even more dramatically than oil. According to the Department of Energy, by 2020, we will consume 62 percent more natural gas than we do today.

Now why am I talking about 2020? Look, part of our leadership role in Washington, D.C. is to provide for the young people and for the future of this country. We have an obligation in my opinion to make sure that the future generations of this country are not dependent on foreign governments, that the future generations of this country have fuel services, fuel energy resources that can be provided through the most modern technology we have.

We have an obligation for the people in our district, that they are getting polluted air, that their water is clean, and when they turn on the switch, they can have electricity. We can do it.

Right now, an estimated 40 percent of potential gas supplies in the United States are on Federal lands that are either closed to exploration or limited by severe restrictions. Even if we find supplies of gas, moving to the market, it will require an additional 38,000 miles of pipeline and 225,000 miles of transmission lines.

The problem of inadequate supply lines is illustrated by Prudoe Bay in Alaska. The site produces enough gas a day to meet 13 percent of American’s daily consumption. But because a pipeline has not been built, the gas is pumped back to the ground; and in some cases, the gas is simply burned off.

Let us take a look very quickly at what our problems are region by region in the United States. I think of all the charts that I have shown this evening, this one will probably be of the most interest.

We have heard a panic across the country about electricity. I really think the electrical shortage in California is going to be limited pretty much to California this summer. New York City is going to be hit with some of it, but New York City can have the utilization of generation, portable generators. So I think New York City will probably be able to get through the summer pretty well, too.
Now, California has got a problem. But I do not want, Mr. Speaker, for my colleagues to think that we need to panic, that the entire Nation is going to have the electrical crisis as is faced in California.

Let us look at what stands out in California. Dark days are ahead, an estimated 34 of them. Actually, I think they probably will have more than 34 days of blackouts as summer descends on the once Golden State. Rolling blackouts are inevitable if California uses as much electricity as it did last year.

Now, what are some of the problems of California? First of all, the Governor of California blames it on everybody else. Second of all, I wanted the Governor of California to know that we in Congress feel an obligation to help California. And unlike what the gentleman from California (Mr. SHERRY), the previous speaker, said, that President Bush told California to drop dead, President Bush said that he could not do a very big thing. That is a highly inaccurate statement. It is charged with emotion. It is misleading. That statement was never made by President Bush.

We care about California. But, California residents are a couple of things we need to do to alleviate the problem. One is conservation. I have spent a lot of time this evening, conserving. Two, they need transmission lines. Our transmission systems in this country handle so much of a load. It is as if you have lots of cars. For example, let us say you have a pickup and you need to go from one community to the other community. If you do not have a road to get you between them, it does not do you any good no matter how many pickups you have. You have got to have a path. You have got to have transmission lines.

California, you are going to have to build some transmission lines. California needs to have transmission lines. There are some gas transmission lines. California, you are going to have to do some things in your own backyard. You are going to have to bring electrical generation facilities on-line.

Now, let us look up to the Pacific Northwest. Now, the Pacific Northwest faces problems, not because of lack of generation, not because of lack of foresight, not because they attempted to deregulate, but because of nature. They have not had the wettest-driest record. The second worst drought on record has tamed the mighty Columbia River, a source of most of the Pacific Northwest electricity. Enough hydroelectric capacity has been lost to power four Seattleites just because they have not had the rainfall. This cycle too, will pass, but this is their problem this summer.

Texas. Texas has a very interesting situation. Texas has kind of been self-sufficient on its power generation, but its power grid is handled west of Mississippi to Texas. It does not have the continental transmission lines that most other States have. New power plants mean an ample supply for the Lone Star State, but its freestanding power grid does not allow it to share its electrical riches with others. So, in Texas, they are beginning to expand their transmission lines to help the rest of the United States.

It was not just political rhetoric in my opinion. When Governor Davis on Sunday, Gray Davis out there in California, every other sentence, he kept blaming the Texans for California’s problem. Take a look at a replay and see what I am talking about. They have planned for that. They have not pretended that some kind of magic fix was out there. They then to did not have to have electrical generation, or they did not need transmission lines; but, yet, they still have low-pressured power coming into their homes.

That is the dream that took place out here in Disney Land. It is not what took place in the mid-Atlantic. In the mid-Atlantic States, they knew they had to do something about it. They did it in an environmentally sensitive manner. They also are exercising conservation.

New York City is unable to generate enough electricity within its border to meet its demand. With the blackouts in 1995 and 1997, the officials are racing to install 10, actually more as I understand it today, more power plants as a hedge against these shortages.

Look, the United States is preparing for two next summers. They would not go to bring us to our knees. But it is going to bring to our attention the fact that conservation is important, that exploration is important, that there is a balance out there.

It will also continue to bring to our attention the fact that we all have to share in this. California, you can no longer enjoy the privilege of saying, no, not in my backyard. I say to the governor of California, you can no longer enjoy the privilege of saying no electrical generation in my State.

It is time for us to take a new look at whether or not hydropower, which is the cleanest power out there, or nuclear power, if we can do it in a safe and environmentally conscious way, why not look at it. They ought to put these things on the table.

That is exactly what President Bush has committed to do. He has assigned his Vice President DICK CHENEY to go there and take a look at the different alternatives, which also include conservation, despite the liberal Democrats, this vision of emotional fear that they are trying to put out there that conservation is not a critical part of this puzzle. In fact, my colleagues will find out with the announcements tomorrow that it is a part of the puzzle.

But my colleagues also have to understand that conservation alone, that is important. It will not meet the energy needs of this country. So we have to face up to these facts. I think the American people are willing to do it.

Mr. Speaker, I have got about 7 minutes and I want to take the last 7 minutes to kind of summarize what we have visited with in the last 50 minutes.

I stand before my colleagues today saying that I do not think this energy crisis is going to bring down America. I do not think this energy crisis is going to bring down our economy.

Our economy is having some tough times. It is not solely because of the energy crisis that our economy is suffering. There are a different factors. There are a number of economies around the world that are suffering. Our economy, too, will recover.

But this is a good time for us to reflect as American people on what we do attractive energy for the future of this country. Today we have any degree of power. Here in the House, I do not know, I probably have 100 lights lit up above us right here. All our TV cameras are powered. All my colleagues have watches on their hands that have batteries that are powered.

We are not suffering in this country, really suffering in this country. But we do have an obligation to look to the future. We have an obligation for something forecasts. We have an obligation for this generation, not just this generation, the one we live in, to provide the energy needs that they have. But we have an obligation to move in some kind of direction that will prove positive for future generations of this country.

We have to face some realistic facts. Let us go through the facts. Conservation makes a difference. Every one of us can help conserve. I am doing it in my family. I can tell my colleagues what I have driven most incentives to conserve in this country in the last few months is not government action by Governor Davis in California or by the government bureaucracy back in Washington or by those elected to Congress. We have not the drivers people to conserve. Do my colleagues know what has driven them to conservation? It hits them in the wallet. It has cost a lot more money.

My wife and I are trying to conserve. We started several months ago. Why? Because we got a power bill we had never seen in a long time. That hurt. We began to conserve. Guess what? It works, and it has not hurt our lifestyle.

Conservation works. But conservation alone will not close the gap between energy consumption and energy production. Here is production. Here is consumption. That conservation will
It is a win-win for us today, and it is a win-win for foreign governments. That is a real pickle we are getting future generations into. We are obligating future generations of this country to foreign governments who do not have the best interest of the United States of America in mind. In fact, many of those countries could care less about what happens to the United States of America.

We have got to look out for ourselves. We cannot just tell California to look out for themselves. We as a Nation, including California, need to look out for this Nation. We need to help protect future generations. So this energy problem that we have got today can be resolved starting today.

Tomorrow, my colleagues are going to hear the President come out with some proposals. I gave my colleagues some proposals tonight. Let us look at those real quick.

Every one of my colleagues, my guess is most of them change the oil in their car every 3,000 miles. Certainly if they do not, they have heard the advertising that you need to change it every 3,000 miles. All of us could help conserve oil without any pain if we simply looked into the owners manual and changed our oil pursuant to the recommendation of the manufacturer and the engineers who put this product together.

My guess is most of my colleagues will find out they actually do not need to change their oil except every 5,000 or 6,000 miles, and they can cut their oil consumption in that car in half as far as their engine oil is concerned.

Turn out the lights when you leave the room. Help get together in a community level, not have policy dictated to you through regulation out of Washington, D.C. from forum and community level, to the community, to the County, to the State levels on ways that your State can help this Nation conserve on energy. At the same time, when you are having those conversations, have open and legitimate conversations about what do we do for energy production.

It is best that we come to the table with an open mind on conservation and it is best that we come to the table with an open mind on energy production. We cannot do one without the other.

The solution for the problem that we are now seeing in this country, that we are experiencing in our every day life in this country, can be resolved through a commonsense, clean, and safe solution of more energy production and more conservation. It works. It is a win-win for us today, and it is a win-win for the future of this country.
Occupational Exposure to Cotton Dust

1940. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Medical Device Reporting Regulations; Technical Amendment [Docket No. 90-46] received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1941. A letter from the Director, Regulations Policy and Management Staff, Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, transmitting the Department's final rule—Secondary Drug Food Additives Permitted in Food for Human Consumption [Docket No. 00F-1487] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


1943. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1944. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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1947. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1948. A letter from the Director, Office of Budget, Department of Housing and Urban Development, transmitting the Department's FY 2002 Annual Performance Plan; to the Committee on Government Reform.

1949. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1950. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's Acts and fiscal impact statement; to the Committee on Government Reform.

1951. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's Acts and fiscal impact statement; to the Committee on Government Reform.

1952. A letter from the General Counsel, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293 (FAA-2000-7952); Amendment No. 121-284, 125-37, 135-81, and 145-26] (RIN: 2120-AFT1) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 and 328-100A and A330 Series Airplanes Equipped with Elevator and Alileron Computer (ELAC) L80 Standard [Docket No. 2001-NM-79-AD; Amendment 328-100-AD-9 received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200ER, 767-300ER, and 767-300ERX 158/160 Series Airplanes [Docket No. 2001-FAD-20; Amendment 2001-FA71 received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


1958. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D and Class E Airspace; Grant, NE [Airspace Docket No. 99-ACE-37] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1959. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ogallala, NE [Correction [Airspace Docket No. 99-ACE-38] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment Class D Airspace; Culepepper, VA [Airspace Docket No. 00-ACE-122P] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment Class E Airspace; Gulfport, MS [Airspace Docket No. 00-ACE-122P] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1962. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class E Airspace; Gage, OK [Airspace Docket No. 00-ACE-122P] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1963. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—New Markets Venture Capital Program (RIN: 3245-AE40) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.


REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 143. Resolution providing for consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (Rept. 107-69). Referred to the House Committee on Education and the Workforce.

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BOEHLERT:

H.R. 1588. A bill to make improvements in mathematics and science education, and for other purposes; to the Committee on Science, and in addition to the Committee on Education and the Workforce, 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. KANJORSKI (for himself, Mr. HORN, Mrs. MALONEY of New York, Mr. SANDERS, Mr. KUCINICH, Mr. HINCHENY, Mr. PALLONE, and Mr. ANDREWS):

H.R. 1839. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Government Reform.

By Mr. EHRLERS (for himself and Mr. SCANLON):

H.R. 1900. A bill to reauthorize the Small Business Technology Transfer Program, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Science, 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. BLUMENAUER (for himself, Mr. ABERCHOMBE, Mr. ALLEN, Mr. BALDACCI, Mr. BOYJONUS, Mr. BORSKI, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DOYLE, Mr. ENGLISH, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GANSKE, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mr. HEFLEY, Mr. HINCHHEY, Mr. HOFFFEL, Mr. HOLDEN, Mr. INSELBERG, Mr. JACOBSON, Mr. KIDDE, Mr. KLECKZA, Mr. KUCINICH, Mr. LAHOD, Mr. LATOURNETTE, Mr. LEE, Mr. LEWIS of Georgia, Mr. MALONE of California, Mr. MANZULLO, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. McKINNEDY, Mr. GEORGE MILLER of California, Mr. MOYLAN of Virginia, Mr. NOSTON, Mr. PALLONE, Mr. PETTEN of Pennsylvania, Mr. SANTORI of California, Mr. SANFORD, Mr. SCHROEDER, Mr. SCOTT, Mr. SCHUPP, Mr. SEDER, Mr. SMITH, Mr. WELDON, Mr. WINGE, and Mr. WOLF):
By Mr. PRYCE of Ohio, Mr. RODRIGUEZ, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHIMkus, Mr. STRICKLAND, Mr. STUPAK, Mrs. THOMPSON of Colorado, Mr. WAXMAN, Mr. WELDON of Pennsylvania, and Mr. WOLP]:
H.R. 16. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or consolidation of a post office, and for other purposes; to the Committee on Government Reform.

By Mr. BROWN of Ohio (for himself, Mr. EMERSON, Mrs. THURMAN, Mr. PALLONE, Mr. BALDACCI, Mr. STUPAK, Mr. SHOWS, Mr. ALLEN, Ms. KAPTUR, Mr. SANDERS, and Mr. FRANK):
H.R. 200. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself, Mr. EHlers, Mr. FOLKY, and Mrs. JOHNSON of Connecticut):
H.R. 36. A bill to amend the Internal Revenue Code of 1986 to expand the credit for electricity produced from certain renewable sources; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mr. RAMSTAD, Mrs. BONO, and Mr. CANNON):
H.R. 41. A bill to amend the Internal Revenue Code of 1986 to encourage and accelerate the nationwide production, retail sale, and consumer use of new motor vehicles that are powered by fuel cell technology, hybrid technology, battery electric technology, alternative fuels, or other advanced motor vehicle technologies, and for other purposes; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Ms. DUNN, Mr. RAMSTAD, Mrs. BONO, and Mr. CANNON):
H.R. 42. A bill to amend the Internal Revenue Code of 1986 to encourage and accelerate the nationwide production, retail sale, and consumer use of new motor vehicles that are powered by fuel cell technology, hybrid technology, battery electric technology, alternative fuels, or other advanced motor vehicle technologies, and for other purposes; to the Committee on Ways and Means.

By Mr. COBLE:
H.R. 91. A bill to amend the title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or consolidation of a post office, and for other purposes; to the Committee on Government Reform.

By Mr. DEAL of Georgia:
H.R. 127. A bill to amend the Internal Revenue Code of 1986 to provide 5-year depreciation for certain horses placed in service after months is less than a target price of $12.50 per hundredweight; to the Committee on Agriculture.

By Mr. GREENWOOD:
H.R. 181. A bill to modify certain vesting requirements for Railroad Retirement annuities; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as may be involved in the jurisdiction of the committee concerned.

By Mr. HANSEN:
H.R. 182. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to individuals who donate their organs at death; to the Committee on Ways and Means.

By Mrs. WORTH (for himself and Mr. KILDEE):
H.R. 183. A bill to reauthorize the funding for the Native American Housing and Self-Determination Act of 1996; to the Committee on Financial Services.

By Mr. HUNTER (for himself, Mr. ROYCE, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. HEGGER, Mr. OSH, Mr. POMBO, Mr. RADANOVICH, Mr. GALLEGGY, Mr. McKENZIE, Mr. DREIER, Mr. HORN, Mr. LEWIS of California, Mr. GARY of California, Mr. CALVERT, Mrs. BONO, Mr. KOHR-ABACHE, Mr. COX, and Mr. ISSA):
H.R. 184. A bill to allow any business or individual in any State suffering a power emergency to operate any type of power generation available to ensure their economic stability, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUTCHINSON (for himself and Mrs. MORELLA):
H.R. 185. A bill to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence; to the Committee on the Judiciary.

By Mr. ISAKSON:
H.R. 186. A bill to suspend temporarily the duty on niflonic polymer; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. MALONEY of New York, Mr. ENGLISH, Ms. NORTON, and Mrs. MARTZ):
H.R. 187. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND:
H.R. 188. A bill to provide supplemental payments to dairy producers based upon their annual milk marketings and to provide additional payments to dairy producers for any month in which the prices received by producers for milk for the preceding three months is less than the target price of $12.50 per hundredweight; to the Committee on Agriculture.

By Mr. RADANOVICH:
H.R. 189. A bill to authorize the President to award a gold medal on behalf of the Congress to Peter F. Drucker, the father of modern management, in recognition of his accomplishments as a journalist, a writer, an economist, and a philosopher; to the Committee on Financial Services.

By Mr. STARK:
H.R. 190. A bill to amend the Cache La Poudre River Corridor Act to make technical amendments; to the Committee on Resources.

By Mr. SENSENBRENNER:
H.R. 191. A bill to amend the Internal Revenue Code of 1986 to provide that the graduated income tax rates that apply to principal campaign committees of candidates for Congress shall apply to all comparable committees of candidates for State and local offices; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:
H.R. 192. A bill to establish the Cultural Heritage Assistance Program in the Department of the Interior, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon:
H.R. 193. A bill to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

By Mr. LINDER (for himself, Mr. KINGSTON, Mr. CHAMELLES, Mr. BARR of Georgia, Mr. REINER of New Jersey, Mr. COLLINS, Mr. NORWOOD, Mr. LEWIS of Georgia, Mr. ISAKSON, and Ms. MCKINNEY):
H.R. 194. A bill to honor Paul D. Coverdell; to the Committee on Education and the Workforce.

By Mrs. CAPPS (for herself, Mr. THOMPSON of California, Mr. SCARBOURGH, Mr. BOEHLENT, Mr. FARR of California, Mr. GEORGE MILLER of California, Ms. LEE, Mr. PALLONE, Mr. LANTOR, Mr. ROTH of California, Ms. HOOLEY of Oregon, Ms. ROYBAL-ALLARD, Mr. HONDA, Mrs. NAPOLITANO, Mr. STACK, Ms. WOOLSEY, Mr. FitsHER, Ms. SOLIS, Mr. SHERMAN, Ms. PILOSO, Ms. ESCH, Mr. DAVIS of Florida, Mr. BLUMENAUER, Mrs. TAUSCHER, Mrs. THURMAN, Mr. WAXMAN, Ms. HARMAN, Mr. MatsuRI, Mr. BIRMAN, Mr. FRANK, Ms. LOPUREN, Mr. WEAXLER, Ms. WATERS, Ms. MILLINDER-McDONALD, Mr. ALLEN, Mr. WU, Ms. BROWN of Florida, Mr. McDermOTT, Mr. HORN, Mr. Hastings of Florida, Mr. Kennedy of Rhode Island, Mr. DI-Fazio, Mr. DeCRUZ, Mr. SCOT, Mr. RECCHIA, Mr. GILCHREST, Mr. SMITH of Washington, Mr. DELAHUNT, and Mr. AHERN-CROMBY):
H. Con. Res. 196. Concurrent resolution expressing the sense of the Congress that the moratoria on new oil and natural gas leasing activity on submerged lands of the Outer Continental Shelf should be maintained; to the Committee on Resources.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

72. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Resolution No. 126 memorializing the United States Congress to reintroduce and pass the New Markets for State-Inspected Meat Act as a means of assisting small meat-packing operations and to restore fairness to the meat industry in this country; to the Committee on Agriculture.

73. Also, a memorial of the Legislature of the State of Alaska, relative to Resolution No. 13 memorializing the United States Congress to amend the tax code to eliminate the marriage penalty; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. DUNCAN
H.R. 17: Mr. PLATTS
H.R. 20: Mr. GILLMOR and Ms. HART
H.R. 37: Mr. MOORE
H.R. 40: Mr. DAVIS of Illinois
**SPECIAL ORDERS**

**CALENDAR WEDNESDAY BUSINESS**

On motion of Mr. Armey, by unanimous consent, *Ordered*, That business in order under the Calendar Wednesday rule be dispensed with on Wednesday, May 16, 2001. (Agreed to May 10, 2001.)

**MORNING-HOUR DEBATE**

On motion of Mr. Armey, by unanimous consent, *Ordered*, That on legislative days of Monday and Tuesday during the first session of the 107th Congress—(1) the House shall convene 90 minutes earlier than the time otherwise established by order of the House solely for the purpose of conducting "Morning-Hour Debate" (except that on Tuesdays after May 14, 2001, the House shall convene for that purpose one hour earlier than the time otherwise established by order of the House); (2) the time for morning-hour debate shall be limited to 30 minutes allocated to each party (except that on Tuesdays after May 14, 2001, the time shall be limited to 25 minutes allocated to each party and may not continue beyond 10 minutes before the hour appointed for the resumption of the session of the House); and (3) the form of proceeding to morning-hour debate shall be as follows: (a) the prayer by the Chaplain, the approval of the Journal, and the Pledge of Allegiance to the Flag shall be postponed until resumption of the session of the House; (b) initial and subsequent recognitions for debate shall alternate between the parties; (c) recognition shall be conferred by the Speaker only pursuant to lists submitted by the Majority Leader and the Minority Leader; (d) no Member may address the House for longer than 5 minutes (except the Majority Leader, the Minority Leader, or the Minority Whip); and (e) following morning-hour debate, the Chair shall declare a recess pursuant to clause 12 of rule I until the time appointed for the resumption of the session of the House. (Agreed to Jan. 3, 2001.)

**SPECIAL ORDER SPEECHES**

The format for recognition of morning-hour debate and restricted special order speeches, which began on February 23, 1994, was reiterated on January 4, 1995, and was supplemented on January 3, 2001, will continue to apply in the 107th Congress as outlined below:

On Tuesdays, following legislative business, the Chair may recognize Members for special-order speeches up to midnight, and such speeches may not extend beyond midnight. On all other days of the week, the Chair may recognize Members for special-order speeches up to four hours after the conclusion of five-minute special-order speeches. Such speeches may not extend beyond the four-hour limit without the permission of the Chair, which may be granted only with advance consultation between the leaderships and notification to the House. However, at no time shall the Chair recognize for any special-order speeches beyond midnight.

The Chair will first recognize Members for five-minute special-order speeches, alternating initially and subsequently between the parties, regardless of the date the order was granted by the House. The Chair will then recognize longer special-order speeches. A Member recognized for a five-minute special-order speech may not be recognized for a longer special-order speech. The four-hour limitation will be divided between the majority and minority parties. Each party is entitled to reserve its first hour for respective leaderships or their designees. Recognition will alternate initially and subsequently between the parties each day.

The allocation of time within each party’s two-hour period (or shorter period if prorated to end by midnight) is to be determined by a list submitted to the Chair by the respective leaderships. Members may not sign up with their leadership for any special-order speeches earlier than one week prior to the special-order, and additional guidelines may be established for such sign-ups by the respective leaderships.

Pursuant to clause 2(a) of rule V, the television cameras will not pan the Chamber, but a "crawl indicating morning hour or that the House has completed its legislative business and is proceeding with special-order speeches will appear on the screen. Other television camera adaptations during this period may be announced by the Chair.

The continuation of this format for recognition by the Speaker is without prejudice to the Speaker's ultimate power of recognition under clause 2 of rule XVII should circumstances so warrant. (Agreed to Jan. 3, 2001.)

**SPECIAL ORDER SPEECHES**

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<tr>
<td>On motion of Mr. Pence, by unanimous consent, <em>Ordered</em>, That Ms. Ros-Lehtinen be allowed to address the House for 5 minutes on May 16, 2001. (Agreed to May 9, 2001.)</td>
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<th>LEAVE TO ADDRESS HOUSE</th>
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<tr>
<td>On motion of Mr. Paul, by unanimous consent, <em>Ordered</em>, That Mr. Burton of Indiana be allowed to address the House for 5 minutes on May 16, 2001. (Agreed to May 10, 2001.)</td>
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<td>On motion of Mr. Cox, by unanimous consent, <em>Ordered</em>, That Mr. English be allowed to address the House for 5 minutes on May 16, 2001. (Agreed to May 15, 2001.)</td>
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<tr>
<td>On motion of Mr. Cox, by unanimous consent, <em>Ordered</em>, That Mr. Weldon of Florida be allowed to address the House for 5 minutes on May 17, 2001. (Agreed to May 15, 2001.)</td>
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</table>
UNFINISHED BUSINESS

A bill to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes. (Pending in the Committee of the Whole House on the State of the Union; Mr. LaHood of Illinois, Chairman.)

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THE MORNING HOUR FOR THE CALL OF COMMITTEES

Rule XIV, clause 4:

"4. After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order and then select committees. Each committee when named may call up for consideration a bill or resolution reported by it on a previous day and on the House Calendar. If the Speaker does not complete the call of the committees before the House passes to other business, the next call shall resume at the point it left off, giving preference to the last bill or resolution under consideration. A committee that has occupied the call for two days may not call up another bill or resolution until the other committees have been called in their turn.

NOTE.—Call rests with the Committee on Agriculture.

CALENDAR WEDNESDAY BUSINESS

Rule XV, clause 7:

"7. (a) On Wednesday of each week, business shall not be in order before completion of the call of the committees (except as provided by clause 4 of rule XIV) unless two-thirds of the Members voting, a quorum being present, agree to a motion that the House dispense with the call. Such a motion shall be privileged. Debate on such a motion shall be limited to five minutes in support and five minutes in opposition.

(b) A bill or resolution on either the House or the Union Calendar, except bills or resolutions that are privileged under the Rules of the House, may be called under this clause. A bill or resolution called up from the Union Calendar shall be considered in the Committee of the Whole House on the state of the Union without motion, subject to clause 3 of rule XVI. General debate on a measure considered under this clause shall be confined to the measure and may not exceed two hours equally divided between a proponent and an opponent.

(c) When a committee has occupied the call under this clause on one Wednesday, it shall not be in order on a succeeding Wednesday to consider unfinished business previously called up by that committee until the other committees have been called in their turn unless—

(1) the previous question has been ordered on such unfinished business; or

(2) the House adopts a motion to dispense with the call under paragraph (a).

(d) If any committee has not been called under this clause during a session of a Congress, then at the next session of that Congress the call shall resume where it left off at the end of the preceding session.

(e) This rule does not apply during the last two weeks of a session of Congress.

(f) The Speaker may not entertain a motion for a recess on a Wednesday except during the last two weeks of a session of Congress.

NOTE.—Call rests with the Committee on Agriculture.

SPECIAL LEGISLATIVE DAYS

Calendar Wednesday ......................... Wednesday of each week, except during the last 2 weeks of a session (clause 7, rule XV).
Corrections Calendar ......................... Second and fourth Tuesdays of each month (clause 6, rule XV).
Discharge Calendar ......................... Second and fourth Mondays of each month, except during the last 6 days of a session (clause 2, rule XV).
District of Columbia business .......... Second and fourth Mondays of each month (clause 4, rule XV).
Private Calendar ......................... First and third Tuesdays of each month (clause 5, rule XV).
Suspension of rules ......................... Mondays and Tuesdays and during the last 6 days of a session (clause 1, rule XV).
# 1. UNION CALENDAR

Rule XIII, clause 1(a):

“(1) A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred public bills and public resolutions raising revenue, involving a tax or charge on the people, directly or indirectly making appropriations of money or property or requiring such appropriations to be made, authorizing payments out of appropriations already made, releasing any liability to the United States for money or property, or referring a claim to the Court of Claims.”

<table>
<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Number</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>Feb. 27</td>
<td>Referred to the Committee of the Whole House on the State of the Union. (H. Doc. 107–1)</td>
<td>Address to the Joint Session of Congress.</td>
</tr>
<tr>
<td>2001</td>
<td>Mar. 12</td>
<td>H.R. 90</td>
<td>Mr. Tauzin (Energy and Commerce). Rept. 107–13</td>
</tr>
<tr>
<td>2001</td>
<td>Apr. 20</td>
<td>H.R. 1209</td>
<td>Mr. Sensenbrenner (Judiciary). Rept. 107–45</td>
</tr>
<tr>
<td>2001</td>
<td>Apr. 20</td>
<td>H.R. 863</td>
<td>Mr. Sensenbrenner (Judiciary). Rept. 107–46</td>
</tr>
<tr>
<td>2001</td>
<td>May 4</td>
<td>H.R. 1646</td>
<td>Mr. Hyde (International Relations). Rept. 107–57</td>
</tr>
<tr>
<td>2001</td>
<td>May 15</td>
<td>H.R. 622</td>
<td>Mr. Thomas (Ways and Means). Rept. 107–64</td>
</tr>
<tr>
<td>2001</td>
<td>May 14</td>
<td>H.R. 1</td>
<td>Mr. Boehner (Education and the Workforce). Rept. 107–63</td>
</tr>
</tbody>
</table>

(1–1)
2. HOUSE CALENDAR

Rule XIII, clause 1(a):
“(2) A House Calendar, to which shall be referred all public bills and public resolutions not requiring referral to the Calendar of the Committee of the Whole House on the state of the Union.”

<table>
<thead>
<tr>
<th>No.</th>
<th>2001</th>
<th>Date</th>
<th>Sponsor</th>
<th>Committee</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>H. Con. Res. 73</td>
<td>Apr. 4</td>
<td>Mr. Hyde (International Relations)</td>
<td>Rept. 107–40</td>
<td>Expressing the sense of Congress that the 2008 Olympic Games should not be held in Beijing unless the Government of the People's Republic of China releases all political prisoners, ratifies the International Covenant on Civil and Political Rights, and observes internationally recognized human rights.</td>
</tr>
<tr>
<td>19</td>
<td>H. Res. 130</td>
<td>May 3</td>
<td>Mr. Goss (Rules)</td>
<td>Rept. 107–54</td>
<td>Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.</td>
</tr>
<tr>
<td>25</td>
<td>H. Res. 141</td>
<td>May 15</td>
<td>Ms. Pryce of Ohio (Rules)</td>
<td>Rept. 107–67</td>
<td>Providing for consideration of the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.</td>
</tr>
<tr>
<td>26</td>
<td>H. Res. 142</td>
<td>May 15</td>
<td>Mr. Reynolds (Rules)</td>
<td>Rept. 107–68</td>
<td>Providing for consideration of the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.</td>
</tr>
</tbody>
</table>
3. PRIVATE CALENDAR

Rule XIII, clause 1(a):
"(3) A Private Calendar as provided in clause 5 of rule XV, to which shall be referred all private bills and private resolutions."

Rule XV, clause 5:
"5. (a) On the first Tuesday of a month, the Speaker shall direct the Clerk to call the bills and resolutions on the Private Calendar after disposal of such business on the Speaker's table as requires reference only. If two or more Members, Delegates, or the Resident Commissioner object to the consideration of a bill or resolution so called, it shall be recommitted to the committee that reported it. No other business shall be in order before completion of the call of the Private Calendar on this day unless two-thirds of the Members voting, a quorum being present, agree to a motion that the House dispense with the call.

(b)(1) On the third Tuesday of month, after the disposal of such business on the Speaker's table as requires reference only, the Speaker may direct the Clerk to call the bills and resolutions on the Private Calendar. Preference shall be given to omnibus bills containing the texts of bills or resolutions that have previously been objected to on a call of the Private Calendar. If two or more Members, Delegates, or the Resident Commissioner object to the consideration of a bill or resolution so called (other than on omnibus bill), it shall be recommitted to the committee that reported it. Two-thirds of the Members voting, a quorum being present, may adopt a motion that the House dispense with the call on this day.

(b)(2) Omnibus bills shall be read for amendment by paragraph. No amendment shall be in order except to strike or to reduce amounts of money or to provide limitations. An item or matter stricken from an omnibus bill may not thereafter during the same session of Congress be included in an omnibus bill. Upon passage such an omnibus bill shall be resolved into the several bills and resolutions of which it is composed. The several bills and resolutions, with any amendments adopted by the House, shall be engrossed, when necessary, and otherwise considered as passed severally by the House as distinct bills and resolutions.

(c) The Speaker may not entertain a reservation of the right to object to the consideration of a bill or resolution under this clause. A bill or resolution considered under this clause shall be considered in the House as in the Committee of the Whole. A motion to dispense with the call of the Private Calendar under this clause shall be privileged. Debate on such a motion shall be limited to five minutes in support and five minutes in opposition."
4. CORRECTIONS CALENDAR

Rule XIII, clause 1:
"(b) There is established a Corrections Calendar as provided in clause 6 of rule XV."

Rule XV, clause 6:
6. (a) After a bill has been favorably reported and placed on either the Union or House Calendar, the Speaker, after consultation with the Minority leader, may direct the Clerk also to place the bill on the "Corrections Calendar." At any time on the second and fourth Tuesdays of a month, the Speaker may direct the Clerk to call a bill that is printed on the Corrections Calendar.

"(b) A bill called from the Corrections Calendar shall be considered in the House, is debatable for one hour equally divided and controlled by the chairman and ranking minority member of the primary committee of jurisdiction, and shall not be subject to amendment except those recommended by the primary committee of jurisdiction or offered by the chairman of the primary committee or a designee. The previous question shall be considered as ordered on the bill and any amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

"(c) The approval of three-fifths of the Members voting, a quorum being present, shall be required to pass a bill called from the Corrections Calendar. The rejection of a bill so called, or the sustaining of a point of order against it or against its consideration, does not cause its removal from the Calendar to which it was originally referred."
**CALENDAR OF MOTIONS TO DISCHARGE COMMITTEES**

Rule XV, clause 2:

2. (a) Motions to discharge committees shall be in order on the second and fourth Mondays of a month.

(b)(1) A Member may present to the Clerk a motion in writing to discharge—

(A) a committee from consideration of a public bill or public resolution that has been referred to it for 30 legislative days; or

(B) the Committee on Rules from consideration of a resolution that has been referred to it for seven legislative days and that proposes a special order of business for the consideration of a public bill or public resolution that has been reported by a standing committee or has been referred to a standing committee for 30 legislative days.

(2) Only one motion may be presented for a bill or resolution. A Member may not file a motion to discharge the Committee on Rules from consideration of a resolution providing for the consideration of more than one public bill or public resolution or admitting or effecting a nongermane amendment to a public bill or public resolution.

(c) A motion presented under paragraph (b) shall be placed in the custody of the Clerk, who shall arrange a convenient place for the signatures of Members. A signature may be withdrawn by a Member in writing at any time before a motion is entered on the Journal. The Clerk shall make signatures a matter of public record, causing the names of the Members who have signed a discharge motion during a week to be published in a portion of the Congressional Record designated for that purpose on the last legislative day of the week and making cumulative lists of such names available each day for public inspection in an appropriate office of the House. The Clerk shall devise a means for making such lists available to offices of the House and to the public in electronic form. When a majority of the total membership of the House shall have signed the motion, it shall be entered on the Journal, printed with the signatures thereto in the Record, and referred to the Calendar of Motions to Discharge Committees.

(d)(1) On the second and fourth Mondays of a month (except during the last six days of a session of Congress), immediately after the Pledge of Allegiance to the Flag, a motion to discharge that has been on the calendar for at least seven legislative days shall be privileged if called up by a Member whose signature appears thereon. When such a motion is called up, the House shall proceed to its consideration under this paragraph without intervening motion except one motion to adjourn. Privileged motions to discharge shall have precedence in the order of their entry on the Journal.

(2) When a motion to discharge is called up, the bill or resolution to which it relates shall be read by title only. The motion is debatable for 20 minutes, one-half in favor of the motion and one-half in opposition thereto.

(e)(1) If a motion prevails to discharge the Committee on Rules from consideration of a resolution, the House shall immediately consider the resolution, pending which the Speaker may entertain one motion that the House adjourn. After the result of such a motion to adjourn is announced, the Speaker may not entertain any other dilatory motion until the resolution has been disposed of. If the resolution is adopted, the House shall immediately proceed to its execution.

(2) If a motion prevails to discharge a standing committee from consideration of a public bill or public resolution, a motion that the House proceed to the immediate consideration of such bill or resolution shall be privileged if offered by a Member whose signature appeared on the motion to discharge. The motion to proceed is not debatable. If the motion to proceed is adopted, the bill or resolution shall be considered immediately under the general rules of the House. If unfinished before adjournment of the day on which it is called up, the bill or resolution shall remain the unfinished business until it is disposed of. If the motion to proceed is rejected, the bill or resolution shall be referred to the appropriate calendar, where it shall have the same status as if the committee from which it was discharged had duly reported it to the House.

(f)(1) When a motion to discharge originated under this clause has once been acted on by the House, it shall not be in order to entertain during the same session of Congress—

(A) a motion to discharge a committee from consideration of that bill or resolution or of any other bill or resolution that, by relating in substance to or dealing with the same subject matter, is substantially the same; or

(B) a motion to discharge the Committee on Rules from consideration of a resolution providing a special order of business for the consideration of that bill or resolution or of any other bill or resolution that, by relating in substance to or dealing with the same subject matter, is substantially the same.

(2) A motion to discharge on the Calendar of Motions to Discharge Committees that is rendered out of order under subparagraph (1) shall be stricken from that calendar.

<table>
<thead>
<tr>
<th>Motion No. and date entered</th>
<th>Title</th>
<th>Committee</th>
<th>Motion filed by—</th>
<th>Calendar No.</th>
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<tbody>
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<td>2001</td>
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<th>Motion No. and date entered</th>
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<th>Calendar No.</th>
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# PUBLIC LAWS

**ONE HUNDRED SEVENTH CONGRESS**

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<tr>
<th>LAW No.</th>
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<tbody>
<tr>
<td>107–1</td>
<td>H.J. Res. 7</td>
<td>107–2</td>
<td>H.R. 559</td>
<td>107–3</td>
<td>S. 279</td>
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First Session—Continued
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SEC. 7
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<th>LAW NO.</th>
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<td>FIRST SESSION—Continued</td>
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</tbody>
</table>
## HISTORY OF BILLS AND RESOLUTIONS

### Numerical order of bills and resolutions which have been reported to or considered by either or both Houses.

**Note.** Similar or identical bills, and bills having reference to each other, are indicated by number in parentheses.

<table>
<thead>
<tr>
<th>No.</th>
<th>Index Key and History of Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.R. 90.—To amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes. Referred to Energy and Commerce Jan. 3, 2001. Reported Mar. 12, 2001; Rept. 107–13. Union Calendar ........................................................Union 8</td>
<td></td>
</tr>
<tr>
<td>H.R. 93.—To amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers. Referred to Government Reform Jan. 3, 2001. Rules suspended. Passed House amended Jan. 30, 2001; Roll No. 5: 401–0. Received in Senate and referred to Governmental Affairs Jan. 31, 2001.</td>
<td></td>
</tr>
<tr>
<td>H.R. 146.—To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes. Referred to Resources Jan. 3, 2001. Reported Apr. 24, 2001; Rept. 107–47. Union Calendar. Passed House May 9, 2001. Received in Senate and referred to Energy and Natural Resources May 10, 2001.</td>
<td></td>
</tr>
</tbody>
</table>


H.R. 327 (H. Res. 89). — To amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses. Referred to Government Reform and in addition to Small Business Jan. 31, 2001. Passed House amended Mar. 15, 2001; Roll No. 50: 418–0. Received in Senate and referred to Governmental Affairs Mar. 15, 2001.


<table>
<thead>
<tr>
<th>No.</th>
<th>Index Key and History of Bill</th>
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</thead>
<tbody>
<tr>
<td>H.R. 524.—To require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry. Referred to Science Feb. 8, 2001. Rules suspended. Passed House Feb. 14, 2001; Roll No. 14: 409–6. Received in Senate and referred to Commerce, Science and Transportation Feb. 14, 2001.</td>
<td></td>
</tr>
<tr>
<td>H.R. 586.—To amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes. Referred to Ways and Means Feb. 13, 2001. Reported amended May 15, 2001; Rept. 107–66. Union Calendar. Rules suspended. Passed House amended May 15, 2001; Roll No. 112: 420–0.</td>
<td></td>
</tr>
<tr>
<td>H.R. 601.—To ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands, and for other purposes. Referred to Resources Feb. 13, 2001. Reported amended Apr. 3, 2001; Rept. 107–34. Union Calendar. Rules suspended. Passed House amended May 1, 2001. Received in Senate and referred to Energy and Natural Resources May 2, 2001.</td>
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<td>No.</td>
<td>Index Key and History of Bill</td>
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<td><strong>HOUSE BILLS—Continued</strong></td>
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### HOUSE BILLS—Continued

<table>
<thead>
<tr>
<th>No.</th>
<th>Index Key and History of Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.R. 1099.</td>
<td>To make changes in laws governing Coast Guard personnel, increase marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes. Referred to Transportation and Infrastructure Mar. 20, 2001. Considered under suspension of rules Mar. 21, 2001. Rules suspended. Passed House Mar. 22, 2001; Roll No. 58: 415–0. Received in Senate and referred to Commerce, Science and Transportation Mar. 22, 2001.</td>
</tr>
<tr>
<td>H.R. 1209.</td>
<td>To amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes. Referred to the Judiciary Mar. 26, 2001. Reported Apr. 20, 2001; Rept. 107–45. Union Calendar.</td>
</tr>
<tr>
<td>No.</td>
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<td>HOUSE BILLS—Continued</td>
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<td>HOUSE BILLS—Continued</td>
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HOUSE BILLS—Continued
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<td></td>
<td>HOUSE JOINT RESOLUTIONS—Continued</td>
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</table>
## HISTORY OF BILLS AND RESOLUTIONS

### HOUSE CONCURRENT RESOLUTIONS

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<tr>
<th>No.</th>
<th>Index Key and History of Bill</th>
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### HOUSE CONCURRENT RESOLUTIONS—Continued

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<td>Index Key and History of Bill</td>
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</tr>
<tr>
<td>H. Res. 2.</td>
<td>To inform the Senate that a quorum of the House has assembled and of the election of the Speaker and the Clerk. Passed House Jan. 3, 2001.</td>
</tr>
<tr>
<td>H. Res. 3.</td>
<td>Authorizing the Speaker to appoint a committee to notify the President of the assembly of the Congress. Passed House Jan. 3, 2001.</td>
</tr>
<tr>
<td>H. Res. 4.</td>
<td>Authorizing the Clerk to inform the President of the election of the Speaker and the Clerk. Passed House Jan. 3, 2001.</td>
</tr>
<tr>
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<td>Index Key and History of Bill</td>
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</table>

<p>| HOUSE RESOLUTIONS—Continued |
|-------------------------------|-----------------------------|
| H. Res. 104 (H.R. 6).—Providing for consideration of the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability. Reported from Rules Mar. 28, 2001; Rept. 107–31. House Calendar. Passed House Mar. 29, 2001; Roll No. 71: 249–171. |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Index Key and History of Bill</th>
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</thead>
<tbody>
<tr>
<td>59.</td>
<td>H. Res. 120. —Amending the rules of the House of Representatives to make minor changes in the provisions governing the procedure for discharging a resolution to the House. Reported from Rules May 9, 2001; Rept. 107–51. House Calendar. Passed House May 9, 2001.</td>
</tr>
<tr>
<td>60.</td>
<td>H. Res. 121. —Providing for consideration of the bill (H.R. 10) to provide for pension reform, and for other purposes. Reported from Rules May 9, 2001; Rept. 107–53. House Calendar. Passed House May 2, 2001; Roll No. 92: 404–24.</td>
</tr>
<tr>
<td>69.</td>
<td>H. Res. 130. —Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. Reported from Rules May 3 (Legislative day of May 2), 2001; Rept. 107–54. House Calendar. Passed House May 8, 2001; Roll No. 100: 214–200.</td>
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<tr>
<td>70.</td>
<td>H. Res. 131. —Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. Reported from Rules May 4 (Legislative day of May 3), 2001; Rept. 107–56. House Calendar. Passed House May 8, 2001; Roll No. 101: 409–1.</td>
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**HOUSE RESOLUTIONS—Continued**
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<td>HOUSE RESOLUTIONS—Continued</td>
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### HISTORY OF BILLS AND RESOLUTIONS

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<tr>
<th>No.</th>
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<tbody>
<tr>
<td><strong>SENATE BILLS</strong></td>
<td></td>
<td><strong>SENATE BILLS—Continued</strong></td>
<td></td>
</tr>
<tr>
<td>S. 73.—To prohibit the provision of Federal funds to any State or local educational agency that denies or prevents participation in constitutional prayer in schools. Ordered placed on the calendar Jan. 23, 2001.</td>
<td>S. 220 (H.R. 333) (S. 420).—To amend title 11, United States Code, and for other purposes. Ordered placed on the calendar Jan. 31, 2001.</td>
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<tr>
<td>S. 74.—To prohibit the provision of Federal funds to any State or local educational agency that distributes or provides morning-after pills to schoolchildren. Ordered placed on the calendar Jan. 23, 2001.</td>
<td>S. 235.—To provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes. Ordered placed on the calendar Feb. 6, 2001. Passed Senate amended Feb. 8, 2001; Roll No. 11: 98–0. Received in House and held at desk Feb. 12, 2001. Referred to Transportation and Infrastructure and in addition to Energy and Commerce Feb. 13, 2001.</td>
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</table>
| S. 149.—To provide authority to control exports, and for other purposes. Referred to Banking, Housing, and Urban Affairs Jan. 23, 2001. Reported amended Apr. 2 (Legislative day of Mar. 30), 2001; Rept. 107–10. | }
<table>
<thead>
<tr>
<th>SENATE BILLS—Continued</th>
<th>SENATE BILLS—Continued</th>
</tr>
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<tbody>
<tr>
<td>S. 328.—To amend the Coastal Zone Management Act. Ordered placed on the calendar Feb. 15, 2001.</td>
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<td>S. 350.—To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes. Referred to Environment and Public Works Feb. 15, 2001. Reported amended Mar. 12, 2001; Rept. 107–2. Passed Senate amended Apr. 25, 2001; Roll No. 87: 99–0. Received in House and referred to Energy and Commerce and in addition to Transportation and Infrastructure Apr. 26, 2001.</td>
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<td>S. 360.—To honor Paul D. Coverdell. Passed Senate Feb. 15, 2001. Received in House and referred to International Relations and in addition to Education and the Workforce Feb. 26, 2001.</td>
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**SENATE JOINT RESOLUTIONS**


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<td>SENATE CONCURRENT RESOLUTIONS</td>
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<td>S. Con. Res. 13.—Expressing the sense of Congress with respect to the upcoming trip of President George W. Bush to Mexico to meet with the newly elected President Vicente Fox, and with respect to future cooperative efforts between the United States and Mexico. Passed Senate Feb. 14, 2001. Received in House and referred to International Relations Feb. 26, 2001.</td>
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SENATE RESOLUTIONS

S. Res. 1.—Informing the President of the United States that a quorum of each House is assembled. Passed Senate Jan. 3, 2001.

S. Res. 2.—Informing the House of Representatives that a quorum of the Senate is assembled. Passed Senate Jan. 3, 2001.


S. Res. 10.—Notifying the House of Representatives of the election of a President pro tempore of the Senate. Passed Senate Jan. 20 (Legislative day of Jan. 8), 2001.

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REPORTED BILLS AND RESOLUTIONS WHICH HAVE BEEN REFERRED TO COMMITTEES UNDER TIME LIMITATIONS

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<td><strong>HOUSE BILLS</strong></td>
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JEFFERSON'S MANUAL, sec. XLVI (RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES, sec. 555):

"And in all cases of conference asked after a vote of disagreement, etc., the conferees of the House asking it are to leave the papers with the conferees of the other * * *.

The House agreeing to the conference acts on the report before the House requesting a conference.
SPECIAL LEGISLATIVE DAYS

MAY 2001

Tuesday, 1st
Private Calendar—Suspensions.
Wednesday, 2nd
Calendar Wednesday.
Monday, 7th
Suspensions.
Tuesday, 8th
Corrections Calendar—Suspensions.
Wednesday, 9th
Calendar Wednesday.
Monday, 14th
Discharge Calendar—District of Columbia Business—Suspensions.
Tuesday, 15th
Private Calendar—Suspensions.

Wednesday, 16th
Calendar Wednesday.
Monday, 21st
Suspensions.
Tuesday, 22nd
Corrections Calendar—Suspensions.
Wednesday, 23rd
Calendar Wednesday.
Monday, 28th
Discharge Calendar—District of Columbia Business—Suspensions.
Tuesday, 29th
Suspensions.
Wednesday, 30th
Calendar Wednesday.

* Marked dates indicate days House in session.
** May 3 and 4 were one legislative day.

Total Legislative Days 48.
Total Calendar Days 49.
### STATUS OF MAJOR BILLS—FIRST SESSION
(For more detailed information see History of Bills and Resolutions section)

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<tr>
<th>Number of bill</th>
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#### APPROPRIATION BILLS

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The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PLEDGE OF ALLEGIANCE
The Honorable LINCOLN CHAFEE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

To the Senate:
Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN D. CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

STROM THURMOND, President pro tempore.

Mr. CHAFEE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS
The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m. with Senators permitted to speak therein for up to 10 minutes each. Under the previous order, the Senator from Kansas is to be recognized to speak for 15 minutes.

RECOGNITION OF THE ASSISTANT MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

SCHEDULE
Mr. NICKLES. Mr. President, today the Senate will be in a period of morning business until 10 a.m. At 10 this morning, the Senate will resume consideration of S. 1, the education bill. Senators should expect rollcalls throughout the day with respect to amendments to the education bill. Also, as a reminder, the tax reconciliation bill was reported out of the Finance Committee last night. It is expected that the Senate will begin consideration of that measure on Thursday. The majority leader hopes that significant progress can be made on the bill on Thursday with the expectation of completing the reconciliation bill on Monday.

In addition, the majority leader is expecting that the Senate will complete all amendments on the education bill prior to the Memorial Day recess. I thank my colleagues for their attention.

I just mention that both of these bills, the reconciliation bill and the education bill, are two of the more important issues we will be taking up this entire session. It is our intention to complete both of them by the end of next week. That will take a lot of cooperation and attentiveness by all Members. I encourage Members if they have their amendments to bring them forward. Let us not spend a lot of time on them, complete the amendments on the education bill and on the reconciliation bill so we can give some good news to taxpayers and to everyone who is interested in improving education.

Mr. President, I thank my colleagues for their attention.

Mr. REID. Mr. President, before my colleague leaves the floor, we on this side understand the importance of the education bill. We are doing our best to work through it. I think we have made good progress. We have had some short days which has interfered a little bit, but I think we are down to the end of that and we should be able to wrap it up next week. I would say to my friend—and I hope the majority understands this—we understand the importance of reconciliation. The American people deserve a tax cut. They are going to get one. The only thing I would add is that we have to make sure we are able to read the documents; we have a little bit of time to look at...
them. My suggestion, to avoid problems that some would call dilatory, others would call necessity, would be that we take this matter up as early on Monday morning as possible and finish it on Tuesday. Maybe we could even finish it right with a long day. I hope we are not forced to do this bill by not having an opportunity to look at it. As you know, with the budget, we had some problems because we didn’t have a chance to see it. Our problems over on the House side, they had a lot of problems because they tried to jam that bill through.

So I say to my friend that I hope we have time to look at it. We understand there is a timeframe that we must work under. We have 20 hours. In addition to that, we have the break coming up. The leaders on the majority side want to finish this most important legislation prior to that time. I accept that. All I am saying is let us have enough time to be able to tell people over here, with some degree of certainty, how big it is; that they will have an opportunity to look at parts they are interested in and have the staff review the whole bill.

Mr. NICKLES. Mr. President, I appreciate my friend and colleague’s suggestion. I will just mention a couple of things. One, the bill that passed the Finance Committee last night passed by a vote of 14–6, a bipartisan bill by every definition. The bill that passed last night in the Finance Committee is the same one introduced by Chairman Grassley and ranking member Baucus last Friday. It hasn’t really changed. The information from the Joint Tax Committee is available. The analysis of the bill is available. The bill itself has now been reported, but it hasn’t changed. We did not change one provision. Not one amendment was adopted, so people don’t have to worry about all the things that are different. It is a pretty simple bill. The rate reductions are pretty simple. They are there. They are not quite as good as I think they should be. I will be happy to explain the entire bill; I can do that. But the rate reductions are very timid, in my opinion. It takes 7 years to get the rate reductions enacted—6 years, I guess—2007 before they are finally enacted, with only a 1 point reduction for all the rates beginning in 2002. But we do have an immediate 10-percent rate.

So, things are not that simple. It is pretty easily understood. I hope we go to the bill tomorrow and have as much time as necessary on Thursday, on Friday, and a final vote on Monday with Senators able to offer amendments and to consider them.

The only thing that is complicated is that when you see the bill it will be thicker because the IRA pension provision that passed with over 400 votes in the House is included, and that is very extensive, with multiple provisions, several little pieces involved, some of it somewhat complicated, but it does have overwhelming support in both the House and the Senate. So that will cause the bill to be thicker. You take that provision out, or leave that provision alone, and the rest of the bill is not all that complicated.

I urge our colleagues to talk to other members of the Finance Committee. We will get information out today. I hope we begin consideration on it tomorrow and finish it no later than Monday so we can have a chance to have a conference with our colleagues in the House and actually pass it prior to adjourning for the Memorial Day break. That means we have a lot of work to do both on the education bill and on the tax bill in the next week and a half. I think these next 9 days will be very productive for the American taxpayer and for the American public. I appreciate my colleague’s question.

Mr. REID. If the assistant majority leader will yield, he is a member of the Finance Committee and has been working on this issue for a long period of time, along with 19 other Senators. Some of us are not on the committee and we do not have the knowledge of the tax provisions in that bill that many of you on the Senate majority has done a good job of outlining how some of the facts are now available to us. I think that is a good suggestion and we can go to work on that, but even that having been done, I hope the majority will understand the feelings of the people over on this side who are not familiar with the legislation. We want to make sure we do not get into some kind of vote-athon at the end of the process, that we not be faced with that.

We will do our best to work, as we try to do all the time, with the majority, but I want to indicate that there are people over here concerned that they have not had the opportunity to know what is in the bill and have not had a chance to see the bill. We hope people will be understanding of some Members on this side.

Mr. NICKLES. I appreciate my colleague’s suggestion. I will work to make sure everyone has available from the Finance Committee a short description of the bill so at least they will understand the major details of it.

With that, Mr. President, I suggest that without objection, the Acting President agrees to a quorum call.

The Acting President pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll. Mr. BIDEN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The Acting President pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The Presiding Officer (Mr. Ensign). Morning business is closed.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The Presiding Officer. The Senate will now resume consideration of the pending business, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Biden amendment No. 386 (to amendment No. 358), to establish school-based partnerships between local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Voinovich amendment No. 389 (to amendment No. 358), to modify provisions relating to State applications and plans and school improvement to provide for the input of the Governor of the State involved.

Reed amendment No. 425 (to amendment No. 358), to revise provisions regarding the Reading First Program.

Leahy (for Hatch) amendment No. 424 (to amendment No. 358), to remove the establishment of additional Boys and Girls Clubs of America.

Helms amendment No. 574 (to amendment No. 358), to prohibit the use of Federal funds by any State or local educational agency or school that discriminates against the Boy Scouts of America in providing equal access to school premises or facilities.

Helms amendment No. 648 (to amendment No. 574), in the nature of a substitute.

Dorgan amendment No. 640 (to amendment No. 358), expressing the sense of the Senate that there should be established a joint committee of the Senate and House of Representa-

atives to investigate the rapidly increasing energy prices across the country and to determine what is causing the increases.

Welstone/Feingold amendment No. 465 (to amendment No. 358), to approve the provisions relating to assessment completion bonuses.
Mr. REID. Mr. President, reserving my time, I make this point.

Mr. President, this is a big issue. I think the proposal of the distinguished Senator from Iowa to create a new school construction program provides an illustration of this point. We have a big difference on how we ought to approach the solution. I think the proposal of the distinguished Senator from Iowa to create a new school construction program provides an illustration of this point. We have a big difference on how we ought to approach the solution. The bill before us maximizes the impact of limited Federal dollars by focusing them on programs for which there is a clear and historical Federal role. Creating a new facilities grant program in the Department of Education, I believe, will raise false hopes and divert our energy away from the urgent task of securing more funding for programs such as IDEA for which there is a clear and unequivocal established Federal responsibility.

The Finance Committee earlier—a few weeks ago—agreed to some measures to provide relief in the area of school construction, but not in a way that will work. In my amendment, the provisions of that Affordable Education Act dealing with school construction to S. 1.
The first provision is directed at innovative financing for school districts. It expands the tax-exempt bond rules for public-private scholarships set up for construction, renovation, or restoration of public school facilities in these districts. In general, it allows States to issue tax-exempt bonds equal to $10 per State resident.

Each State would be guaranteed, under this provision, a minimum allocation of at least $5 million of these tax-exempt bonds. In total, up to $300 million per year in new tax-exempt bonds would be issued for these innovative school construction projects. This provision is important because it retains State and local flexibility. It does not impose a new bureaucracy on the States, and it does not force the Federal Government to micromanage school construction.

I cannot think of a more counterproductive way to take away the Federal Government to get into the business of school construction and to assume an unprecedented role in that which has been historically, traditionally left to States and local governments.

The provision also is important because it promotes the use of public-private partnerships. Many high-growth school districts may be too poor or too overwhelmed to take on a school construction program themselves. Few of these bonds, those districts can partner with a private entity and still enjoy the benefits of tax-exempt financing.

It is worth noting that there already is a significant Federal subsidy for school construction. Under current law, States and localities can issue debt that is exempt from Federal taxation. This benefit allows them to finance school construction by issuing long-term bonds at a lower cost than they otherwise could. Moreover, the evidence shows that States and localities are taking advantage of this provision, this benefit, in the current tax law. In the first 6 months of 1996, voters approved $13.3 billion in school bonds, an increase of more than $4 billion over the first 6 months of 1995.

The bottom line is that many States and localities are doing their homework, passing bonds, building and renovating schools, and enjoying favorable treatment under the existing Tax Code. They are doing all this without significant Federal involvement.

I do not have to remind my colleagues that school construction has always been the province of State and local governments. It is important that we preserve that prerogative. It is important that we ensure that the Federal Government not preempt this traditional role of State and local government.

President Clinton stated in 1994, “The construction and renovation of school facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers.” In that respect, at least, I agree with former President Clinton.

There is a second bond provision in this bill. That provision is designed to simplify the issuance of bonds for school construction. Under current law, arbitrage profits earned on investments unrelated to the purpose of borrowing must be rebated to the Federal Government. However, there is an exception generally referred to as the small issuer exception which allows governments to issue up to $5 million of bonds without being subject to the arbitrage rebate requirement.

We recently increased this limit to $10 million for governments that issue at least $5 million of public school bonds during the year.

The provision in the Finance Committee bill which I offer now as an amendment increases the small issuer exception to $15 million provided that at least $10 million of the bonds are issued to finance public schools. This measure will assist localities in meeting their school construction needs by simplifying their use of tax-exempt financing.

At the same time, it will not create incentives to issue such debt earlier or in larger amounts than is necessary. It is a type of targeted provision that makes good sense.

I reaffirm there is consensus that there is a problem in the area of dilapidated schools, but there is a huge diversion on how we ought to address that problem. There are those who want to start a new categorical Federal grant program involving the Federal Government in a role that has always been left to State and local governments, a program that will, as all Federal programs, mushroom in the years ahead, a path we need not nor should we go down.

The provision I am offering is a better way. It addresses the issue of school construction in an appropriate way for the Federal Government and a provision that has broad bipartisan support in that it passed the Finance Committee on March 13 by a 20-0 vote. This is a better approach as we seek to assist local schools and State governments in their traditional role of building school facilities.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator has offered this amendment.

Mr. President, I ask unanimous consent to lay this amendment aside at this time.

The PROVISIONS OFFICER. Without objection, it is so ordered. The Senator from California.

Mrs. BOXER. Mr. President, what is the pending business?

The PROVISIONS OFFICER. The Senator, under the order, is authorized to offer her amendment.

Mrs. BOXER. I thank the Chair for being such a strong supporter of after-school programs for children. I ask unanimous consent that Senators Ensign and Dodd be added as original sponsors of this amendment on after-school programs.

The PROVISIONS OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 358, AS MODIFIED, TO
AMENDMENT NO. 358

Mrs. BOXER. Mr. President, there is a typoing error in the amendment that deals with the sense-of-the-Senate part that called “billion” “million.” I received concurrence that I may ask for that to be modified, and I so ask.

The PROVISIONS OFFICER. Without objection, it is so ordered. The amendment is modified, and the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Mr. Ensign, and Mr. Dodd, proposes an amendment numbered 358, as modified, to amendment No. 358.

Mrs. BOXER. Mr. President, there is a typoing error in the amendment that deals with the sense-of-the-Senate part that called “billion” “million.” I received concurrence that I may ask for that to be modified, and I so ask.

The PROVISIONS OFFICER. Without objection, it is so ordered.

The amendment is as follows:

SEC. 902. SENSE OF THE SENATE; AUTHORIZA-
TION OF APPROPRIATIONS.

(a) SENSE OF THE SENATE.—Congress finds that—
(1) Congress should continue toward the goal of providing the necessary funding for after-school programs by appropriating the authorized level of $1,500,000,000 for FY 2002.
to carry out part F title I of the Elementary and Secondary Education Act of 1965.

(2) This funding should be the benchmark for future years in order to reach the goal of providing academically enriched activities during after school hours for the 7,000,000 children in need.

(b) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out part F of title I of the Elementary and Secondary Education Act of 1965—

(1) $800,000,000 for fiscal year 2003;
(2) $2,500,000,000 for fiscal year 2004;
(3) $3,000,000,000 for fiscal year 2005;
(4) $3,500,000,000 for fiscal year 2006;
(5) $3,500,000,000 for fiscal year 2007; and
(6) $4,500,000,000 for fiscal year 2008.

Mrs. BOXER. I thank the Chair.

Mr. President, I am very pleased to be offering this amendment which deals with afterschool programs in our Nation. The purpose of this amendment is very clear. It is to ensure that every child who needs an afterschool program in our Nation will have that opportunity. This amendment does that without providing sufficient funding over the next 6 years so that no child has to be a latchkey child.

What do I mean by a latchkey child? That is a child who comes home after school, both parents are working, no one is in the home, and they, in some cases, can't be home until 7 p.m. How do we know this? We know this because the FBI tells us that most crime occurs among juveniles right after school. One can see on this chart that the juvenile crime rate peaks at the hour of 3 p.m. and continues and finally starts to go down in the evening hours. We know that juvenile crime occurs after school; that latchkey children do get into trouble after school. It is very clear. That is why we have so many police officers across the country that support our amendment and I urge my colleagues to support our amendment.


This is a partial list of police organizations across the country that support this amendment. They understand that once a crime is committed and they are called in, it is very late in the game. I have talked with police officers who look me in the eye and say there used to be a divide between the social workers and the police officers when it came to juvenile crime. There is no longer a divide.

The police officers understand, because they are on the street, that if kids are kept busy and they are kept happy, we see a lessening of the crime rate, and that is why quality after-school programs are so important. I am very pleased that with Senator JEFFORDS' leadership, along with Senator KENNEDY, we have sufficient funding in this year's bill of $1.5 billion for the year 2002. If we play that out, which is what we do in our legislation, and we continue the increase just to meet the need, we will be able to cover 7 million children in afterschool programs by the year 2008.

This bill is about reform, and I am for reform, but clearly if we reform our schools during the day, but then kids are left to fend for themselves after school, all the benefits of that reform and testing could well be lost. That is why it is so important that we add this afterschool component, not just for this year as we have in this bill but we play it out for the 6-year authorization.

We need places that are safe for our children, protected places, productive places for them to go.

Let me show a couple pictures because pictures tell a story and are worth a thousand words.

This is a photo from our Sacramento afterschool program where they have called in special people. This gentlemen is an expert with animals. He brought in this crocodile. The kids are excited, they are happy to be in school, they are learning about nature, and they are not getting into trouble.

I have another photograph. This one is also from Sacramento. One can see the young people are engaged in a board game, and there is an older mentor sitting with them. Again, they are productive and happy. It is another way of showing what afterschool programs can do.

It is instructive to hear what the kids themselves say about afterschool programs. There is a great program in Los Angeles called LA's Best. I have visited it. It is a shining example of what we can do right for our children. This is a student at 68th Street Elementary School.

LA's Best is the best place to be after school. I like the games and the work. I like going to the computer lab . . . I like going to the library, but most of all I like the people.

And then we have another student from Hillcrest Drive Elementary School.

If we didn’t have LA’s Best, I would probably still be going home to an empty house.

No child should have to go home to an empty house. No child should have to be tempted to get into trouble after school. We should have an obligation to move in to assist the schools—not tell them what to do but to offer them the resources.

That is what this amendment is all about. We are taking your $1.5 billion, Mr. President, that you have put in this bill and we are extending it out so we can make sure every schoolchild in this country gets afterschool supervision. At this time, it is my pleasure to yield 10 minutes to the Senator from Nevada, Mr. ENSIGN, who is the original cosponsor of my amendment.

Mr. ENSIGN. Mr. President, I am pleased to rise today in support of the sense of the Senate being offered by the junior Senator from California on the 21st Century Community Learning Centers program.

The 21st Century Community Learning Centers provide a safe-haven for children during the after-school hours. They provide students in rural and inner-city public schools with access to homework centers, tutors, mentors, and drug and alcohol prevention counseling, as well as cultural and recreational activities. Nationally, these centers serve over 615,000 children per year in over 3,600 public schools.

There are an estimated 8 million “latch-key kids” who go home every day to an empty house after school. Approximately 35 percent of 5 year-olds are regularly left alone while their parents are at work. Parents need a viable alternative to leaving their children alone.

According to the Department of Education, children who regularly attend high-quality after-school programs have better peer relations and emotional adjustment, better grades and conduct in school, more academic and enrichment opportunities, spend less time watching television, and have lower incidences of drug-use, violence, and pregnancy. This makes sense considering that studies by the FBI have found that the peak hours for juvenile crime and victimization are from 2 P.M. to 6 P.M.

My home State of Nevada receives four grants from this program, which serve numerous elementary, middle, and high schools across the state. Recently a news crew was visiting one of the 21st Century Community Learning Center sites in Las Vegas and asked the children why they liked coming to the program. The children responded more enthusiastically than the reporter had anticipated, stating that the program had helped them improve their grades from D's and F's to A's and B's, and was a safe and fun place for them to go after school.

I am committed to ensuring that our schools have the assistance they need to ensure that our children leave the public education system as well-rounded individuals. Children attending public schools should not only be proficient in reading, writing, and arithmetic, but should also be skillful in music, art, and athletics.

I hope that my colleagues will support this amendment to prove that Congress is willing to provide the 21st Century Community Learning Centers...
program with the much-needed support that it deserves.

Mr. President, on a personal note, when I was growing up with a single mother—my mom worked—at times she wasn’t home for us latchkey kids and with these types of programs after school. I will tell you that I was on my road to a life of crime because of the situation. I was very fortunate that later in life my mom got remarried and was able to quit her job and stay home with us; but a lot of parents are not that kind of parent.

There is no question that direct supervision helped me turn away from a life of juvenile delinquency into now what, obviously, has become a productive life. At least I like to think of it that way.

I think of many children, though, in the same situation that I was in, go home after school with nothing to do.

Back then, my friends and I would say: What are we going to do today? We would think of numerous ways to get in trouble.

Now, the things that we did back then, which we want to mention today, were not exactly good things to do but are mild compared to what a lot of the kids are going through today because of the influences we have in our society. So for us to use programs of this kind of programs after school. I will tell you that it peaks right after school, and eventually starts climbing right after school and the juvenile crime rate has increased by 36 percent as a result of the afterschool programs. It is documented. The scores are going up.

In Highland Park, MI, the 21st Century Learning Center reports a 40-percent drop in juvenile crime after the implementation of their programs and the scores are getting better.

In Brooklyn, at the Cyprus Hills Center, it was reported that 72 percent of the program participants improved their grades by 35 percentage points in one or more of their classes. This is a proven winner.

In Chatanooga, TN, absentee days dropped from 568 days to 135 days. That is an amazing drop. Why is it? Because the children are doing their homework after school. They are getting support from people who are giving mentoring after school, and it works.

In Plainview, AR, the 21st Century Learning Center implemented an abstinence program that resulted in no pregnancies in their high school graduating class for the first time in years. Before this program, there were 16 pregnancies in 1998. I did not mention that. I showed you the crime rate. What I did not tell you is the teen pregnancy situation is traced back to afterschool programs.

So, Mr. President, what you said is so, so true. We know it from our own experience when we were children growing up. We know it as we watch the new afterschool programs take hold.

I have been in public office for 25 years now and I have worked hard in a number of areas, but I have to say one of my proudest moments was bringing the first afterschool amendment down this year, and as we speak, eight years ago where we were then spending $40 million a year on afterschool programs. And working together across party lines, and at that time working with the President, we were able to see this program go up to $600 million and is now serving many children.

But still, we have 7 million children to go and we will not rest, all of us here, across party lines, who care about kids, until we make sure that every child has an alternative, every child has an option.

I would like to say you children are good kids. Unfortunately, we always seem to spotlight the bad kids, the kids who get in trouble. I have to say, I believe all children are gifts from God and all children deserve to be honored. They all come on this Earth and they deserve to be honored. We do not honor our children if we do not invest in them.

I think of children are not huge investments, these are really quite small investments. When we invest in a child in a way that is positive, where we give that child that Head Start, that Early Start, that Jump Start, where we then give them to quality afterschool programs where we then have quality afterschool programs, we are going to see the vast majority of social problems in our Nation will be resolved. This is what I believe. Are you going to miss the boat on a few kids? Of course. Are you going to have a kid who simply will not respond? Of course. But that is a rarity.

So I think this amendment, as it was spoken to by Senator Ensign in such an eloquent way, where he traced back his childhood, where he remembered what it was like to be alone, without supervision, to be floundering and perhaps to be steered into a life from which you can never really come back—that kind of situation should not be a present for any of our children in this Nation.

I hope very much we will have bipartisan support, that we will be able to pass this overwhelmingly and send a clear signal to our children that they are important, that school, during school, and after school.

Mr. President, I reserve the remainder of my time.

Mr. KENNEDY. I wonder if the Senator from Arkansas may require.

Mrs. BOXER. I am delighted to yield Senator Boxer as much time as he may require.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized, Senator KENNEDY.

Mr. KENNEDY. I thank Senator BOXER and Senator EN-SIGN for this amendment. I think this amendment is enormously important. In this whole debate on elementary and secondary education we are now making a commitment to the families and to the country that we are going to have the funding for these reforms which are in this legislation, which I support; also, that we are not going to leave children who have limited English-speaking ability behind. We had a good debate on that. We are only reaching 25 percent of those children.

As a result of the amendment of the Senator from Arkansas—we had a good debate on this—a decision was made that we were not going to be satisfied to leave behind any children who had those challenges.

Now with this amendment we are saying we are not going to leave behind any of the children who need after-school services. That is what this amendment is really all about. We are making our commitment to the children in the classroom with supplemental services, with good teachers,
and we have made a commitment to make sure we are going to have good teachers. We are making sure we are going to have the bilingual support children are going to need. We are not leaving anyone behind. This amendment is saying the same with regard to afterschool programs.

As the Senator from California understands, this program, the afterschool program, was the most oversubscribed program of any in the Clinton administration, with quality programs. There were not any other programs that could come close to it. That is a reflection of the demand in the local communities. That is a reflection of what is happening out there in communities all across this country.

As has been pointed out, there are 7 million children going to be home alone. Under the existing legislation, we cover a little more than a million of them. But the importance of this program is that we are moving in a glide-path for as many of these children, all 7 million. It will take some time, but that is the best we can do at this time.

What we are saying to those children about their afterschool situation is, we as a country believe this time for you is imaginary. We believe we have seen these afterschool programs, we know what an extraordinary difference they make in enhancing the child's not only academic ability but confidence. Also, the children work with other children. In many of the centers in Massachusetts you have older children working with younger children. That has made a big difference in the older children's attitude about the program. It has made a big difference in the private sector.

I can take you to places in Boston where many companies are coming in and talking about graphic arts and photography, which are not being taught in the schools. It just clicked with people learning how to be cosmonauts, 8- or 9-year-olds. Then as you went further, you saw people very intensely working on musical instruments and all sorts of things. Every child was required to do something that was constructive and hopefully leading towards some occupation or whatever. As you walked around, you found people learning how to be photographers, which are not being spread throughout the Soviet Union. I visited what were called Pioneer Palaces. They were spread throughout the Soviet Union. I visited them. I found what they did. From the time school ended, from 3 in the afternoon until 6 at night, every child was required to do something that was constructive and hopefully leading towards some occupation or whatever. As you walked around, you found people learning how to be cosmonauts, 8- or 9-year-olds. Then as you went further, you saw people very intensely working on musical instruments and all sorts of things. Every child was required to do something that was constructive and hopefully leading towards some occupation or whatever. As you walked around, you found people learning how to be photographers.

As we know, as the Senator from Nevada pointed out, the studies show how important it is, in the time from the midafternoon until suppertime, to keep young people fully occupied. Crime, pregnancies—almost all of that results from behavior during that period of time.

So I have a certain feeling of thankfulness for the way this program has been
driven. President Bush created only a program which had a little bit of funding and had the foresight to make it into a really well funded program.

I thank the former President for doing that, but right now it is up to us to do all we can to make sure this kind of a program is available as far across this land as possible and in such numbers that at least every young person ought to have an opportunity to have a fulfilling full day rather than just the hours at school.

Mr. President, I yield the floor. The PRESIDING OFFICER. Who yields time?

Mrs. BOXER. Has all my time expired?

The PRESIDING OFFICER. The Senator has 6½ minutes.

Mrs. BOXER. I ask unanimous consent that Senator FEINGOLD be given 6 minutes to speak on another topic.

Mr. FEINGOLD. Mr. President, I thank the Senator very much for her amendment and for her help in getting me time to speak.

(The remarks of Mr. FEINGOLD are located in today's Record under “Morning Business.”)

Mr. FEINGOLD. Mr. President, I, again, thank the ranking member, the chairman, and the Senator from California for their generosity in giving me this time.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JEFFORDS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask the Senator from Nebraska, which is not being used at this time. For the benefit of the membership, the time has been established to vote. We are prepared to do that. I think the leadership has stated a time for the convenience of the Members. If there is no objection, I will take a little bit about what the afterschool programs have meant to children, and as soon as any Member comes to speak in opposition to the amendment, I will be glad to yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. I will proceed on that basis.

Mr. President, I will mention some success stories. I regret I missed the splendid presentation by the present Presiding Officer earlier today, but I look forward to reading it in the Record. I have been told by a number of my colleagues what a moving story it was. I thank the Senator for sharing that with this body.

I will mention a few of the individual success stories that we have seen in Boston. We have a program called From 2 To 6. It is available to all children up to the age of 13 in Boston. Let me mention some of these which we have seen in that program.

There is a young student named Natalia. When Natalia started in the Gardner Extended Services School in Allston in the middle of the 1999 school year, she could not read, write, or perform basic arithmetic. They suggested that Natalia enroll in its afterschool program to receive extra support in both her academics and her study skills. With the help of a certified teacher, a teacher's aide, and several volunteers, Natalia showed significant progress.

Currently, Natalia is in the second grade and is performing at grade level.
in all academic areas of the classroom. She is maintaining a solid B average. Natalia is also now participating in many extracurricular activities, such as the African Dance Club and swimming lessons at the YMCA.

Michael. In 1999, 11-year-old Michael spent his school time playing Nintendo, and as the end of the school year approached, he began to hang around with a group of kids who were affiliated with a local gang. His mother grew concerned and enrolled Michael in the summer camp program run by the East Boston YMCA Program Center.

At first Michael was not very responsive. However, as the summer progressed, he learned how to swim and became more confident in his athletic abilities. By the end of the summer, he made a lot of friends and also started to mentor the 5- and 6-year-olds. He also continued to attend the after-school program when school started again. He got sort of hooked on it throughout the course of the summer. Many of his new friends were going to the afterschool program, too. Since being involved in the program, all of his teachers have commented about the progress he has made. He now receives A’s in his report card and enjoys outdoor activities.

Edgar from Roxbury first came to the B.E.L.L. Foundation’s BASICs program at the Jackson/Mann Elementary School in Allston in the fall of 1998 as a second grader. He was a friendly, outgoing, energetic student but he couldn’t read and didn’t know the alphabet. Edgar was embarrassed to work on academics with other students his age because he was well below grade level in literacy. They paired him with a one-on-one tutor, and he worked hard to improve but became frustrated when he didn’t see immediate results.

Seeing that Edgar might need more encouragement, his tutor asked him to get to know a fifth grader name Jesus. They both had many things in common. Both were recent immigrants from Brazil. They loved wrestling, making people laugh. One day a tutor overheard Jesus say to Edgar: I know you’re having a hard time reading. I did, too, when I first came here, and I promise you that it will get easier.

A year later, Edgar is now completing grade level work in school and getting good grades. He also helps his peers who are having a hard time reading. It was the afterschool program that has made the difference.

We have example after example of these programs. The 2-6 program, as I mentioned, is primarily for children 12 or younger. We know that a particular program will reach the children in middle school and high school, and that is something which is very much in need and is one of the principal reasons we are working now to see its support.

I mentioned the Institute for Student Achievement in six New York school districts which is a school-based after-school program that provides counseling and academic assistance to middle and high school students who are struggling in school. The programs, STAR, Success Through Academic Readiness, and COMET, Children of Many Educational Talents, provide tutoring, nutrition, health activities, and computer-assisted instruction. Community service and family involvement are also key components of the afterschool programs. Every STAR student has graduated from high school and has gone on to college. Test scores at Hempstead High School on Long Island have improved dramatically since the afterschool program began.

This is the tie-in between the core program that we are talking about in terms of the classroom. What goes on in the classroom is the key: obviously, a well-trained teacher, good curriculum, accountability, the range of different challenges that exist in the classroom, and what the afterschool programs and what has happened. When you have effective afterschool programs associated with schools in terms of providing those supplementary services, the children improve academically significantly.

I mentioned this excellent series of afterschool programs in six New York districts that the students have been attending, and 96 percent have gone on to college. The test scores of the Hempstead High School on Long Island, which is sort of the major high school in the center of these activities, have improved dramatically since the afterschool program began. The State removed the school from its list of low-performing schools 1 year ahead of schedule.

Here was a school that was in trouble. With the development of the afterschool programs and the supplementary services that were provided, we saw a very positive impact that had on the academic achievement in the school. This is the point which has been made by the two sponsors of this legislation.

In Pennsylvania, the Rand Corporation, when evaluating afterschool programs supported by Foundations, Inc. in the Philadelphia area, found fourth graders in the program outperformed comparison students in reading, language arts, and math. The Rand Corporation is a tough, independent organization evaluating various programs. Their own evaluation of afterschool programs, in this case in Philadelphia, which is very much challenged in terms of their school systems, has shown some results.

In Ohio, the University of Cincinnati, when evaluating the Ohio Hunger Task Force urban afterschool initiative, found fourth graders in the program exceeding the statewide percentage of students meeting proficient standards in math, writing, reading, citizenship, and in science.

In Texas, the Lighted Schools Project, in Waco, TX, provides over 650 middle school students with a safe, supervised environment during after hours. The program targets at-risk youth, although all middle school students can participate in free activities, including sports, crafts, special events, and institutions. Students have access to drug prevention programs to enhance self-confidence, violence prevention, the dangers of drug and alcohol abuse, conflict resolution, and to receive tutoring and homework assistance.

Many of these programs also have a very positive effect in terms of reducing the violence in school and, in this particular case, the dangers of alcohol abuse and also the conflict resolution, important initiatives which are taking place in schools.

We have some enormously impressive ones in Massachusetts started by the former Attorney General Harshbarger and continued and expanded by Attorney General Reilly on conflict resolution. Reducing violence, other just 1 hour a week. It is super.

The fact is, they all have to work together because if one loosens the end of the rubber bands, the popcorn can will fall. And as they build it, they will work it out so they will have 10 students working together in order to construct it. They play games with it about what part of the class can do it. Then they have classes against each other, just 1 hour a week. It is supervised by the AmeriCorps children. It has had an incredible impact in terms of reducing conflict and violence among the students in that school. It is called Peace Games.

These are the range of activities. These are the kinds of hands-on local initiatives that are taking place in these afterschool programs that are helping. They have demonstrated a positive impact in terms of academic achievement.

I know time is running out now. I could give the example in the reduction in terms of teenage pregnancies. The fact that in reducing teenage pregnancies, in many instances, more effectively than some of the other programs that have been tried. Reducing violence, academic achievement, bringing children who may have fallen somewhat further behind because of the fact that they did not get the early interventions in terms of help in literacy as they were starting...
through school, all these kinds of initiatives have helped.

This amendment is really an outreach. It is going to bring up all of these children that perhaps have fallen through the cracks at one place or another, and help to bring them on into hopefully the academic setting, and then, with the other parts of the legislation working, if they are funded— they are not funded, but they have to be funded—can really make a difference.

Mrs. BOXER. Will the Senator yield?

Mr. KENNEDY. Yes.

Mrs. BOXER. I am taken with my colleague’s analysis because there are very few things we do that have such a beneficial effect in so many ways. As my colleague said: We are looking at a program, after school, that helps kids improve their scores; that is, the academic achievement.

We are seeing a program that keeps kids off the streets. That is why all the police organizations support after school, and the PAL group supports it. We are talking about a reduction in teen pregnancy, which is absolutely documented because of these programs. We are talking about the ability of kids to learn to work together. There is one other thing, I say to my friend, Mr. JEFFORDS, after school, that helps kids learn better English, make sure their skills in the language are improved. It is very rare that you see a program that does so many things. Of course, someone is going to slip through the cracks. But this is one that I think is so crucial. I am proud to have the support of my colleague from Massachusetts and the Senator from Vermont.

Mr. KENNEDY. One final point. This is the Milwaukee project. Public schools, law enforcement, community-based organizations, and residents provide safe havens at neighborhood sites for children. There were 8,400 youth participating. The Milwaukee project provides homework tutoring, performance, recreational games, arts and crafts. The program helped reduce the crime rate in neighborhoods participating in the project by providing youth with alternative activities during afterschool hours.

In the 15 months following the inception of the program, the crime rate dropped 21 percent in the neighborhoods that had these afterschool programs—law enforcement, teenage pregnancy, substance abuse, violence, academic achievement, and accomplishment.

Mr. JEFFORDS. May I interrupt for a unanimous consent request?

Mr. KENNEDY. Yes.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the vote on the Boxer amendment occur at 11:15 a.m.

Mr. REID. Mr. President, reserving the right to object, I say to my friend, Mr. HELMS, will call for a vote. The majority, we have been waiting for I don’t know how many days to conclude the Harkin amendment. We are waiting for a second-degree amendment to be filed by the majority. This is one of the most important amendments in this whole legislation. I suggest we should move on and just vote on Harkin if a second-degree amendment is not going to be offered.

I will just alert everybody that I hope perhaps after this vote it will be ready because each hour we are told it is almost ready. It must be a doozy if it is taking this long to prepare.

Mr. JEFFORDS. My understanding is there will be a second-degree amendment.

Mr. REID. We know that, and we are waiting. We have tried to be cooperative. We could have filled the tree ourselves. We want to have good feelings on both sides about the way this legislation moves. We hope that maybe it can be filed when we finish the vote on the Boxer amendment.

Mr. JEFFORDS. I will meet with the Senator. I hope we can go forward with this vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The PRESIDING OFFICER (Mr. BUNNING). The question is on agreeing to the amendment of the Senator from California.

The yeas and nays have not been ordered.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. Mr. President, I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Missouri (Mrs. CARNAHAN) would vote “aye.”

The result was announced—yeas 60, nays 39, as follows:

| YEA—60 |
|------------------|------------------|
| Akaka            | Allen            |
| Baucus           | Bayh             |
| Begos           | Bingenman        |
| Boxer            | Breaux           |
| Byrd            | Campbell         |
| Carper           | Chafee           |
| Carson           | Cartwright       |
| Corzine          | Craig            |

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The Amendment (No. 358) was agreed to.

Mrs. BOXER. I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay the table was agreed to.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I believe the manager of the legislation is going to offer a unanimous consent that we have worked out that will allow us to have some morning business for Senators who wish to speak for a brief period of time and for Senator AKAKA to offer his amendment and also to get to a vote this afternoon on a Reed of Rhode Island amendment.

Let me plead with the Members, though, if we could avoid interruptions as much as we could today. Senators KENNEDY and JEFFORDS and others working on the legislation are trying very hard to make progress on the education bill. When we have interruptions for other issues, Senators tend to get away from the floor, and it slows us down. We want to try to finish this legislation at a reasonable time next week. I thank Senators JEFFORDS and KENNEDY and REID for trying to make that happen.

At this point, we thought the fair thing was to work out an agreement where we could have a brief period of morning business and then return to the bill. Senator JEFFORDS has an agreement we are ready to offer.

Mr. JEFFORDS. I have one which will be here momentarily.

Mr. LOTT. If I could inquire while we are waiting, is it correct then that Senator AKAKA will have an amendment right after morning business?

Mr. KENNEDY. The Senator is correct. As I understand, it will take 2 to 3 minutes for Senator AKAKA to raise this amendment, hopefully it will be accepted. If not, we will accept it at a later time. Then we will put into effect the understanding that the Senator
from Rhode Island. Mr. REED, would offer his libraries amendment and to vote at a quarter of 2. Then we would have the time, as the leader has announced, so there would be a brief period for morning business so that from three to four Senators would be able to address the Senate.

Mr. LOTT. Would Senator REED be ready to go immediately after this sequence is lined up?

Mr. REED. There is a modification of my amendment which is being reviewed by your staff and Senator JEFFORDS' staff. If that is in order, then I believe we will have to wait until I get word.

Mr. LOTT. Does the Senator have a unanimous consent request?

Mr. JEFFORDS. Yes, I do. Mr. LOTT. Go ahead then.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Senator AKAKA now be recognized to call up amendment No. 407 and there be up to 5 minutes under his control. I further ask unanimous consent that the following Senators be recognized as in morning business for the following times: Mr. NIXON, up to 6 minutes; Senator KERRY, 10 minutes; Senators BAUCUS and JEFFORDS, 5 minutes each. I further ask unanimous consent that following the morning business, Senator REED of Rhode Island be recognized to call up and modify his amendment No. 425 and the time between then and 1:45 be equally divided, with no second-degree amendments in order, and that the vote occur in relationship to the amendment at 1:45 today.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. REED. Mr. President, reserving my right to object, the modification is critical, whether or not the modification is accepted by your side. I wanted to clarify, the modification has been accepted in your unanimous consent request?

Mr. JEFFORDS. It is in the UC.

Mr. REED. I thank the Senator. Mr. BAUCUS. Mr. President, reserving the right to object, I regret I was not present on the floor when the leader and the chairman and ranking member of the committee were proposing a unanimous consent request.

Mr. JEFFORDS. The Senator has 5 minutes.

Mr. BAUCUS. I do not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 407 TO AMENDMENT NO. 358

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I have an amendment on the desk, amendment No. 407. I ask that it be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The amendment numbered 407, and the amendment (Senator [Mr. AKAKA]) poses an amendment numbered 407.

Mr. AKAKA. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provision requiring recognition by the Governor of Hawaii of certain organizations primarily serving Native Hawaiians.)

On page 548, lines 2 and 3, strike ‘‘which are recognized by the Governor of the State of Hawaii as the representative Native Hawaiians’’.

Mr. AKAKA. Mr. President, this amendment makes a technical change to section 4118 of S. 1, and would allow organizations that primarily serve Native Hawaiians to compete for grants under this section. The current language in the bill requires the Governor to recognize the Native Hawaiian institution as a condition for consideration for the grant. This amendment would remove this requirement, thereby streamlining this process and allowing more organizations to apply for these grants. I urge adoption of this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. KERRY. Mr. President, I do not intend to debate it, but Senator KENNEDY indicated he would be right back. I don’t know if he intends to speak. I wanted to protect his right to do that.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 407.

The amendment (No. 407) was agreed to.

Mr. AKAKA. Mr. President, I move to reconsider the vote.

Mr. JEFFORDS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, I ask unanimous consent that the instruction line conform to the Jeffords substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remarks of Mr. HELMS pertaining to the introduction of S. 894 are located in today’s RECORD under Statements on Introduced Bills and Joint Resolutions.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, with respect to my previously agreed upon amendment No. 407, I ask unanimous consent that the instruction line conform to the Jeffords substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The previous order, the Senator from Massachusetts is recognized for 15 minutes.

Mr. KERRY. I thank the Chair. (The remarks of Mr. KERRY and Mr. FRIST pertaining to the introduction of S. 895 are located in today’s RECORD under Statements on Introduced Bills and Joint Resolutions.)

AMENDMENT NO. 425, AS MODIFIED

The amendment (No. 425, as modified) was so ordered.

The amendment (No. 425), as modified, is as follows:

On page 263, between lines 20 and 21, insert the following:

SEC. 1228. IMPROVING LITERACY THROUGH SCHOOL LIBRARIES.

‘‘(a) IN GENERAL.—From funds made available under subsection (c) for fiscal year—

‘‘(1) may reserve not more than 3 percent to support technical assistance and information about school library media programs that are effective and based on scientifically based research, and pay administrative costs, related to activities under this section; and

‘‘(2) shall allocate the allotted funds that remain after making the reservation under paragraph (1) to each local educational agency in the State having an application approved under subsection (c)(2) (for activities described in subsection (f)) in an amount that bears the same relation to such remainder as the amount the local educational agency received under part A for the preceding fiscal year bears to the amount received by all such local educational agencies in the State for the fiscal year.

‘‘(b) WITHIN-STATE ALLOCATIONS.—Each State educational agency receiving an allotment under subsection (a) for a fiscal year—

‘‘(1) may reserve not more than 3 percent to support technical assistance and information about school library media programs that are effective and based on scientifically based research, and pay administrative costs, related to activities under this section; and

‘‘(2) shall allocate the allotted funds that remain after making the reservation under paragraph (1) to each local educational agency in the State having an application approved under subsection (c)(2) (for activities described in subsection (f)) in an amount that bears the same relation to such remainder as the amount the local educational agency received under part A for the fiscal year bears to the amount received by all such local educational agencies in the State for the fiscal year.

SEC. 1229. MENTORSHIP AND SCHOOL LIBRARY MEDIAzell.—

Each State educational agency desiring assistance under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary shall require. The application shall contain a description of—

‘‘(A) how the State educational agency will assist local educational agencies in meeting the requirements of this section and in using scientifically based research to implement effective school library media programs; and

‘‘(B) the standards and techniques the State educational agency will use to evaluate the quality and impact of activities carried out under this section by local educational agencies to ensure technical assistance and whether to continue funding the agencies under this section.

SEC. 1230. LOCAL EDUCATIONAL AGENCY.—Each local educational agency desiring assistance under this section shall submit to the State educational agency an application at such time, in such manner, and containing such information as the State educational agency shall require. The application shall contain a description of—

‘‘(A) a needs assessment relating to the need for school library media improvement, based on the age and condition of school library media resources, including book collections, access of school library media centers to advanced technology, and the availability of well-trained, professionally certified school library media specialists, in
schools served by the local educational agency;

(2) the number of well-trained, professionally certified school library media specialists in those schools;

(3) the availability of, and the access to, up-to-date school library media resources in the elementary schools and secondary schools served by the local educational agency; and

(4) the manner in which the local educational agency that serves not more than 1 percent for annual, independent evaluations of the activities assisted under this section. The evaluations shall be conducted not later than 3 years after the date of enactment of the Better Education for Students and Teachers Act, and each year thereafter.

Mr. REED. Mr. President, this modification deals with my underlying amendment which would authorize funding for the acquisition of library books and materials for our school libraries across the country. This original amendment I offered on behalf of myself and Senator SNOWE, Senator CHAFEE, Senator KENNEDY, and others.

While I was debating the amendment initially, there was some concern raised by my colleague and friend, Senator COLLINS from Maine, that my amendment would in some way detract from the President’s Reading First Initiative. I support that initiative and compliment both him and Senator COLLINS. It is focused on raising the literacy of our children across the country. It is an effort that has to be undertaken and I am pleased it is being undertaken.

I want to make it clear that my proposed amendment to restore funding for school libraries is a complement to the President’s program and not a subtraction from that program. The modification to the amendment does just that. It clarifies that what I am attempting to do is add to the Reading First Initiative and not subtract from it.

My amendment will complement the President’s initiative and Senator COLLINS’ correcting amendment that were unanimously adopted last week in this Chamber. It will do that by providing an essential part of any literacy program, and that is high-quality reading material.

The President’s focus and Senator COLLINS’ focus is improving the instruction with respect to reading skills and literacy in this country, which is an important goal. But it cannot be fully accomplished, the goal of having literate American students, without also having high-quality reading material. Most people understand this intuitively. It is one thing to teach the techniques of reading; it is another thing altogether to open up to children a realm of discovery and wonder and opportunity by having good, high-quality school libraries—we hope in every school in this country.

I see my proposal as a very important component of the overall strategy of the Reading First Initiative. This is a proposal that would essentially allow local communities to receive Federal resources to acquire library materials: books and the materials necessary for a modern, up-to-date school library. It would give extraordinary flexibility and discretion to local communities because it would allow them to make the choice of what is the most appropriate material. It responds to an obvious need throughout this country and the need is chronic, and that is to provide for good school libraries.

Fortunately, if you go back to your home State, and you visit school libraries, most of those collections are out of date; most of those collections have not been renewed and have not been improved over the years. This is not because of the intentions or the wishes of local authorities. The reality is, library acquisitions are the type of program that can be put off year to year to deal with more pressing needs, and year 1 becomes year 2, which becomes year 3, and you find yourself, as we find ourselves in so many schools across this country, in a situation where the library is deplorable.

We know that good libraries are connected to good literacy skills and, for that matter, to the test results—both standardized tests and nonstandardized tests. The latest results in the National Assessment of Educational Progress show that from 1992 to the year 2000, reading scores have remained flat for fourth graders. One aspect of that finding is the fact that there are too many schools in this country where the library books are out of date and inadequate, in addition to problems with teaching the mechanics of reading. We have to solve both problems if we really want to see test results take off.

As you find throughout the country, in looking at different studies, there is a clear indication that well-stocked, modern, up-to-date school libraries contribute directly to success on achievement tests. And that seems obvious to most people because libraries are the places which will have the information, but are also attractive to the students. They are a draw to the library because it is modern, up to date, interesting, exciting—all the things we want education to be in this country.

One of the reasons why school libraries are in such poor condition is the lack of dedicated funding. In the beginning of our efforts to improve elementary and secondary education in 1965, in the confines of the first Elementary and Secondary Education Act, we provided for specific funding for school libraries. However, several years later, we rolled all of this funding into one block grant, title VI. As a result, the commitment to libraries, because of local pressures to spend on other endeavors, has resulted in a situation across the country of very poor school libraries. We can do better. When we improve school libraries, as I indicated before, we improve the performance of students.

It has been found in one study that for every school, in every grade level, in which there was a strong school library and strong school library services, there were improvements in test...
scores regardless of social and economic factors in the particular community. This study was conducted in States such as Colorado, Pennsylvania, and Alaska. So it is not a regional effect; it is not an urban effect versus a rural effect. It is the effect of libraries in the schools. These findings echo earlier findings which found that students in schools with well-equipped libraries and staff performed better on achievement tests for reading comprehension and research skills.

Interestingly enough, the President has appointed, as his nominee for Assistant Secretary for Elementary and Secondary Education at the U.S. Department of Education, Dr. Susan Neuman. Dr. Neuman, a professor at Temple University, is a nationally renowned expert in early literacy development. She has written about the importance of books in developing and enhancing the literacy skills of children. Dr. Neuman wrote an article in the Reading Research Quarterly entitled “Books Make A Difference: A Study of Access to Literacy.” She talked about a literacy program in Pennsylvania childhood centers and concluded that access to books matters and is critical for early literacy; children exposed to books outperformed a control group on every measure of early literacy abilities.

That is the distinguished individual who has been nominated by President Bush to be the key individual with respect to elementary and secondary education. Through her academic research, she has found that access to high-quality library material—books and other materials—is critical to literacy. I think that is a compelling argument that my initiative today will complement the President’s approach to literacy training through our schools in this country.

As I said, if you go through the school libraries of America today, the books are terribly out of date. I could rattle off another litany of arcane books, incorrect, stereotypical, out of date, that talk about the fact that someday we might land on the Moon. But I believe it is very important to link to academic libraries and to public libraries, to broaden the reach of libraries in the nation’s schools. These findings across the country the average amount of money expended per pupil on library material is $6.75 in elementary schools, $7.30 in middle schools, and $6.25 in high schools. And that is correct, stereotypical, out of date; there are some wealthy communities that are spending more, but there are a lot of very poor communities. So we can help. It is important, I believe, to help.

We want to go ahead and ensure that our children have excellent instruction in literacy but also excellent access to books so that they can in fact be literate, not just during the schoolday but throughout the day, not just as students but also as lifelong learners. My amendment will, I hope, do that.

It would provide $500 million in funding support for school libraries. It would not take away any resources from the President’s Reading First Initiative. It also would target the funding to the poorest schools because we know that is the greatest need. We know that is where the library budget is usually close to zero. We know there are some wealthy communities who can make a difference—and we should make a difference.

It would provide great flexibility to these schools. There would be no standardized issues of books from Washington or elsewhere. It would allow local communities to make decisions about what they purchase. It would allow them to use these resources to train library specialists. And it would also establish, we hope, or inspire resource-sharing initiatives as exist in Ohio and Rhode Island, so that school libraries could link to archives and to public libraries, to broaden the reach of the library program in each school.

It would also allocate funding on a formula basis to school districts, so that all needy districts and schools get the assistance they need to improve their libraries.

I believe it is very important to adopt this amendment in the context of this reauthorization. This bipartisan amendment is cosponsored by Senators BURK, KENNEDY, CHafee, BINGAMAN, WELLSTON, MURRAY, CLINTON, SARRANES, JOHNSON, BAUCUS, LEVIN, REID of Nevada, ROCKEFELLER, DURBIN, DAYTON, and SCHUMER. It is supported by the American Library Association, the Association of American Publishers, and a wide array of educational organizations. It is a bipartisan amendment. Let me again, for the record, reinforce several points.

My proposal does not create a separate standalone program. It incorporates school library acquisition funding as a component of the Reading First Program. This approach is as old as the Elementary and Secondary Education Act reauthorization. In 1965, when we first committed ourselves at the national level to help elementary and secondary schools, an important part of that commitment was helping school libraries directly to acquire books and library material.

I know there is a desire to consolidate many programs, but we have seen, at least in the case of the library program, where this consolidation has led to a diminution of resources for school libraries. If we are serious about literacy, we have to enhance the resources for school libraries.

So I urge that this amendment be adopted. I urge that we get on with the great task before us of ensuring that every child has access to excellent instruction in reading and also excellent books to read.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I believe I have time allotted as in morning business.

The PRESIDING OFFICER. That is affirmative.

The remarks of Mr. JEFFORDS pertaining to the introduction of S. 897 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”

Mr. JEFFORDS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, if the Senator from Rhode Island will be good enough to yield 6 minutes, I would like to rise to express my great appreciation to my good friend from Rhode Island for pursuing this issue regarding quality libraries in our schools across this country.

Among many other education issues, the Senator from Rhode Island has devoted an enormous amount of time, attention, efforts, and energy, to the issue of school libraries. Today, he has put before the Senate an extremely thoughtful amendment and one that is extraordinarily compelling. He has thought a great deal about the state of libraries in the nation’s schools, and has consulted with many who have...
worked on this issue throughout the course of their lives.

I was disappointed that, at the time of the markup of this legislation, we were unable to embrace Senator Reed’s proposal. Historically, we have made a major national commitment to reading. We have supported outstanding programs that promote literacy in young children, such as the Reading Is Fundamental Program, and the Every-One Wins Program, which was shepherded by the chairman of our committee, Senator Jeffords. Our efforts to promote and increase literacy have targeted all ages, from early literacy programs to those that serve adults later in life.

President Bush has also placed a tremendous emphasis on the importance of reading. He has furthered our commitment made last year in the Reading Excellence Act, through his Reading First and Early Reading First proposals in ESEA.

However, the idea of launching a major national literacy program without a commitment to the nation’s libraries defies rational thought. We all understand the importance of reading, and we all recognize that schools—especially low-performing schools—which devote greater attention to reading early in the school day, for 60 or 90 minutes, will have greater success in ensuring that all students are strong readers. Prince George’s County in Maryland has increased their results on statewide assessments of student performance, and reading was a key element of that increase. If we plan to make a commitment in terms of reading as a matter of national purpose, that commitment must be accompanied by a commitment to the libraries in our children’s schools.

The idea that we do not have an effective, comprehensive library program is just missing the most basic, fundamental recognition of the relationship between a reading program and libraries. It defies understanding and explanation.

The Senator has reminded us that we have failed in the past to devote the proper attention to libraries and their impact on literacy. The Senator from Rhode Island now offers an amendment which is a responsible one, as well as one that I am very hopeful will be accepted.

I would like to take the opportunity to mention some comments from groups that have lent their support to this amendment. The Association of American Publishers states:

It is a national disgrace that we live in the most technologically advanced nation in the world, yet our K-12 school libraries are packed with out-of-date books and materials. For our children to succeed in today’s digital world, they first must learn to read and read well, and therefore need access to school libraries containing up-to-date information.

The American Library Association asserts:

Many of the nation’s school libraries have collections that are old, inaccurate, and out of date. How can we encourage children to read, continue their education in college and become life-long learners if the material we have available for them is inadequate?

We must give adequate attention to reading. Any support this amendment really fail to appreciate the relationship between literacy and libraries. This amendment is a very responsible one that makes a great deal of sense. I commend the Senator from Rhode Island for his amendment forward. We have all been dilatory in understanding this very important and major hole in our educational system. The good Senator is going to help us to address it with his amendment. I am very hopeful that it will have overwhelming support.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Rhode Island.

Mr. REED. Mr. President, I thank Senator Kennedy for those insightful words and also for his leadership on this legislation. He, along with Chairman Jeffords, has been battling and providing for the right thing, ultimately, a bill that will improve education in the United States.

I believe, as evidenced by this amendment, that one very pragmatic, practical way to do this is to help local communities acquire library materials for their schools. In fact, I am always amazed that there is any controversy about this issue. It seems to me to be the most obvious complement to the President’s program for literacy and also one of those programs which doesn’t raise issues of curriculum, doesn’t raise issues of local control, doesn’t raise issues of any seriousness. Frankly, I hope that each of my colleagues will recognize that allowing local communities, local school systems to buy something we should be doing and not rejecting.

I hope that at 1:45, when the roll is called, we will have the strongest possible support. This is a bipartisan initiative, cosponsored, along with many Senators by Senators Snowe and Chafee. I hope we can get a good, solid vote for school libraries when this roll is called.

I reserve the remainder of my time and suggest the absence of a quorum...

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I understand the quorum call is being charged to my time. I ask unanimous consent that, pursuant to the unanimous consent agreement, it be evenly divided and charged equally to both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. I ask the pending amendment be not inserted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 476, AS MODIFIED

Mr. BOND. Mr. President, I call up amendment No. 476 and send a modification to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. Bond] proposes an amendment numbered 476, as modified.

Mr. BOND. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strengthen parental involvement)

On page 763, line 12, strike the period and charge equally to both sides.

On page 764, line 17, insert “(including statewide nonprofit organizations)” after “organizations”.

On page 764, line 4, strike “(including parents of preschool age children)” and insert “(including parents of children from birth through age 5)”.

On page 764, line 17, insert “(including statewide nonprofit organizations)” before the comma.

On page 765, line 4, insert “and Parents as Teachers organizations” after “associations”.

On page 765, line 14, insert “(including a statewide nonprofit organization)” before “or nonprofit”.

On page 767, line 23, strike “part of” and insert “at least ½ of”.

On page 768, line 2, insert “or other early childhood parent education programs” before “;”.

On page 768, line 22, insert “(such as training related to Parents as Teachers activities)” before the semicolon.

On page 770, line 8, strike “and”.

On page 770, line 12, strike the period and insert “; and”.

On page 770, between lines 12 and 13, insert the following:

“to coordinate and integrate early childhood programs with school age programs.”
Mr. BOND. Mr. President, I understand my colleague from Rhode Island has requested 5 minutes. I intend to do this briefly. But I think it is very important that we consider this issue. I believe the amendment can be accepted on both sides to make sure that we deal properly with early childhood education.

I have come to this Chamber many times to state that research has now verified what parents have known instinctively for generations, and teachers who work with children after the first few years of life are absolutely crucial development periods for children. How well the parent handles that early time with the child will determine how well that child performs in school later on.

Infant brain development occurs very rapidly. The sensations and experiences of this time go a long way toward shaping the baby's mind in a way that has long-lasting effects on all aspects of the child's life.

We have measured in Missouri from a program called Parents As Teachers that we can assist parents and families to be better in playing this role that is key to the child's development. Early positive interaction between parents and special relations are a critical factor in it.

A child's education and mental development begin very early in life. Through this amendment, we seek to ensure the continued support of families with the youngest children to find the early parent education programs that can help those families and parents provide supportive, stimulating environments we know all children need.

We must focus on the earliest years before formal schooling. We know that half of the child's mature intelligence develops in those first critical 3 years.

This amendment provides no new money. All the amendment does is clarify that the early childhood and early intervention education programs that can help those families and parents provide supportive, stimulating environments we know all children need.

We have found it works very well with Head Start.

The PAT Program benefits the children, but it also helps the parents develop the confidence to take an active role in their children's education.

Even Start and other title I programs.

The parents who have participated in Parents As Teachers. It further shows that special needs children who participate in Parents As Teachers in preschool, in addition to an early childhood special education, are rated by teachers as being similar in preparation to the average child.

These findings sum it all up. Parents As Teachers works. It works for children raised in households of all income levels. It works for children who are home school and also for children with special needs.

My amendment makes certain that priority is given to these programs, such as Parents As Teachers, HIPPY, and others. For any of my colleagues who would like a fuller description of it, I happen to have a few pamphlets available. You can contact my office, and I will provide you with that.

Mr. President, I ask unanimous consent that a 2-page summary of the evaluation of Parents As Teachers be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EVALUATIONS OF PARENTS AS TEACHERS

A PARTIAL LIST

In 1985, an independent evaluation of the Parents As Teachers (PAT) pilot project was conducted. Evaluators randomly selected 75 project families from a group of 380 first-time parents representing Missouri's urban, rural, poor and middle classes, parents with special children, and parents who had not received PAT services. Posttest assessments of children's abilities and parents' perceptions showed that PAT children at age three were significantly more advanced in language, problem-solving and other intellectual abilities, and social development than comparison children. PAT parents were more knowledgeable about child rearing practices and child development.


A follow-up study of the Children Together (PACT) program on school readiness has been carried out in Binghamton, New York School District. Children enrolled in kindergarten in Binghamton in 1992 were tested in pre-kindergarten and again in kindergarten. PAT children had significantly higher cognitive, language, motor, and social skills than non-participants. These advanced skills led to higher grades in kindergarten and decreased need for remedial and special education costs in first grade. PAT families also had substantially reduced welfare dependence and half the number of cases of suspected child neglect compared to comparison groups. When assessed again in second grade, PAT children continued to perform better on standardized tests and required fewer remedial and special education placements.


A study demonstrating the effectiveness of PAT was conducted by the Parkway School District, a large suburban district in St. Louis County. Third graders who had received PAT with screening services from birth to age three scored significantly higher on standardized measures of achievement than non-participating peers. PAT children had a national percentile rank of 81, while non-participating students had a rank of 63 on the Stanford Achievement Test, with a significant difference in all subtests. The study also reported PAT graduates were less likely to receive remedial
reading assistance or to be held back a grade in school. PAT ‘graduates’ continued to significantly outperform non-PAT children on the Standard Achievement test in fourth grade.


Researchers in North Carolina have followed 97 families who were involved in the Rutherford County PAT program beginning in 1991. The PAT children were compared to 61 children whose families did not receive PAT services, and another 61 whose families received a quarterly educational newsletter from PAT, but no direct services. Children were assessed upon entry into kindergarten: the PAT children outperformed children from both comparison groups on measures of cognitive, language, motor, and self-help skills, with significant differences on the language and self-help measures. Also, PAT parents talked to their children significantly more about daily activities.


A 1999 study of kindergarten readiness involved 3,500 kindergartners from randomly selected districts and schools across Missouri. That children who participated in PAT had significantly higher readiness scores than children who did not, as rated by both kindergarten teachers trained in the PAT process and by parents. The study also showed that PAT in combination with other kinds of preschool experiences (home child care, center-based child care, preschool, Head Start) resulted in higher kindergarten readiness scores for children.

(Piamentel, J. and Barr, S. School entry assessment; the power of PAT participation. Paper presented at the Parents as Teachers Annual International Conference. St. Louis, Mo. June 1999.)

Mr. BOND. Mr. President, studies and reports have shown that PAT children at age 3 are found to be significantly more advanced than comparison children in language, problem solving, and social development. Often, through participation in PAT, learning problems or development delays are identified and treated early.

PAT parents are more confident in their parenting abilities and knowledge. The great thing is, PAT hooks parents into their children’s education. This means that they are more likely to stay involved in their children’s schooling.

We all know that we can have all the programs in the world and can provide all the funding possible, but one of the main ingredients to a child’s success in school is the involvement of the child’s parents in the child’s education.

As I said, earlier this year I received a copy of a report from the Missouri Department of Elementary and Secondary Education. The report was about the “School Entry Assessment Project.” The summary of findings reinforced my interest, support, and commitment to PAT. The findings of the report are as follows:

1. When Parents as Teachers is combined with any other pre-kindergarten experience for high-poverty children, the children score above average on all scales when they enter kindergarten.

2. The highest performing children participate in PAT and preschool or center care.

3. Among children whose care and education are sole home-based, those whose parents participate in PAT achieve preschool scores above average when they enter kindergarten.

4. Special needs children who participate in PAT and preschool in addition to an early childhood special education program are rated by teachers as being similar in preparation to the average child.

5. Head Start children who also participate in PAT and another preschool score at average or above when they enter kindergarten.

This findings sum it all up. PAT works. PAT works for children raised in households of all income levels. PAT works for children who are home-schooled. PAT works for our special needs children.

My amendment makes certain that priority is given to programs such as PAT and other early childhood parent education programs.

With that, Mr. President, I urge my colleagues to support this amendment. I yield the floor.

AMENDMENT NO. 425, AS MODIFIED

The PRESIDING OFFICER. There are 5 minutes of debate remaining under the control of the Senator from Rhode Island.

Mr. REED. Mr. President, I will reiterate the importance of this amendment and summarize it. But I also understand that the Senator from Maine is here, and I am delighted and honored to yield 1 minute to her.

Ms. COLLINS. Mr. President, I commend the Senator from Rhode Island for his work on this issue. He has been a long-time, strong advocate for improving libraries in our Nation’s schools. I was pleased to work with him in refining parts of this amendment to make sure that it did not take funds away from the important reading programs.

I thank the Senator from Rhode Island for his efforts and pledge my support for the amendment.

Mr. President, I ask unanimous consent to be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you. The Senator from Maine not only for her gracious statement and her support but also for her leadership on the Reading First Literacy Program, the President’s program. As we all know, last week unanimously we adopted her amendment which focused and refined the President’s proposal. I believe, as Senator COLLINS believes, that a complement to that program is the program that I am supporting today, which would allow local communities to acquire library materials for their school libraries. I thank her very much for her cooperation, her leadership, and her collaboration on this effort.

Mr. President, let me just emphasize what my amendment, as modified—working closely with Senator COLLINS—would do.

It is designed to complement the President’s approach to literacy, to improve reading so that those improvements in reading can be translated to better academic performance and better performance throughout a person’s entire life.

It is a bipartisan effort. I am so delighted to have been joined at this point by Senator COLLINS, along with Senator SNOWE and Senator CHAFFEE, and many colleagues.

It is an amendment that is supported by the American Library Association and the Association of American Publishers.

It is important to note, as was suggested by my colleague, Senator COLLINS, what the amendment does not do. It does not preempt or distort the President’s program, the Reading First Initiative. It is not a new program or a separate program. It is part of America First, and is as old as the Elementary and Secondary Education Act.

In 1965, the first time this Congress spoke out decisively to help local schools, a large part of that was direct funding for school libraries. In fact, those books, in some cases, are still on the shelves today.

Interestingly, the President has appointed Dr. Susan Neuman as his nominee to be Assistant Secretary for Elementary and Secondary Education. Her research shows that books are important. In fact, she published an article in “Reading Research Quarterly,” the title of which is “‘Books Make A Difference’: A Study of Access to Literacy.” My amendment could properly be subtitled: “Books Make A Difference.”

We have a strong program for reading instruction, for literacy, championed by Senator COLLINS, which would allow local communities to make a difference. We can make that difference by supporting the Reed amendment.

Again, the President has entrusted Dr. Neuman, and with the implementation of this literacy program, I hope that she would echo today my comments here and say: Once again, books do make a difference.
I hope that when the roll is called in just a few moments we will have strong bipartisan support for this amendment which will allow local communities to acquire the materials they need so their children—every child in this country—can succeed.

With that, Mr. President, I yield the floor and reserve whatever time I have.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time having expired, under the previous order, the pending amendment is laid aside, and the question occurs on agreeing to Reed amendment No. 429, as modified.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REED. I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral. I further announce that present and voting, the Senator from Missouri (Mrs. CARNAHAN) would vote “aye.”

The PRESIDING OFFICER. (Mr. DAYTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 106 Leg.

**YEAS—69**

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**NOT VOTING—1**

Carnahan

The Amendment (No. 425), as modified, was agreed to.

Mr. KENNEDY. I move to reconsider the vote.

Mr. JEFFFORDS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFFORDS. Mr. President, I ask unanimous consent that following the adoption of the following amendments, which have been cleared—Cleland amendment No. 430 and Akaka amendment No. 524—Senator Enzi be recognized to offer a first-degree amendment regarding the subject matter contained in the Harkin amendment No. 525, and that 1 hour of debate, equally divided on the Enzi amendment, the Harkin amendment No. 525, and the Hutchinson amendment No. 550 concurrently, and that votes occur on the amendments in the order listed above at the use or yielding of no more than 240 minutes, with no second-degree amendments in order to any of the amendments mentioned above; that Senator Cleland be recognized for 10 minutes and Senator Akaka be recognized for 5 minutes on their amendments.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Hawaii.

AMENDMENT NO. 521 TO AMENDMENT NO. 358

(Purpose: To provide for excellence in economic education)

Mr. AKAKA. Mr. President, I thank my colleague for permitting me to go before him.

I ask that my amendment, which is at the desk, amendment No. 524, which was proposed for consideration from New Jersey, Senator Corzine, be called up.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii (Mr. AKAKA), for himself and Mr. CORZINE, proposes an amendment numbered 521 to amendment No. 358.

Mr. AKAKA. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the amendment is located in today’s Record under “Amendments Submitted.”

Mr. AKAKA. Mr. President, this amendment is similar to the economic education legislation which I introduced during the 106th Congress. That legislation received considerable bipartisan support from my colleagues, Senators Bayh, Breaux, Cleland, Cochran, Collins, Crapo, Daschle, Dodd, Durbin, Enzi, Hagel, Johnson, Bob Kerrey, John Kerry, Landrieu, Lincoln, Lugar, Moynihan, Snowe, and Wellstone.

With each passing day, the need for increased economic literacy becomes more and more apparent. Our nation is undergoing enormous economic changes. When I first introduced economic education legislation, we were in the midst of unprecedented economic growth and the longest peacetime economic expansion in our nation’s history. More recently, however, the stock market experienced serious volatility and the NASDAQ suffered a sharp downturn. A number of employees, especially in the technology sector, have released a substantial number of their savings. The Federal Reserve has cut interest rates five times this year, the most recent cut occurring yesterday, in an effort to prevent our nation from sliding into an economic recession.

Economic changes such as these highlight the importance of economic and financial literacy. I am convinced that increased education about basic economic principles such as money management, personal finance, interest rates, and inflation will assist all Americans in making informed decisions about their financial situations. Beginning this education at a young age will better equip future generations to manage their financial affairs in our rapidly and constantly fluctuating economy. It is critical that today’s students learn that there are consequences for every fiscal decision they make because the fiscal habits they learn now are likely to be the habits that remain as adults.

We must also assist today’s students in becoming productive and well-informed citizens. Studies have shown that a lack of individual knowledge about fundamental economic principles can lead to negative effects on our national economy. Economic education, or the lack of it, can have long-term effects on us all. In an April 6, 2001, speech, Federal Reserve Chairman Alan Greenspan concurred with this assessment. In that speech, Chairman Greenspan articulated his belief that our nation’s schools need to improve their ability to teach young people basic financial education. He also stated that this financial education should begin as early as possible.

I would like to share some of the results of a national poll on basic economic principles conducted by the National Council on Economic Education in 1998 and 1999, which provide further evidence of the need for increased economic education. These results are based on responses from 1010 adults and 1065 high school students. Both the students and adults alike lacked a basic understanding about the fundamental concepts of money, inflation, and scarce resources. One in five of the students and two-thirds of the students tested did not know that the stock market brings people who want to buy stocks together with those who want to sell them. Thirty-five percent of the students taking the test admitted that they do not know what the effect of an increase in interest rates would be. Only a little more than half of the adults and less than a quarter of the students tested knew that a budget deficit occurs when government’s expenditures exceed its revenues for that year. Amid these disappointing results, the study found that 96 percent of Americans believe that basic economics should be taught in high school. Yet, few States require students to take an economics course in order to graduate, or have adopted guidelines for teaching economics in their schools, or, alarmingly, even require schools within their State to offer a course on economics to be made available.

This amendment aims to increase student knowledge of, and achievement...
in, finance and economics by strengthening our nation’s teachers’ understanding of, and ability to teach economics. It provides resources to incorporate economics into K through 12 curricula. It encourages economics-related research and development, dissemination of instructional materials, and replication of best practices and programs. And it also increases private and public support for economic education partnerships between schools and local businesses. The need for economic literacy should be no different from, or less important than, reading literacy, writing aptitude, or math and science comprehension.

I want to thank my colleague, Senator Corzine, for joining me in this effort to improve our nation’s financial literacy. I urge all of my colleagues to support our amendment and ensure that our nation’s youth are sufficiently prepared for their financial futures.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. CLELAND. Mr. President, I think we are ready to accept the amendment. We know of no other speakers. I hope we can at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 524) was agreed to.

Mr. KENNEDY. Mr. President, I ask unanimous consent to withdraw amendments No. 377 and No. 429.

The PRESIDING OFFICER. Without objection, the amendments are withdrawn.

AMENDMENT NO. 358 TO AMENDMENT NO 358

Mr. CLELAND. Mr. President, I call up amendment No. 430 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative read as follows:

The Senator from Georgia (Mr. CLELAND) proposes an amendment numbered 430 to amendment No. 136.

Mr. CLELAND. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add, for funding under the program of grants for State and local instructional activities for language minority students, other activities that provide enhanced instructional opportunities and related services for such students and their parents)

On page 480, line 12, strike the period at the end and insert a semicolon and the following:

"6) other instructional services that are designed to assist immigrant students to achieve in elementary and secondary schools in the United States, such as literacy programs, programs of introduction to the educational system, and civic education; and

"(7) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant students in communicating with community social services, such as English as a second language courses, health care, job training, child care, and transportation services.

Mr. CLELAND. Mr. President, let me first say that there was a printing error regarding amendment number 430 when it was printed in the May 9th CONGRESSIONAL RECORD. The amendment was correctly printed in its entirety in the May 14th CONGRESSIONAL RECORD.

Mr. President, this amendment addresses the explosion of immigrants coming to this country over the past decade. Information from the 2000 Census shows that the impact from this wave of immigration is transforming the nation. The Latino population, for example, is up 60 percent since 1990 and now, for the first time ever, it is roughly equal to the population of African Americans in the U.S. New York’s population, for example, is 22 percent Asian and the record number which is a direct result of its rising numbers of Asians and Hispanics.

These changes are summed up in one astounding fact from the Census Bureau: recently arrived immigrants and refugees will account for 75 percent of the U.S. population growth over the next 50 years. And let me add that these changing demographics are impacting not just communities accustomed to large immigrant populations like New York, Los Angeles and Miami, but also non-traditional immigrant communities in states like Wisconsin, Iowa, Nebraska, Oklahoma, Georgia, Alabama, and the Carolinas.

Like our communities, our schools are feeling the impact of this new wave of immigration. A record number of children with diverse linguistic and cultural backgrounds are enrolling in America’s classrooms. In Wayne County, MI, for example, 34 percent of the student population are Arabic-speaking and receive special help. The Waterloo, IA school system is being challenged to teach hundreds of Bosnian refugee children, who came to America without knowing our language, culture or customs. The school enrollment of Hispanic students is now 51 percent, up from just 4 percent ten years ago. This is an incredible increase—from just 4 percent a decade ago to over half of the student body population today.

This surge in immigration is increasingly challenging U.S. schools and communities from Florida to Washington State. We need to provide resources to these communities to help ensure that these children—and their families—succeed. We know from national studies that where quality educational programs are joined with community-based services, immigrants have an increased opportunity to become an integral part of their community and their children are better prepared to achieve success in school.

This amendment is based on legislation Senator Cooverdell and I introduced in the last Congress. It would provide support to schools and communities experiencing an influx of recently arrived immigrant families. Specifically, it would expand the use of funds under the Emergency Immigrant Education set-aside to include activities which, No. 1, provide enhanced instructional opportunities to assist culturally and linguistically diverse children achieve success in America’s schools; and which, No. 2, allow local educational agencies to partner with community-based organizations to provide the families of immigrant children access to comprehensive community services, including English as a second language courses, health care, child care training and nutrition.

This amendment is endorsed by the U.S. Conference of Mayors, the National Association for Bilingual Education, the Hispanic Education Coalition, the League of United Latin American Citizens, and the National Council of La Raza.

Mr. President, I ask unanimous consent to temporarily lay the amendment aside.

Mr. KENNEDY. Mr. President, Reserving the right to object, I would like to just say a quick word on that amendment. I think we are prepared actually to accept it if the Senator wants to press it. I would like to take just 1 minute on this amendment. I thank the Senator for raising this issue.

Today there are approximately 800,000 migrant children in the nation. They are all going to become citizens of our country. By and large, they have paid an enormous burden on local communities.

Years ago, the Federal Government provided help and assistance to families when they resettled in a local community for up to 18 months. There were resources available to schools. All of that has been cut back. We are back to about 4 months now.

So basically, the Federal Government has abdicated its support for local communities. There are a number of people, for example, the Cambodians, who came to this country and were settled by religious groups in different parts of the country. We found—which was their choice—there were major groupings of Cambodians in Lowell, MA.

We have a higher Cambodian population in Lowell, MA, than in Phnom Penh. They placed an enormous initial burden on the school community because of the destruction by Pol Pot of all of the information, all of the books. They did not have any training. The burden fell on a blue-collar community to try to respond to the kinds of challenges which, for these children, were
overwhelming. But they did it. And they deserve great credit for it.

Now, if you look at the various schools up in Lowell, half of the valuables from the high school will be the sons and daughters of these extraordi

Finally, last year, when we were con

The Senator from Vermont has put his hand on an important need.

The Senate has recognized a very important need. It is presenting this so there will be local options. Communities will be able to use these resources.

I thank him for raising it. I am very hopeful we can accept the amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. FEFFORDS. Mr. President, I join in the accolades by the Senator from Massachusetts and say that this amendment is an excellent amendment. Even in little old Vermont, we have schools with 20, 22 students who have English as their second language. There have been problems that we never imagined we would have. We believe this bill—all over this Nation—will be very helpful.

As far as I am concerned, we can accept the amendment to ensure its passage.

Mr. CLELAND. I thank the distinguished Senator from Vermont and the distinguished Senator from Massachusetts and ask that my amendment be adopted.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 430.

The amendment (No. 430) was agreed to.

Mr. CLELAND. Mr. President, I would now like to ask unanimous consent to call up amendment No. 449 for its immediate consideration and ask unanimous consent Senator JACK REED be added as a cosponsor.

Mr. FEFFORDS. Reserving the right to object, we have an order, I think in place, an amendment by Senator ENZI. I believe that it would be right to take that amendment up first.

The PRESIDING OFFICER. Objection is heard.

Under the previous order, the Senator from Wyoming is recognized.

AMENDMENT NO. 449 TO AMENDMENT NO. 358
(Purpose: To modify provisions relating to school construction and loans for school construction)

Mr. ENZI. Mr. President, under the previous agreement, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment. The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] for himself, Ms. SNOWE, Mr. HAGEL, and Mr. DEWINE proposes an amendment numbered 449 to amendment 358.

Mr. ENZI. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is located in today's CONGRESSIONAL RECORD under "Amendments Submitted and Proposed."

Mr. ENZI. Mr. President, I am pleased to be on the floor today to discuss an amendment that deals with the area of school construction that Senator HARKIN has been talking about. I bring forward a proposal along with Senator SNOWE, Senator HAGEL, and Senator DEWINE. I would like to take this opportunity to thank them for their hard work as well as the hard work of their staff.

I know that we can all agree that there are schools across the Nation that are in need of repairs and renovation. Just because we can agree on the problem does not mean that we can agree on a solution Senator HARKIN's proposal to create a new Federal program to fund school construction is a good example. While I understand that a need exists in many of our Nation's schools, I do not believe there is a Federal program to address that need, especially if States and local school districts have not made every effort to address the issue on their own. I also believe that it is extremely important that we do not ignore pre-existing Federal school construction obligations in favor of new school construction programs.

It is for these reasons that I have drafted this amendment, which will target all Federal school construction funds towards obligations to fund the construction and renovation needs of schools on Indian reservations and schools impacted by Federal land holdings. This amendment would also make construction and maintenance of high-poverty schools a priority and create a revolving loan fund that States could use to help schools make interest payments on school construction bonds.

I would also like to emphasize the importance of appropriately targeting limited resources where they are needed most. That is why my amendment requires that any grant funds available after existing Federal obligations are met should be highly targeted to the schools most in need. In addition to identifying the truly neediest schools, the local districts and States must demonstrate that they are already doing all they can to meet the needs of those schools.

I believe that a tier of schools does exist where traditional school construction financing is extremely difficult for a local community. The capacity of the local tax base, particularly in rural communities, is not as flexible or far-reaching as urban or suburban districts. In high poverty districts, the bonding capacity may fall dramatically short of the cost to renovate or construct a school. In those cases, the States should provide more. And, in providing direct Federal support for school construction, we should never extend that reach beyond such schools.

Some of my colleagues have cited several studies that claim that our Nation's school construction needs range from $112 billion—according to the Government Accounting Office—to $125 billion—according to the National Center for Education Statistics. We all view these numbers as a national disgrace, but for very different reasons. My colleagues on the other side of the aisle would suggest that these numbers indicate that the Federal Government has failed to fulfill its duty to fund school construction. I, on the other hand, believe that these numbers suggest that State and local communities have abandoned their responsibilities and allowed our schools to fall into disrepair.

As a former member of both houses of the Wyoming State Legislature, I understand that school construction has always been the responsibility of State and local governments. I also understand how hard some States, such as Wyoming, are working to make sure that they are fulfilling their responsibility to equitably distribute school construction funds.

I have been troubled to see some of the data that indicates that States and local governments have the capacity to do more to fulfill their own construction needs. During the last session of Congress, members of the Congressional Research Service testified before the Health, Education, Labor and Pensions Committee, that I serve on, that between 1990 and 1998 State and local budget surpluses grew from $80.1 billion to $148.7 billion. A December 12, 2000 press release from the National Governors' Association revealed that States cut taxes and fees by $5.8 billion in fiscal year 2001. This is the seventh consecutive year States have reduced taxes and fees. That is from a National Governors' Association press release from December 12, 2000.

According to the American School & University's 24th Annual Construction Study, school districts allocated 9.4 percent of their current expenditures to maintenance in 1997, a substantial drop from the 12.75 percent allocated 10 years earlier. You can see from this data that if the current level of expenditures on school construction by States and localities is deemed to be inadequate it is not because of a lack of capacity to do more.

I also think it is important to inform my colleagues who try to assert that the Federal Government is doing nothing to deal with the declining quality of our Nation's schools that according to the Congressional Research Service the overall estimated
cost or revenue loss for the total of tax-exempt bonds—that is, taxes the Federal Government does not get—in 1999 was $25 billion. The most recent data for bonds that specifically support school construction comes from 1996, with a revenue loss in the amount of $3.7 billion. In other words, albeit indirect, there is clearly currently Federal support of school construction through the tax exemption we provide on construction bonds.

In my view, we have absolutely no reason for having very strong reservations about introducing a new Federal education responsibility in the face of calls to prioritize existing Federal obligations. I am very concerned about creating inequities among States. As I have said, I firmly believe that funding school construction is a State and local responsibility. To that end, there are some States that are making tough decisions and dedicating the resources needed to fulfill their obligation to children in public schools. Wyoming, for example, having experienced years of legislation and litigation in an effort to ensure that all children are provided an education in safe, appropriate classrooms. The State will soon dedicate significant new resources toward school construction. A lot of time and money has already been spent assessing every school in the State to determine which communities are the neediest. The State of Ohio has undertaken a similar effort.

For those States that are not as far along in prioritizing school construction, why should they get a better deal under a Federal grant program? The proponents of the Harkin amendment may argue that there is a provision requiring the funds to be a supplement to existing resources. However, if a State is not already dedicating meaningful resources, and doesn’t have a plan or initiative which calls for additional resources, it looks to me like they would be edge under this new program. That is simply not fair. If they are not doing something, they get money. If they are, they do not. It is not an appropriate use of Federal tax dollars. And forever lets the entities responsible for school construction off too easily. That brings me to my next important point. The neediest schools are not being targeted enough by States. They will not be targeted sufficiently under the proposal by the Senator from Iowa.

It is true to believe that any additional Federal support we provide be strictly linked to the highest need schools. There will never be enough money to address the estimated $127 billion in construction needs, even if we did all agree that Federal funds should be expended. In fact, in 2000, almost $26 billion was spent on public K-12 construction, with nearly $27 billion in spending forecast for this year. A similar amount is also forecast to be spent each year through 2004.

All of this data is available through the National Clearinghouse for Educational Facilities, which Congress established after the General Accounting Office released a series of studies on school construction over the last few Congresses. In addition to providing basic data on facilities financing, the clearinghouse is intended to serve as a resource for schools and public officials on how to properly assess their construction needs, how to develop a model school construction proposal, and how to meet the unique needs of their community. We should be emulating on a path that either displaces this effort or discourages States and locales from meeting the school construction needs of their communities.

This is vitally important in rural communities. Those communities face hardships in meeting their construction needs as it is, but we cannot set them up with the false hope of erasing their need to pass bond initiatives or to pressure the State for more help. There are roughly 60,000 public schools in this country, half are in rural areas or small towns.

As we consider the Enzi-Snowe-Hagel-DeWine amendment and the Harkin amendment as a whole, I should like to remind my colleagues that we do not want to do more than help our children by ignoring the commitments we have already made while making new promises that we can’t keep. We owe our children more than that, and I hope as we move forward with the legislation we will keep that in mind. I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER. Who yields time?
Mr. JEFFORDS. Mr. President, may I inquire of the Senator from Wyoming, are we through with his presentation?
Mr. ENZI. Mr. President, it is my understanding that other Senators will be down shortly representing the Senator from Iowa and the Senator from Colorado.
Mr. JEFFORDS. Mr. President, I suggest the absence of a quorum.
Mr. JEFFORDS. The clerk will call the roll.
Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. JEFFORDS. Mr. President, I ask unanimous consent that the time be charged equally to both sides.
Mr. REID. Mr. President, I object. The PRESIDING OFFICER. Objection is heard. Mr. JEFFORDS. I suggest the absence of a quorum. The PRESIDING OFFICER. Without objection, the clerk will call the roll.
Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. HARKIN. Mr. President, I ask unanimous consent that a quorum be kept in the Senate.
Mr. JEFFORDS. The clerk will call the roll.
Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I listened as best I could to the presentation made by my friend from Wyoming on his amendment. Let’s recap a little bit.

As I said yesterday, we have been trying for some time to get money for school construction and repair to help beleaguered schools around the country. We did that last year in an agreement. I ask my friend from Wyoming if he knows this. But in the appropriations bill, there was an agreement hammered out on a bipartisan basis and a bicameral basis. It was signed off on the House side. We worked with Congressman Goodling, Congressman Portz, Senator Specter, Senator Kennedy, and Senator Harkin.

We came up with a program that provided $2.2 billion which would go out to States under broad guidelines to help them meet the needs of their poorest school districts in terms of meeting fire and safety code, renovation for technology, and 25 percent of the money was set aside for the needs of disabled students under IDEA.

I didn’t know this until I just read the Enzi amendment, but the Enzi amendment wipes out that $1.2 billion. This is a list of all the States that are going to get this money 2 months from now of the $1.2 billion that was appropriated for this year. The Enzi amendment is not prospective. It takes the $1.2 billion this year and reneges on the Senate, the House, and the White House signed off on last year.

That is eminently unfair. A lot of these school districts in the States already know the amount of money that they have applied for and that has been approved. The money hasn’t gone out yet. It is going out the first of July. But they have applied for it, and they know what they are going to get. Now the Enzi amendment just wipes it out. You can see how much money some of these States will lose.

The Enzi amendment will take a lot of this money and put it in the Department of Defense. I don’t know if that makes any sense at all. Then there are all these hurdles that a State has to jump through before it can get any of the renovation money. I thought we Democrats were the ones always being accused of tying the hands of the States and telling them exactly what they had to do. Then we are being accused of doing the same thing. There are more hoops and more barriers and more hurdles and more paperwork the States will have to confront than anything I have seen offered in the Senate in a long time.

For example, he cited to illustrate how unfair the amendment will be—that before a school can qualify, 50 percent of the enrollment will have to come from families whose income does not exceed the poverty level. That is a public school. He says before a public school facility can get any of this construction or renovation money, 50 percent of the enrollment will have to be
from families whose income does not exceed the poverty level.

I ask the Senator from Wyoming how he is going to determine that. There is no way to determine that. I ask the Senator from Wyoming to please tell us how he is going to determine if a public school has 50 percent of enrollment from families whose income is below the poverty level.

The only measure we have right now is from a school district and schools based on free and reduced-priced lunches. That is based on 186 percent of poverty. It is based on school districts. I ask the Senator from Wyoming, how is a public school in your State, my State, Minnesota, Vermont, or any other State, going to show that 50 percent of its enrollment is from families whose income does not exceed the poverty level? As you say, “as determined by annual census data published by the Department of Labor.” The Department of Labor does not publish census data on that basis.

So this is a very poorly drafted amendment. I don’t know what the author was trying to get at. I say to my friend from Wyoming that you cannot in any way determine how you are going to have 50 percent poverty from a school.

That is the first hurdle that is impossible. Think of the paperwork. Think of what a school would have to go through to find out whether or not 50 percent of its enrollment are kids from families who do not exceed the poverty level.

First of all, I think that would be impossible. Secondly—and here is something that is unfair—Mr. Enzi says the other hoop is that the school has to be located in a district in which the district’s bonded indebtedness basically has reached or exceeded 90 percent of the debt limitation imposed upon school districts pursuant to State law. We are talking about a school district in a rural State in which there are a lot of elderly people who may not be able to bear the burden of property taxes, or they have property tax exemptions because of their age, and let’s say they have 30 percent of their kids getting free and reduced-priced school lunches but their bonded indebtedness is only 15 percent. You are going to go out to that district with a heavily weighted population that is elderly, maybe rural, and you are going to say you have to raise some property taxes before you can qualify?

How unfair is that, I ask you. Again, what kind of paperwork, what kind of State requirements are going to have to be set up to do that?

So, of course I don’t know what the Senator is trying to get at, but if he is trying to target it, it is not doing it. There is no way this can be done. The paperwork and the burden on the States in accounting for all this would be incredible.

Again, he also says the Federal share of the cost of any project shall not exceed 50 percent. Well, again, why don’t you leave that up to the States? In my amendment, I didn’t tie the hands of the States and say here is exactly what you have to do. The Enzi amendment basically says: State, here is A, B, C, D—exactly what you have to do—and you can’t do anything else. There may be some other way to do it. We have to face the reality of the nature. We have had them in Iowa, such as meeting fire and safety codes—things that may need to be done right away. Maybe they can’t come up with a 50-percent match right away. But the Enzi amendment says, tough luck; you don’t get any help.

I understand there is a revolving loan fund also set up—a loan authority for loans to be made. Again, there are all kinds of hoops and paperwork requirements and findings that a State would have to face. The more I look at this amendment, the more I don’t want to hear any more arguments from that side of the aisle about how Democrats are trying to tie the hands of States by specifically exactly what has to be done. If you want to learn about specifications, read the Enzi amendment.

It is in here that for revolving loans it says—listen to this: With respect to a fiscal year, any State, to receive assistance on the revolving fund loan in this part of the bill, has to have four-tenths of a percent—in other words, they have to have less than four-tenths of a percent of the total amount available in the United States for all title I. So this revolving loan fund that it takes away the $1.2 billion of impacts aid, but in the second part of the amendment that he wants to help impact aid, but in the second part of the amendment he takes money out of those programs to put it into a revolving loan fund.

Mr. KENNEDY. Will the Senator yield?

Mr. HARKIN. Yes, I will.

Mr. KENNEDY. We have only had this amendment for a brief period of time. However, in reviewing this amendment, I have noticed that on page 13 it refers to the set-aside of Federal funds. This is the only reference in the amendment to the authorization of funds. If the Senator has a copy—

Mr. KENNEDY. I don’t seem to have page 13 for some reason.

I have it now.

Mr. KENNEDY. It says “set-aside of Federal funds.” It reads:

In General—Notwithstanding any other provision of law, 20 percent of the total amount of Federal funds appropriated for Federal programs to provide assistance for school construction, renovation, or repair.

The Harkin amendment, of course, expires this year. As such, the only funds that I am aware of will be the DOE and the Enzi amendment on impact aid.

Mr. HARKIN. Impact aid, yes.

Mr. KENNEDY. For school construction. We are talking about an amount that is less than $100 million. And here we have a proposal to authorize 20 percent of that amount. That totals approximately $20 million. Do we understand that? I respect my colleague from Wyoming, and he knows he is my friend, but it is a hoax to suggest that the impact aid program is dead.

We are only talking about $20 million; $10 million for grants, and $10 million for loans. This is the amount that would be available under the restrictions that the Senator from Wyoming and I have outlined. We are calling this a construction program.

I ask my colleague and friend, does he believe that when Senators vote for the Enzi amendment, they will be able to claim that their vote is a vote for school construction? They will have voted against the Harkin amendment that helps local communities in the neediest areas of the nation, both rural and urban, repair and renovate crumbling schools. Instead, they will say, “We supported the Enzi amendment that provides $20 million—$10 million in grants, and $10 million in loans.”

I ask the Senator from Iowa whether he reads this amendment the same way?

Mr. HARKIN. The Senator is correct. In fact, I will add one thing to that. What the Enzi amendment does this year is it takes away the $1.2 billion going out to States. That has already been appropriated. He wipes that out. And then he revolts the revolving loan fund. The Senator talked about, he says “shall be made available to carry out this section for each fiscal year amounting to 20 percent of the total amount of the Federal budget.”

What all that means is that after this year we impact the money for impact aid and Indian schools. They are going to take 20 percent of that money and put it in the revolving loan fund. So here the Senator from Wyoming is trying to get at through his amendment that he wants to help Indian schools and he wants to help impact aid, but in the second part of the amendment he takes money out of those programs to put it into a revolving loan fund.

Mr. KENNEDY. I don’t know whether the Senator from Wyoming can tell us whether we have interpreted the amendment correctly. I invite him to correct us if we are incorrect. As I understand it, this amendment would essentially 20 percent of the total amount of funds that will be appropriated for such fiscal year. We anticipate that next year, outside of the Bureau of Indian Affairs, impact aid and military schools, that such an amount is less than a million dollars. And this amendment proposes 20 percent of that amount for school construction. Am I correct, I inquire of the Senator?

Mr. ENZI. Mr. President, answering on their time, of course, as I have said throughout this whole process on the authorization bill, this is an authorization process, and we have an appropriations process that comes up later. The amount of dollars allocated would
Mr. HARKIN. Yes.

Mr. KENNEDY. It is my understanding that school districts all across this country that have relied on these funds, and have planned accordingly under the assumption that they would continue to receive funds will now not receive such funds. Is the Senator from Wyoming saying these funds will be snatched back from local communities all over the Nation that have budgeted for it, that have received assurances of it? Is the Senator proposing to grab that money and reallocate it through a new formula?

Is the Senator prepared to tell every school district planning to receive these funds in the next few weeks that their planning is for naught? Is that the purpose of the Senator’s amendment? Because it seems that this would be the effect.

Mr. ENZI. Mr. President—

Mr. KENNEDY. I think Senator HARKIN has the amendment. The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I yield to the Senator from Wyoming for a response. I will be glad to yield.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. The purpose of this amendment is to place some constraints on Federal school construction so we are not opening up a brand new program that will fund any school that needs to be constructed in this country without any requirements. That is why the provision is included, for the 90-percent bonding capacity in a district to make sure the local district is participating to the level it can.

My colleagues will find that there are school districts across this country that are already perhaps at 200-percent bonding. They are doing a maximum effort. Ninety percent would be considered a maximum effort. It requires a maximum effort. The amendment does not require any participation by the State. There is some wording in there about supplanting some State funds, but it does not have any requirements.

The purpose of this amendment is to show there needs to be some constraint on how fast the Federal Government gets into a school funding program. We are not there yet. We are on our way there, and there needs to be some local recognition that the Federal Government will not fund some participation and States need to be a part of it. We cannot wipe out that obligation under a new program.

Mr. HARKIN. Again, I thank the Senator for his forthrightness. His answer is correct because that is what the Senator is doing. I have not received the $1.2 billion that was appropriated last year would come under the formula for this, which would become the current school foundation construction program. So, yes, the $1.2 billion the Senator from Iowa is talking about would be included in this particular amendment.

Mr. HARKIN. I appreciate the forthrightness of my friend from Wyoming. That is exactly what I have been saying. That is the way it is written. The $1.2 billion that will be going out to the States this summer will not be going out.

Mr. KENNEDY. Will the Senator yield?
If you do not trust the States, if you can say, well, if we give money to the States, they will give it to the richest school districts, I do not think that is going to happen. I tend to trust the State departments of education.

Under our guidelines, we say it has to go to the poorest and out in competitive grants. Make no mistake about it; if any one of my colleagues votes for the Enzi amendment, they are voting to strip this money.

With those fatal flaws, and with the fact we made an agreement last year—it was a bipartisan agreement; it became law—launched out with the White House; and we reached an agreement on how to do it and the money is going to be going out—I do not think we ought to stop that money from going out. It is $1.2 billion. We are not for this summer and next year.

I bet my colleagues will see, when this money goes out to the States this year, they are going to have a lot of support from their States, thanking you for helping fix up the poorest schools they have.

I hope the Enzi amendment is not approved because we made this agreement last year, and we ought to stick by it for this year.

In closing I want to share some comments from the officials with the Keokuk, IA, school district. This district has received two $100,000 grants to remodel fire code violations.

The funds are being used to install fire alarms, replace doors with new fire-rated doors and make other repairs at an elementary school and at the high school so they meet fire and safety codes. The renovations are planned for this summer and next year.

In a letter from Board President Dr. Wilson Davis, Jr., Superintendent Jane Babcock and Business Manager Kate Baldwin wrote: “Completion of these building renovations will bring both of these student attendance centers into full compliance with all fire-safety codes. The availability of these funds have made this district goal a reality.”

Without the modest Federal investment, students in these two schools would continue to attend classes in buildings that do not meet State and local codes. Permitting such situations to continue is simply unacceptable.

The schools in Keokuk are safer today because of a modest Federal investment. Our amendment will make it possible to make many more schools across the country safer for our children. So if you want safe schools for our kids, if you want them to attend modern, well-equipped schools, if you want schools that meet fire and safety codes, you should support this amendment.

I ask unanimous consent to print in the RECORD letters of support.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**REBUILD AMERICA’S SCHOOLS**

**COALITION,**

**Washington, DC, May 14, 2001.**

Hon. Tom Harkin, U.S. Senate, Washington, DC.

Dear Senator Harkin:
The Rebuild America’s Schools Coalition supports your amendment to the Bush Administration’s Education bill, which is currently being debated in the Senate. The Bush Administration has attached a riders preventing inclusion of new dollars for this important school repair program. The Coalition believes that after years of neglect, American children deserve better.

We urge your support for the Harkin school repair program.

Sincerely yours,

**Robert P. Canavan,**

Council of the Great City Schools, Washington, DC

**KNEOKUK COMMUNITY SCHOOL DISTRICT,**


Senator Tom Harkin,

Hart Senate Office Building,

Washington, DC.

Dear Senator Harkin: The Keokuk Community School District is very excited to be selected to receive a federal grant of $100,000 for urgently needed building renovations. Receiving specific needs as outlined on our annual building safety inspections, the district is focusing the funds to provide necessary agreements in eight classrooms and replacing interior and exterior doors with new, fire-rated doors. The necessary building renovations will be during the summer of 2001 at our elementary sites and during 2002 at our high school site. Completion of these building renovations will bring both of these student attendance centers into full compliance with all fire-safety codes. The availability of these funds have made this district goal a reality.

This is the second year Keokuk Schools has received a $100,000 Fire (Life) Safety grant. Funds awarded last year were targeted at installing a new fire alarm system in our high school building. The district began installation during July 2000 and will have this project completed in June 2001.

The citizens of Keokuk are proud of our schools. It is the efforts you have made to provide additional funding to help meet the increasing costs of maintaining school facilities. Thank you for working for the students, parents, and citizens of Iowa.

Very truly yours,

**Wilson Davis, Jr., MD.**

Director, Board of Directors.

**Jane Babcock,**

Superintendent.

**Kate Baldwin,**

Business Manager.

**NATIONAL EDUCATION ASSOCIATION,**


U.S. Senate,

Washington, DC.

Dear Senator: On behalf of the National Education Association’s (NEA) 2.6 million members, we urge your support for an amendment to be offered this week by Senator Harkin (D-IA) to the Better Education for Students and Teachers (BEST) Act (S. 1) that would restore the critical school repair program. Votes associated with this issue may be full votes. I want to provide you with the legislative Report Card for the 107th Congress.

Too many of our nation’s students attend schools in crumbling and unsafe facilities. According to the American Institute of Architects, one in every three public schools in America needs major repair. The American Society of Civil Engineers found school facilities to be in worse condition than any other part of our nation’s infrastructure.

The problem is particularly acute in some high-poverty schools, where inadequate roofs, electrical systems, and plumbing place students and school employees at risk. Yet, many high-need schools and communities simply cannot meet the costs of these urgent repairs absent federal assistance.

Last year, Congress agreed on a bipartisan basis to provide grants for urgent repairs in high-need schools. In FY 2001, this important program will help repair some 3,500 schools across the country. The Harkin amendment would help ensure every student a safe learning environment by continuing this critical grant program.

We urge your support for the Harkin school repair program.

Sincerely yours,

**Mary Elizabeth Trasley,**

Director of Government Relations.
overcrowding, as well as scarce funds for maintenance and repair. The School Renovation Program will also help crumbling schools nationwide, which received a grade of “B” from the American Society of Civil Engineers in 2001, citing a 75% inadequacy level in facilities across the country. The Council of the Great City Schools appreciates your work to end the physical deterioration of our nation’s schools. Preserving the bipartisan School Renovation Program is a decision that helps school districts continue to address the emergency repairs and renovation needs of aging and overcrowded schools. The Harkin Amendment assists districts with the support they need to improve the learning environment for all students, and has the full support of the Council of the Great City Schools.

Sincerely,

MICHAEL D. CASSERLY, Executive Director.


HON. TOM HARKIN, U.S. Senate, Washington, DC.

DEAR SENATOR HARKIN: On behalf of Chancellor Joel Klein of the New York City Public School System, I write to thank you for your commitment to improving our nation’s school infrastructure. The Chancellor is very supportive of your current efforts to authorize the School Renovation Program as part of S. 1, the Better Education for Students and Teachers (BEST) Act. As you know, the BEST Act repeals current Title XII of ESEA, the School Facilities Improvement Act. This step takes us backwards from last year’s bipartisan School Repair Act. The provided funds for the School Renovation Program as part of PL 106-544, the Omnibus Consolidated Appropriations Act of 2000. Thanks to your leadership, this legislation provided approximately $1.2 billion to help communities make emergency school repairs and renovations. This urgently needed initiative will help local school districts fix leaky roofs, correct faulty plumbing, heating, and electrical systems, and address other dangerous health and safety concerns in our schools, such as the presence of lead paint and asbestos in the classroom. It provided a solid framework for targeting limited federal resources to those districts most in need of assistance, as it reserves funds for public and private schools. The School Renovation Program, as part of PL 106-544, the Omnibus Consolidated Appropriations Act of 2000, allows for the allocation of $1.2 billion to support school repairs and modernization efforts nationwide.

At present, this bill that Senator HARKIN is promoting, to me, is the right kind of partnership. We are not interfering. We are not compelling a partnership. We are not forcing any money on anybody. This is a voluntary program. It adds to, does not take away from, the resources our States and localities are using. It recognizes the fact that States that have made a commitment to using these dollars would, under Senator Enzi’s amendment, lose money.

New York will lose at least $22 million off the top because 20 percent of the funds would first be diverted to smaller states, but in all likelihood New York would never see any of the $105 million already set aside for emergency School Renovation and Repair. We have a million children in the New York City school district. We have the oldest school buildings in America in Buffalo, NY. We want to do the best job we can for our children, as every other State represented here does. All we need is a little bit of help. I urge you to vote for Senator Harkin’s amendment.

Mr. CAMPBELL, Mr. President, first I would like to thank Senator Enzi for...
offering an amendment to S.1 concerning the existing obligations the Federal Government has to Bureau of Indian Affairs’, DOD and Impact aid school systems. Through numerous treaties, statutes, and court decisions, the Federal Government has assumed a trust responsibility to provide a quality education to Indian children.

This duty includes providing school facilities that have such basic amenities as 4 walls, heat and healthy air to breathe. Adequate facilities and the health of such essential necessities are not being provided to many Indian children attending Bureau of Indian Affairs, BIA, funded schools.

Unlike communities that have a tax base to fund school construction, military reservations and Indian reservations are dependent on Federal resources. Nearly 4,500 facilities serve the Bureau’s education program, consisting of over 20 million square feet of space, including dormitories, employee housing, and education opportunities to more than 50,000 students. These facilities serve more than 330 Federally recognized Indian tribes located in 23 States through Self-Determination contracts, compact agreements, and construction grants.

We are not dealing here with “the unknown.” The GAO and other entities have produced countless studies and surveys showing us that half of the school facilities in the inventory have exceeded their useful lives of 30 years, and more than 20 percent are over 50 years old. Numerous deficiencies in the areas of health, safety, access for disabled students, classroom size, ability to integrate computer and telecommunications technology, and administrative space have been reported by the Bureau.

As a former teacher myself, I am appalled when I visit reservations and see first hand the many schools with leaking roofs, peeling paint, overcrowded classrooms, and inadequate heating and cooling systems. The studies have shown that such deficiencies have adverse effects on student learning. By not providing secure educational facilities, we are paralyzing these children and putting them at a disadvantage that they may never overcome.

The Federal Government has responded to the problem in piecemeal fashion, often using temporary solutions that are unable to address the permanent plan of action. For instance, in fiscal year 2001 President Clinton’s budget requested $2 million for “portables” or trailer classrooms that have been used since 1993. To date, the BIA has purchased 472 portables by 20 percent of the BIA’s total education buildings are now portable classrooms. The request states these trailers are needed due to overcrowding and unhealthy and unsafe buildings. It states that portables are used to replace buildings or parts of buildings that have “poor air quality” that result in what the BIA calls “sick building syndrome.”

New funds for Indian school construction is one of the major focuses of the President Bush’s fiscal year 2002 budget request with $292.5 million slated for such purposes. Of the overall education construction budget, $127.8 million has been requested for the construction of dormitories, NM; Polacca Day School, AZ; Holbrook Dormitory, AZ; Santa Fe Indian School, NM; Ojiwba Indian School, ND; and Paschal Sherman School, WA.

As of January 2001, the repair and rehabilitation on backlog for Indian education facilities and quarters stood at $1.1 billion and is even greater today.

I understand the underlying notion of the Harkin amendment, but I think this body should affirm our existing obligations to this Nation’s DOD, Indian, and Impact Aid schools before we undertake even greater obligations.

Ms. SNOWE, Mr. President, I rise today in support of the Enzi/Snowe Family Education Act to provide a direct grant to states to provide for the construction needs of their poorest schools and creates a revolving loan fund for school construction.

The condition of many of our Nation’s existing public schools is abysmal even as the need for additional schools and classroom space grows. Specifically, according to reports issued by the General Accounting Office, GAO, in 1995 and 1996, fully one-third of public schools were overcrowded and needing extensive repair or replacement.

As further evidence of this problem, an issue brief prepared by the National Center for Education Statistics, NCES, in 1999 stated that the average public school in America is 42 years old, with school buildings beginning rapid deterioration after 40 years. In addition, the NCES brief found that 29 percent of all public schools are in the “oldest condition,” which means that they were built prior to 1970 and have either never been replaced or were renovated prior to 1980.

Not only are our nation’s schools in need of repair and renovation, but there is a growing demand for additional schools and classroom space to address the ongoing surge in student enrollment.

Specifically, according to the NCES, at least 2,400 new public schools will need to be built by the year 2003 to accommodate our nation’s burgeoning school rolls, which will grow from a record 52.7 million children today to 54.3 million by 2008.

Needless to say, the cost of addressing our nation’s need for school renovation and construction is enormous. In fact, according to the General Accounting Office, GAO, it will cost $112 billion just to bring our nation’s schools into good overall condition, and a recent report by the NEA identified $322 billion in unmet school modernization needs.

We simply cannot allow our Nation’s schools to fall into utter disrepair and obsolescence with children sitting in classrooms that have leaky ceilings or rotting walls. We cannot ignore the need for new schools as the record number of children enrolled in K–12 schools continues to grow.

Accordingly, because the cost of repairing and building these facilities is beyond the means of local governments can bear in a short period of time, I believe the Federal Government can and should assist Maine and other State and local governments in addressing this growing need.

Admittedly, not all members support strong Federal intervention in what has been historically a state and local responsibility. In fact, many argue with merit that the best form of federal assistance for school construction or other local educational needs would be for the federal government to fulfill its commitment to fund 40 percent of the cost of special education. This long-standing commitment was made when the Individuals with Disabilities Education, IDEA, Act was signed into law more than 20 years ago, but the Federal Government has fallen woefully short in upholding its end of the bargain, only recently increasing its share to 10 percent.

Needless to say, I strongly agree with those who argue that the Federal Government’s failure to fulfill this mandate represents nothing less than a raid on the pocketbook of every state and local government. That is why I am a cosponsor of legislation introduced by Senators HAGEL and JEFFORDS to fully fund IDEA, and I support ongoing efforts to achieve the 40 percent federal commitment in the near future.

Yet, even as we work to fulfill this long-standing commitment and thereby free-up local resources to address local needs, I believe the Federal Government can and should provide some assistance to state and local governments in addressing their school construction needs without infringing on local control.

And that is why our amendment is narrowly drawn. First, our legislation will ensure that we meet the Federal Government’s commitment to fund our Nation’s schools, which provide education to communities serving our military families and those where the Federal Government
owns a substantial share of the property, thereby depriving the community of local revenue. The amendment also provides a direct grant to states to assist in building or rehabilitating the lowest income schools.

In addition, there is a provision based on my school construction bill, BRICKS, that would set aside 20 percent of the Federal money appropriated for school construction for a Federal revolving loan fund for states that meet the Title I small State minimum allocation of 14 States, which receive a de minimus amount of money under the Title I program, would be eligible for funding that could be used to fund state revolving loan funds, pay interest owed on construction bonds and for other state authorized school construction activities.

Of importance, these loan monies, which will be distributed on an annual basis using the Title I distribution formula, will become available to each state at the discretion of a Governor. While the Federal loans can only be used to support bond issues that will supplement, and not supplant, the amount of school construction that would have occurred in the absence of the loans.

And to encourage the Federal Government to meet its funding commitment for IDEA, and to compensate states for the fact that every dollar in the Federal share of IDEA funding is a dollar less that we have for school construction or other local needs, our amendment would impose no interest on BRICKS loans during the first five years provided the 40 percent funding commitment is not met.

Thereafter, the interest rate is pegged to the federal share of IDEA: zero in any year that the Federal government fails to fund at least 20 percent of the cost of IDEA; 2.5 percent, the long-term projected inflation rate, in years the Federal share falls between 20 and 30 percent; 3.5 percent in years the Federal share is 30 to 40 percent; and 4.5 percent in years the full 40 percent share is achieved.

Combined, these provisions will minimize the cost of these loans to the states, and maximize the utilization of these loans for school construction, renovation, and repair.

This afternoon the choice we have on school construction is philosophical. We could address the needs of our poorest schools, which is what the Enzi/Snowe amendment does. My colleague Senator HARKIN’s approach seeks to provide a piece of the proverbial pie to all schools. But the size of the problem and the pie of the pie, I think they would be so thinly cut that a mere mouthful would be all that was offered. Better to consolidate our efforts on the very neediest so that the Federal assistance will make a difference.

By providing to the states to address their most pressing school construction needs, I believe our amendment provides important assistance to help address a national problem. Our children need a safe, clean and healthy environment in which to learn.

I urge that my colleagues support the Enzi/Snowe amendment legislation that will make a tangible difference in the condition of America’s schools without turning it into a partisan or ideological battle that is better suited to sound bites than actual solutions.

THE PRESIDING OFFICER. The time of the Senator has expired.

Mr. ENZI. Mr. President, I yield up to 10 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 10 minutes.

Mr. VOINOVICH. Mr. President, I rise today to make it very clear to my colleagues that I do not oppose constructing new schools. In fact, I firmly believe that more schools should be built, replaced, repaired, and renovated in the United States. I suspect there are few people in this country who have done as much as I have to make that happen.

Earlier this month, I was in Cleveland, Ohio, to campaign for a $380 million local school construction bond and levy initiative which could be used to leverage $500 million from the State of Ohio.

Last week, the voters of Cleveland passed that bond and levy by a margin of 3 to 2. They voted to tax themselves in order to build, replace, repair over 100 schools throughout the Cleveland School District.

The citizens of Cleveland know that school construction is a State and local responsibility.

But I am concerned about the Federal Government telling State and local officials they have to spend Federal resources on school construction instead of spending it on education priorities they have determined. Localities should have the freedom to invest their dollars in the greatest needs, whether it is teachers, computers, or textbooks, and not be locked in.

We also need to consider the fairness factor. Many of our States have committed themselves in a very major way to school construction programs. I am concerned that as the Federal Government becomes more involved in school construction, the less inclined the States will be to invest their own funds in school construction. We will see an incredible temptation for States to simply sit back and let the Federal Government take care of things. That is something we see too much of in this body.

All we would be doing in passing the Harkin amendment or any amendment is giving those States that refuse to step up to the plate and provide for their schoolchildren, a free pass from meeting their obligations. In my State, we have stepped up to the plate. Under Ohio’s Classroom Facilities Assistance Program we have appropriated more than $2.7 billion to repair and rebuild our schools. By the end of this month, 23 schools will have been built or renovated by our program, and by the end of the year, 50 schools will be completed by the program.

For example, in Canton, OH, the State is paying $129 million out of a $380 million schools project. In the Springfield City schools, the State is paying $135 million out of a $165 million project. In Youngstown, the State is picking up $130 million out of $165 million.

In other words, the lower the wealth in the district, the less they have to pay for rebuilding their schools. We are going to get the job done in Ohio.

In fact, a GAO report pointed out that in terms of investment in school construction, our State ranks ninth in the Nation in percentage terms and the eighth greatest in dollar amount.

I think it is important for my colleagues to understand that last year, the National Governors’ Association Center for Best Practices looked into the prevalence of State involvement in school construction. Here is what they had to report:

The Center discovered Governors are focusing more attention on school construction and modernization than ever before.

The report goes on to cite several examples: 11 States subsidize, reimburse, or match local funding for construction projects; 10 States have an established formula for determining the amount of State funding each school district will receive; six States have established a new agency to oversee school construction with the State; five States provide low-interest loans for low-income school districts to help support their school construction efforts; and four States require the Governor and State legislature to approve school construction projects prior to State funding being made available.

The States are getting it done, which prompts me to ask my colleagues on the other side of the aisle, why should the taxpayers of Wyoming, Florida, or New Hampshire have to pay to build schools in Ohio? As a State, why should the taxpayers of Ohio, who are meeting their responsibility, pay for those who have not yet done so? What kind of a message are we sending to these people? They have done the right thing, but we are saying: Tough luck, we are going to take your tax money, the tax money we should spend on true Federal responsibilities, and totally ignore them so we can do something that is politically popular. That is just wrong.

Mark my words, once the Federal Government gets involved in providing direct grants to build schools, there will be pressure like you would not believe to ramp-up funding.

We just heard from the Senator from New York saying they have already committed schools for the money that has been made available to New York State. I tell you this, they are lining up the other projects, and they are taking our money from the future off the hook. The passage of the
amendment of the Senator from Iowa will do more to discourage States from stepping up to the plate and doing what they are supposed to be doing than anything I can think of today.

As chairman of the National Governors’ Association, we worked very hard to make a real difference in this area. I started on this effort back in 1991 when I became Governor of the State of Ohio. We are getting it done. But there is one more thing we need to remember: When we spend Federal money on things like this, we give up what you could have purchased with the money for other Federal responsibilities. Economists call that concept “opportunity cost.” When the Senate thinks about spending money on one thing, we need to recognize we are giving up the ability to use money for other worthy causes. When figuring opportunity costs, we need to remember the fact that we have a number of unmet Federal needs, needs that are a Federal responsibility, and which we should address as part of our full and balanced approach to the Federal budget.

I am going to be talking more about that in this Chamber with my colleagues later on this year. I have asked the General Accounting Office to do a study on unmet infrastructure needs in our Nation. That is one of the responsibilities of the Federal Government, not State government, not local government, but the Federal Government.

That GAO study is going to include highways, mass transit, airports, drinking water supply, wastewater treatment, public buildings, and water resources projects.

I believe the GAO’s final report will give us a better sense of exactly how formidable our unmet needs really are.

We cannot do everything for everyone. Before we start down the road to spend billions upon billions of dollars, we need to remember that school construction, like the vast majority of educational programs, is a responsibility best left to our State and local officials. They are the ones who are on the front lines. They are the ones who know best the needs of their respective communities in their States.

I think it is time for this body to stop acting like a national school board. We are not a national school board. Many States elect their school board members. Many States elect their superintendents. They are the ones who are charged with the responsibility under the Constitution. Under the 10th amendment, that is a responsibility of local and State government.

Let them do the job they are elected to do. And let us allocate our resources in those areas done where we do have the Federal responsibility.

Mr. President, I yield the floor.

Mr. HARKIN. Do we have time left?

Zero? OK.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, while I am awaiting the arrival of the Senator from Arkansas, I will take a couple more minutes on this amendment.

What we are doing today, through one of the three amendments—or maybe all of the three amendments—is setting up a new school renovation and construction program. The question is, Do you want to just give the money to the States or do you believe there ought to be some constrictions on the money?

Under the amendment I have offered, there is a first priority. That first priority is that the Federal Government shall first meet its existing obligation to fund the construction and renovation needs of Indian schools and federally impacted schools before any other construction needs are addressed. That is an area that we have underfunded in the past. It is an obligation we already have. That obligation stands at $2 billion.

There is a second priority; that is, once we have assured the funding of the Indian schools and the federally impacted schools, which is already a Federal obligation, then we would have two mechanisms for funding schools, both of which require that they be targeted toward the neediest districts in the States. Those would be determined by the States, but they have to be the neediest schools in the States.

There are two ways of funding that. One of them is Senator SNOWE’s “bricks” approach, which is a revolving loan fund that is set up to pay the interest on the school bonds that are done to build schools. The other one is the proposal that I have put forth that targets the 10 percent for the neediest schools and requires that there be a 90-percent effort at the local level.

We keep talking about the local level. There are no provisions for funding to get to the local level for an obligation. A needy area has very little capability to raise money through bonds. States have requirements. Bonding commission doesn’t say how much money they will allow a district to bond. Some of those districts have already reached their entire capacity.

As I mentioned before, some have exceeded their capacity. How does that happen? If the value of the property in the district goes down, and they already have existing obligations, then they exceed the capacity they are allowed. There is no penalty for exceeding the capacities and not as valuable and they won’t sell with any kind of premium. They will probably sell with a discount, but it is a mechanism that is out there for local school districts to provide funding for their schools. And one of the things I have been concerned about through the whole process is how we make sure there is money available for the neediest schools, for those districts that do not have a very high bonding capacity but still make sure they do some local effort.

There is a tremendous difference in the kind of a school that is built if you get to use somebody else’s money as opposed to your own money. So we need to make sure there is still that local obligation involved.

The other part of it is that States have always had an obligation to do their whole share. In fact, the Federal Government outside the two areas I mentioned, which are the Indian schools and the Federally impacted schools, has not had a role in school construction and renovation. We have made that a requirement of the States.

As a result, in order to make sure there is still some State participation, there is a 50-percent match requirement. I do not think we ought to pass any bill out of this Chamber that does not assure we have the local participation and State participation before we do a brand new Federal spending program that assures we are going to build schools for all of the school districts in the United States.

I can see the cash register ringing up on there as the wish list for new schools goes up. I can tell you that in Wyoming, we have been working under an equalization program so that the rich school districts, those districts that have a higher property valuation, and own resources, have to pay for the schools in poorer areas of the State.

That is always under some court review to make sure that there is some equalization. There is a rating system for the school. There are some requirements on how big a chunk it has to go to classrooms, that it cannot go to athletic facilities. Athletic facilities have to be provided by outside sources in that district—100 percent by the district. So they have gone through a lot of difficulty to arrive at a formula.

We are talking about launching a new Federal program with no constraints. Once you do it with no constraints, it is pretty hard to go back again. Whoops, we sold off a bigger chunk than we can ever afford. After everybody in the country is figuring that their school can be replaced by Federal dollars, how do we back off of that kind of a position?

I am suggesting that if we get into this kind of a position at all, we be sure that we nail down some of the requirements. Something that I did not even address is, what size school do you build? If they are going to have 16 students do you allow a $1 million school for 1,000 students on the possibility that it might be a growth area? No, you cannot do that either. You cannot afford unlimited schools.

I heard someone say that the amendment of the Senator from Iowa does not force money on anybody. That certainly is true; It does not force money on anybody. It passes it out by the bushel basket, with no constraints whatsoever. Can you imagine some school district saying: No, no, we do not want that other table of the problem ourselves; don’t give us any money? No. What they are all going to say is: You started a program. You said you
would fix schools. It is underfunded. It is not funded.

Whatever you want to say, there will never be enough funds to take care of the kinds of schools that everybody will be able to envision. Architects will be sitting up late dreaming of new ways they can build logos for schools, let alone the schools, because there are no constraints in the Harkin bill.

This amendment puts in some modest constraints, constraints that say they can only have 30 percent bonding capacity in their area; they have to be making a local effort. They just have to have the local folks, even though it is not much, participating in their own program. Then the States have to make sure that 50 percent of it comes either from the local districts or the State, in any combination the State chooses, before any Federal dollars kick in.

We have the other solution that provides a revolving fund for States. That would provide the money to cover construction bonds. It is another alternative, another way that we can do the process.

I hope people will look at this amendment as being one that is a logical way to start the process. I ask that my colleagues consider the amendment carefully, and then support the amendment that I have offered.

Another amendment that takes another approach that can have an impact on schools is one that the Senator from Arkansas is proposing. So at this point, I yield the floor, and I yield the remainder of my time to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 300

Mr. HUTCHINSON. Mr. President, I thank the Senator from Wyoming for yielding time. I will only take a minute to briefly explain why I ask my colleagues to support the amendment I have offered.

There are, frankly, three amendments that deal with the issue of school construction. I believe Senator HARKIN and Senator ENZI are sincere. They have worked very hard. They understand there is a severe problem out there. In fact, there is one area of agreement that we all have, and that is that there is a serious need in this country for resources for school construction.

There is a different approach. There are three votes. There are three amendments. There is only one that does not create a new Federal program addressing school construction. So while there are merits and demerits to the various approaches, the other two amendments create a new program—both create new programs—for school construction. I believe that is wrong. There is only one amendment that preserves the prerogative of State and local governments to control the school construction issue.

So my amendment offers a helping hand through the Tax Code for local school districts, low-income, poor school districts to better be able to address the school construction needs they have. This is an approach that passed 20-0 out of the Finance Committee and has been supported previously in this body. I believe it is the right approach and expresses our concern about this issue and gives help to the local governing bodies who need the assistance but preserves that very important prerogative of the local school districts to control school construction issues.

So this preserves the whole principle of this bill; that is, local flexibility and local control, and does not take us down the road of a new Federal program involving us in a brand new area of building schools across this country. So I ask my colleagues to support my amendment. I believe it is consistent with what we are trying to do in this bill with greater flexibility and greater local control.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 649 offered by the Senator from Wyoming.

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 649. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Missouri (Mrs. CARNAN) would vote ‘no.’

The PRESIDING OFFICER (Mr. BROWNBACK). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 62, as follows:

(Rollcall Vote No. 107 Leg.)

YEAS—37

Alioto
Baucus
Bond
Burns
Campbell
Chafee
Collins
Conrad
Craig
Baucus
DeWine
Domenici
Durbin
Enzi
Frist
Gramm
Grassley
Gregg
Baucus
Hatch
Inhofe
James
Lienhart
McCain
Hutchison
Jeffords
Lott
Logan
McConnell

Markowski
Nickles
Santorum
Sessions
NAYS—62

Akaka
Allen
Bayh
Bennett
Biden
Bingaman
Boxer
Breaux
Bolling
Brockman
Byrd
Cantwell
Carper
Cleland
Clinton
Corzine
Daschle
Donnelly
Dodd
Durbin
Edwards

Shelby
Smith (NH)
Snowe
Stevens

Risch
Mikulski
Petingi
Peniston
Pigott
Graham
Harkin
Hatch
Helms
Roberts
Risch
Rudolph
Schumer
Smith (OR)
Specter
Stabenow
Thompson
Terricelli
Voinovich
Warner
Wells
Wyden

NOT VOTING—1

Carnahan

The amendment (No. 649) was rejected.

Mr. KENNEDY. I move to reconsider the vote.

Mr. JEFFORDS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. How long did that vote take, Mr. President?

May we have order, Mr. President.

The PRESIDING OFFICER. There will be order in the Senate.

The question is on the Harkin amendment.

The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the next votes in the series be limited to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The Senator from Massachusetts asked how long the last vote took. Did he get an answer to his question?

The PRESIDING OFFICER. Thirty-two minutes.

Is there objection to the request?

Mr. BYRD. Mr. President, what is the request?

The PRESIDING OFFICER. That the next vote be a 10-minute vote.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. BYRD. Mr. President, I do not know how serious this request is. I would like to know first. I will reserve an objection. I know the Senator wants to have a 10-minute vote. I know that.

Mr. JEFFORDS. Yes.

Mr. BYRD. I know he is serious.

Mr. JEFFORDS. Right.

Mr. BYRD. But just how much do we mean this in the Chamber? I am not making little of the Senator’s request. I would like to see a 10-minute vote.

May I ask this question of the leader. I ask unanimous consent that I may speak for 1 minute on this reservation.
The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. May I ask the distinguished majority leader a question. There is a request before the Senate to limit this debate to 10 minutes, and the only way that can happen is if the majority leader steps in at the end of the 10 minutes and closes this vote. Having been the majority leader, I do not think it is unfair for me to ask the majority leader if he intends to enforce this request if it is agreed to, and only the leader can enforce it.

Mr. LOTT. Mr. President, if Senator BYRD will yield, Senator BYRD has made this point before, and I certainly understand how he feels, and others, as a matter of fact, about the need to cut these votes off in a reasonable period of time.

I would be perfectly happy, and I am sure the managers would be happy, to see us limit these to 10 or, I believe, 6 minutes equally divided over the time, which has been allowed, for a total of 15 minutes. I will be glad to do that.

What happens, of course, is Senator DASCHLE and I will receive a call from a Senator who is on the way. We had last week a mistake where the Senator from West Virginia had not been recorded when, in fact, he had voted, and we, thinking he had not voted said: No, wait until he gets here. We know he wants to be recorded.

We made a mistake by bending over backwards too much trying to accommodate all 100 Senators. But the Senator's point is well taken. Since we are all here and listening attentively, this vote will be cut off in the prescribed time, as was suggested by the Senator from Vermont, if in fact that request is honored.

Mr. BYRD. Mr. President, I remove my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that following the sequenced votes and any cleared amendments, the Senate then resume consideration of the Dayton amendment No. 622 and the Voinovich amendment No. 443. I further ask unanimous consent that there then be a total of 30 minutes equally divided for closing remarks with respect to both amendments.

Further, I ask unanimous consent that following that time, the Senate proceed to a vote in relation to amendment No. 622, to be followed by a vote in relation to amendment No. 443, with no amendments being in order to amendments prior to the vote. I ask that there be 2 minutes equally divided prior to the second vote.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I would like to speak now on the matter of reconciliation. Is it expected in the morning we will have an opportunity to speak before that bill is taken up?

Mr. LOTT. Mr. President, let me say if the Senator will yield, I would like to have a chance to talk to the managers of the legislation about the possibility of yielding some time tonight or we will work with you to make sure you have time in the morning. We know you want to speak on this matter, and we will work with you to find a time that is agreeable with you to do so, either after these votes or in the morning. If you will allow us to talk to the managers and get with you, we will find a way you can do that.

Mr. BYRD. Mr. President, I do not want to speak to an empty Chamber on the matter of reconciliation. So I would like to speak immediately after the next two votes, which I understand are already scheduled. Am I correct?

Mr. KENNEDY. The Senator is correct.

The PRESIDING OFFICER. There are two votes that are scheduled at this point.

Mr. BYRD. I would like to speak immediately after those votes.

Mr. LOTT. Mr. President, I am not sure; does Senator BYRD still have the floor?

Mr. BYRD. I do not have the floor. I was reserving the right to object.

The PRESIDING OFFICER. The Senator from Vermont has the floor.

Mr. LOTT. If the Senator from Vermont will yield, as we try to get the unanimous consent agreement worked out, I believe we have requests that would allow us to have this sequence and then have two votes in the next hour. I think maybe then there would be a time where Senators will be in the Chamber and perhaps we could do it after the two votes that are supposed to occur in an hour. Would that be agreeable to Senator BYRD?

Mr. BYRD. Mr. President, will the Senator from Vermont yield?

Mr. JEFFORDS. I yield.

Mr. BYRD. As I understand it, two votes are locked in already.

Mr. LOTT. That is correct.

Mr. BYRD. I would like to speak following those two votes.

Mr. LOTT. Mr. President, I know the Senator would like to have an opportunity to speak when there would be the maximum opportunity to have the arguments heard, but I do not think we are going to have these two stacked votes. We were hoping we could stay on the education issue and get through this agreement that has been worked out, the final two. Then while we are working on the next amendment, we thought it would be a good time for Senator BYRD to make his statement.

Mr. BYRD. Mr. President, I object to the request.

Mr. LOTT. Mr. President, I believe we have two votes that are already ordered and we can go to the vote.

The PRESIDING OFFICER. The question is on the amendment.

Mr. BYRD. Mr. President, may we have an explanation of the amendment?

Mr. KENNEDY. We ask for 2 minutes for the proponent, the author of the amendment to be able to address the Senate prior to the vote. I ask for 2 minutes.

The PRESIDING OFFICER. Is there objection to the author of the amendment explaining it for 2 minutes? One minute?

Mr. BYRD. Mr. President, I object. If it is only going to be 1 minute, I object. I want an explanation on this. We will have it or we will have a quorum call and that will take far longer than an explanation would require. I want to know what this amendment is about.

Mr. KENNEDY. Could I renew my request? It be given 2 minutes?

That is too short an explanation.

The PRESIDING OFFICER. Is there an objection?

Mr. BYRD. Let's make that 5 minutes.

Mr. KENNEDY. It is 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Yes. Objection. The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Yes.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.
Mr. BUNNING. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue.

The assistant legislative clerk continued the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

Mr. BYRD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I thank the managers of this legislation and all those who have been involved in the struggle to try to accommodate all of those wishes.

We have come up with an agreement that I think will allow us to make progress on the education bill, move to the reconciliation bill, and make progress there. So to put it by in layman's language, we have two votes on amendments back to back that are already ordered. What we would do then would be to go to the debate on the next amendments. Those two votes would occur in the morning, beginning at 9 o'clock, preceded by 3 minutes of time before each vote. Then at 9:30 or so, as the votes are completed, we would go to reconciliation, and Senator BYRD would be recognized for up to 30 minutes as the first speaker on reconciliation. So that is how it would work out.

Mr. President, I ask unanimous consent that following the votes that are ordered, and any cleared amendments, the Senate then resume consideration of the Dayton amendment No. 622 and the Voinovich amendment No. 443. I further ask consent that there then be a total of 20 minutes, equally divided, for closing remarks with respect to both amendments. Further, I ask consent that following that time, the Senate proceed to a period of morning business. I ask consent that these votes occur beginning at 9 a.m., with 3 minutes prior to each vote for explanation.

I further ask consent that Senator BYRD be recognized immediately following the two stacked votes for up to 30 minutes immediately following the reporting of the bill by the clerk.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. I do not expect to object, but I want to be clear on two things. No. 1, when we have a quorum call here, we should be able to hear the clerk call the names. No. 2, the 30 minutes that are reserved for me to speak—

Mr. REID. Twenty minutes.

Mr. BYRD. No. I did not say 20 minutes.

Mr. LOTT. For Senator BYRD?

Mr. REID. I am talking about the two votes.

Mr. BYRD. I am not talking about the two votes. My 30 minutes I do not want taken out of the 20 hours tomorrow. I wanted to make it today. I wanted to make it today between the votes so that it would not.

Mr. LOTT. If the Senator will yield, I think we could probably spend more time working through this. Let's make that accommodation. We will have two votes in the morning, but Senator BYRD will speak for 30 minutes. Then we will go to the reconciliation bill, which would be at approximately 10 o'clock or 10 after, whatever it would be.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Reserving the right to object, it is our understanding that the remarks by the Senator from West Virginia would not come out of the reconciliation.

Mr. LOTT. Because of his objection, perhaps others, it would not count against that time. But we are going to have to use about 12 hours or more tomorrow. So I was thinking that since it was relevant to that issue those 30 minutes could count against the 12 or 14 hours we need to use tomorrow. But if there is objection to that, it is more important we get the agreement, hear what he has to say, and get started with the reconciliation bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**VOTE ON AMENDMENT NO. 525**

The PRESIDING OFFICER. The question now is on agreeing to the Hutchinson amendment No. 550. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNANAH) is absent attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 16, as follows:

[(Rollcall Vote No. 109 Leg.)

**YEAS—83**

Akaka  Dayton  Koli
Allen  DeWine  Landrieu
Allard  Dodd  Leahy
Allen  Domenici  Levin
Bayh  Dorgan  Lieberman
Bennett  Edwards  Lott
Biden  Hagel  Lugar
Bingaman  Inouye  McConnell
Bond  Nelson (FL)  Sessions
Boxer  Feinstein  Snowe
Breaux  Fitzgerald  Smith (RI)
Brownback  Graham  Snowe
Bunning  Gramm  Snowe
Burns  Harry  Snowe
Campbell  Jeffords  Stevens
Chafee  Collins  Thomas
Chrusch  Craig  Thompson
Cooper  Craig  Thurmond
Collins  Crapo  Voinovich
Conrad  Cranston  Warner
Corker  Daschle  Warrington
Craig  Daschle  Wyden
Crapp  Daschle  Wyden
Dodd  Lieberman  Wyden
Domenici  Lott  Wyden
Easley  Lott  Wyden
Enzi  Lott  Wyden
Enzi  Lott  Wyden
Ensign  Lieberman  Wyden
Feinstein  Lieberman  Wyden
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The purpose of this amendment is to take these critical funds and see that they go where they should go, which is toward the core curriculum and the teaching of and learning by youngsters. I believe the amendment will be accepted.

Current law on Title I is much too vague.

It says, A State or local educational agency shall use funds received under this part only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this part, and not to supplant such funds. Basically, it says that Title I funds are to be used for the “education of pupils.” That is just too nebulous.

The U.S. Department of Education has given states a guidance document that explains how Title I funds can be used. Permitted uses are for the following: instructional practices; counseling; mentoring; developing curricula; salaries; employee benefits; renting privately-owned facilities; janitorial services; utilities; mobile vans; training and professional development; equipment; interest on lease purchase agreements; travel and conferences; food and refreshments; insurance for vehicles; and parent involvement activities.

Under this guidance document, only two uses are specifically prohibited: construction or acquisition of real property; and payment to parents to attend a meeting or training session or to reimburse a parent for salary lost due to attendance at “parental involvement” meeting.

I believe we should give the Department, states and districts clearer guidance in law. My reason for introducing this amendment is this: Our students are not learning; our schools are failing our children. We must use our limited federal dollars for the fundamental purpose of education: to help students learn.

A January 2001 study by Education Weekly, titled “Quality Counts 2001: A Better Balance,” brought more bad news about California’s students. Here’s what the report found:

In fourth grade reading, 20 percent of students are proficient and 52 percent are below the basic standard.

Eighth grade reading, 28 percent of students are proficient and 36 percent are below the basic standard.

Comparing California to other states, in how well fourth grade students read, California ranks 36 out of 39 states. In eighth grade reading, California ranks 32 out of 36 states.

Nationally, the news is similarly disheartening.

U.S. eighth graders are outperformed by their counterparts in math and science from Japan, Korea, Hong Kong, and Singapore, Australia, and Canada.

American twelfth graders performed in mathematics better than student in...
only two countries, Cyprus and South Africa.

In writing, 75 percent of U.S. school children cannot compose a well-organized, coherent essay, according to the National Assessment for Education Progress in September 1999.

We have to put a stop to this bad news. Fortunately, the bill before us takes some strong steps and with this amendment, it will take even more.

What is difficult to ascertain is how Title I funds are always being used, we do know of a few examples that raise some questions in my mind:

In Alabama, according to the Citizens’ Commission on Civil Rights, “dipped into Title 1 to pay the electric bill and for janitorial services.”

While most of Title I’s $8 billion appear to be spent on instruction, the Los Angeles Times, in a March 12, 2000 editorial, reported that 12 percent is wasted on unskilled though well-meaning teacher aides, who are often more babysitter than instructor.”

‘Title I has been used “to pay for everything from playground supervisors and field trips to more time for nurses and counselors,” according to the San Diego Union-Tribune, March 16, 2000.

California school officials have told my staff that Title I has been used for pay for clerical assistants in school administrative offices, payroll staff, truant officers, schoolyard duty personnel, school bus loading assistants, “curriculum coordinators,” “compliance,” attending conferences, and home visits.

By my amendments, I am not suggesting that Title I funds are being wasted across the board.

In fact, an August 2000 report by the Department of Education says, “Most—77 percent—of Title I funds were used for instructional materials;” for example, to hire teachers and to provide instructional materials. That is good.

But that report also says, that 12 percent of funds or $835 million in 1998, were used for “program administration.” Since this report does not provide more specificity, it is difficult to tell exactly what these funds were used for, but I do think we have to question whether we want $835 million spent on administration of this program.

Another report, a draft by the Citizen Commission on Civil Rights, found that in the Fresno, California, school districts, “15 percent [of Title I funds remain in the district office.” It goes on to say, “Supplies, two case workers, Saturday schools, and breakfast and lunch programs for about 800 homeless students.” This is just one example and while these uses probably most certainly contribute to a child’s education, it is my view that Title I cannot do everything.

That is why I am trying to better focus Title I funds on academic instruction, teaching the fundamentals and helping disadvantaged children achieve.

Federal funding is only seven percent of total funding for elementary and secondary education and Title I is even a smaller percentage of total support for public schools. We must get the most that we can educationally for our limited dollars. It is time to better direct Title I funds to the true goal of education: to help students learn. This is one step towards that goal.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. JEFFORDS. Mr. President, I have no request for time on the amendment.

I ask unanimous consent the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent there now be a period for morning business with Senators permitted to speak for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I make a point of order that there is not a quorum present.

The PRESENTING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JORGAN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESENTING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask consent to speak in morning business for 15 minutes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 15 minutes.

ENERGY POLICY

Mr. DORGAN. Mr. President, tomorrow I believe Vice President Cheney will be releasing details of an energy plan he has worked on for some time. While all of us anxiously await release of that plan, we can begin discussing what kind of an energy policy this country needs.

I think it is the case that with respect to both Republican and Democratic administrations, for many years this country has not had a satisfactory energy plan. We have become more and more reliant on foreign sources of energy. We seem not to have a consistent plan that tracks over a long period of time relating to production and conservation and renewables.

So I think it is quite clear we need a new plan. We need a new strategy, one that works for this country. We have Americans today who discover, when they drive up to the gasoline pumps, that the price of gas has increased dramatically. In some parts of the country, people are now paying over $2 a gallon for gasoline. In other parts of the country, the price of gasoline, they say, will probably move to $3 a gallon at some point. Lord only knows what the new projections will be.

Those who are trying to heat their homes with natural gas, or family farmers who are growing crop with anhydrous ammonia fertilizer, 80 percent of which is natural gas, are discovering the price of natural gas has spiked and skyrocketed. In many parts of the country, the price of natural gas is rising, I think it is fair to say in some cases is much more than that.

If you happen to live in California at the moment, you discover that the price of electricity has dramatically increased. We have had a 2 year ago, the price of power in California cost consumers $7 billion. Two years later, it is $70 billion in California, which is nearly a tenfold increase. Those price increases have spread to other parts of the west, as well.

We know that in California the use of natural gas to produce power in electric generating plants, in a deregulated wholesale market, has created, in my judgment, a broken market, one in which we are addicted to a regulated market in California, and in 24 hours the price of an MCF of natural gas can double, triple, or quadruple—in just a 24-hour period. And all of it is non-transparent. No one can see what the pricing is, who made the money, how much money was made. That is what is happening in California today.

I have been very critical of the Federal Energy Regulatory Commission that is supposed to be regulating some of these activities, but instead has done its best imitation of a potted plant for a couple years. They have essentially done nothing because they apparently view markets as some sort of a sacrosanct device which will be fair to all.

In fact, the market in California is broken. The market for power in California does not work. This is a failed experiment in deregulation. Any lesson we could take from the rest of the country—and, I would say, for my home State of North Dakota, is: let us not follow this example of deregulation. They call it restructuring. That is just a fancy name of saying deregulation.

In North Dakota, we have been deregulated with airlines, deregulated with railroads, and now they talk about the deregulation of electricity. We are learning what it is supposed to be like when we deregulated, we have been hurt badly. The California experience of deregulation and restructuring ought to send shivers down the backs of the rest of the people in this country who have not yet had this experience.

My point is, we have an energy situation that is in chaos in this country: it is at the gasoline pumps in the eastern part of the country, and all the rest of the country; it is in electricity prices in California; natural gas prices for farmers who are about to go into the field; and for people trying to heat their homes.
What do we do about all that? First, I happen to think we ought to investig-ate pricing policies. When you have concentration of power in the hands of a few—I would say, in the oil industry, with the kinds of mergers we have had in recent years—we have larger and larger entities that have the power and the muscle to impose high prices and to manipulate supply. I do not al-lege they do it in all cases. I do allege the possibility exists. And we would do the public a service by shining light on pricing policies in many of these energy streams. I sug-gest we do that by creating a select committee—a joint House and Senate committee—to investigate energy prices.

Let me be quick to say, there are also other reasons for the spike in some energy prices. When the price of oil went to $10 a barrel, frankly, there was very little incentive for the energy industry to look for oil and natural gas. I understand that. I accept that.

Then the price of oil spiked to $35 a barrel, and we began to see more drilling rigs; more people are looking for oil. We will have more supply coming on line in the fact that there is an imbalance in supply and demand. That is not permanent. That is temporary. I also accept the fact we would be better off as a country not having that kind of roller coaster ride on energy prices.

We would be much better, in my judgment, having a more stable pricing structure that would provide incentives for people to search for coal, oil and natural gas, not just sometimes, but all of the time.

So I accept that as part of the reason for some of the pricing disparities that exist in this country. But I do not ac-cept that that represents the entire an-swer for what is happening in this country.

I believe there is evidence of price manipulation and supply manipulation, and I think this Congress, which seems to be willing to investigate almost any-thing in the last 10 years or so, would do the American public a service by creating a select committee of the House and the Senate to investigate energy prices. If there is nothing there, we will not find anything. If we find something, we will do the American public a service by shining light on it, and not by stopping it, with re-spect to price manipulation.

Having said all that, let me say that we welcome the submission by Vice President CHENEY tomorrow. It is time—high past the time—that this Congress begin deliberating on a new energy policy.

What should that policy be? In my judgment, that policy needs to have in-centives and the kinds of mechanisms that will encourage production. Yes, we need more production; no question about it. We need to find more coal, more oil, and more natural gas. So pro-duction is a part of it.

In fact, there is a substantial amount of production opportunity around this country. The are 32 trillion cubic feet of natural gas up in Alaska that we know is there. It is leased. That could be brought down here, if we could only build a pipeline. So in terms of produc-tion, we have all we need facilities to transmit electricity.

There are a whole series of infra-structure issues, in addition to the pro-duction incentives, that ought to be in-a good, sound energy plan. But let me say, without a balanced energy plan, use about energy policy that we are likely to get tomorrow, when they say production is the overwhelming urge in this new energy plan, production is an important part of it, but it is not the only part of it. A balanced energy plan that is good for this country will in-cude production. There is no question about that. But a balanced energy plan will especially also include conserva-tion.

This country needs to be more con-servation-minded. We can conserve much more energy than we do, if we have the kind of leadership that we ought to have, and if we have the incen-tives for conservation that we ought to have.

In addition to conservation, we need efficiency. There is no reason that we ought not require more efficiency in appliances and a range of other activi-ties in this country. We know from ex-perience how airline efficiency works, that the manufacturers can develop products to be more efficient and produce these products for our consumers in this country. Effi-ciency must be a part of a balanced en-ergy plan.

Then, finally, a balanced energy plan must—and I emphasize must—include renewable sources of energy. I know the oil companies have never liked some of them. The oil industry has never liked ethanol. What is ethanol? Taking a kernel of corn, extracting a drop of alcohol from that kernel of corn, and using that alcohol to extend our energy supply makes great sense to me. It is renew-able. You can produce that corn over and over again. Once you take the drop of alcohol from the kernel of corn, you have protein feed stock left that you can use to feed animals. What a terrific bargain for this country: Extend your energy supply by using a renewable source, and have the protein from the feed stock left for animals.

But the oil companies have never much liked ethanol, and I understand why. Because it is a competitor, albeit a small competitor, but it ought to be a much bigger competitor. We ought to develop renewable resources. Ethanol is one renewable source. Another is biomass; still another is wind power.

It may surprise some to know that the Department of Energy says the winds of the world is North Dakota. We do not have any wind devices in North Dakota to col-lect this power and distribute it. The new wind energy turbines are very effi-cient. They are wonderful devices that can take the wind and create from that wind, and from the spinning of the prop-eller into a turbine, electricity.

North Dakota, they say, is the “Saudi Arabia” of wind—and the Department of Energy says it is—then we ought to, not just in North Dakota, but throughout the country, use this new wind energy, which itself is renewable.

We have a substantial amount of new wind energy activity in Iowa, in Minnesota, and, of course, there has been a substantial amount in California. But the new turbines for wind energy are highly efficient. We owe it to this country to use these new renewable sources of energy to extend our coun-try’s energy supply.

Let me just digress for a moment to say, one of the interesting things about this country, and about energy, is this: Almost everything in the world has changed in the last century—almost everything. You name an area, and you will find a significant change—except, we still use gasoline in automobile en-gines.

I was a very young boy when I got my first car. My father actually found it in the junk yard. He was sitting in the tray of a Model T Ford into my father’s service station. I worked on it for a year and re-stored the little old Model T Ford. It was a 1924 antique automobile.

Do you know something? You pro-voked energy for that car, the 1924 car—exactly the same way you provide energy for a car produced in 2001. You stick a gas hose in the tank, and pump a little gas in. Nothing has changed.
Nothing has changed in all of these intervening years. Isn’t that interesting? Almost everything else has changed, but we still stick a gas pump in a gas tank of a car—80 years ago, or today, you pump the same gasoline. Quite remarkable.

We can do better in this country. I am not suggesting we wean ourselves off gasoline in a short period of time, but we still stick a gas pump in a gas tank. This country has the technological capability to do a lot of wonderful things. But here we are, sitting on the edge of this spin in this energy crisis, with the price of natural gas doubling, gasoline $2 a pump and going north, and the price of electricity in California going through the roof, and blackouts occurring at a time when California is only at about two-thirds of its ultimate power needs for the hot weather.

We have a mess on our hands. In order to get out of this mess, all of us, Republicans and Democrats, need to figure out how we construct a strategy on energy that is balanced—that includes conservation, efficiency, and renewables. A good energy policy that has all of those elements, that represents the best of all of the ideas brought to the table in this Chamber will, I believe, be a longer-term strategy, then coming up with the same tired old strategy we have had in the past, just simply street-corner chanting “production, production, production,” that somehow that will solve this country’s problem, is, in my judgment, a road to nowhere. I am anxious to see, and interested in seeing, what the Vice President has produced. Most of us in this Chamber should be ready and willing to begin working immediately with the Vice President, the administration, and all others, to both construct and demand a balanced energy policy for this country.

The American consumers have long deserved it and have never received it. Americans don’t deserve to be held hostage by foreign energy supplies over which we have little control. They don’t deserve to be held hostage with respect to electric costs we can’t control and, therefore, have rolling blackouts in one of our largest States. They don’t deserve to be held hostage by gas pump prices over which they have no control and very little understanding.

Tomorrow will be an interesting day. I hope it is the first step on a journey to begin constructing between Republicans and Democrats an energy policy that will really serve this country well. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

The remarks of Mrs. Collins and Mr. Warner pertaining to the introduction of S. 904 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”

DOUBTS ABOUT THE DEATH PENALTY

Mr. FEINGOLD. Mr. President, I rise to speak on the disclosure late last week that the Government had failed to share thousands of pages of evidence with defense attorneys in the case of Timothy McVeigh.

Let me first say that my thoughts and prayers are with the victims and families who lost loved ones as a result of this horrific, cowardly act. My heart goes out to them. For them, this cannot help but be a very difficult time. Sadly, their ordeal has only been aggravated by the national spectacle surrounding McVeigh’s planned execution and now this latest revelation of the mishandling of his case. This latest unforeseen turn must only add to their anger, their pain, and their grief.

There is no question that McVeigh should be punished severely for this heinous crime. On that, there can be no disagreement.

But the FBI’s belated release of these thousands of documents highlights the fact that the Federal Government’s administration of the death penalty, even in the most highly scrutinized of cases, is fallible.

At his press conference Friday, President Bush said: “Any time we’re preparing to carry out the death penalty, we have a solemn obligation to make sure that the case has been handled in full accordance with all the guarantees of our Constitution.” Inadequate handling, according to the most highly scrutinized of cases, is intolerable.

I agree with President Bush.

But if this kind of gross failure can occur in a case managed by the most competent, professional law enforcement agency of which we know, doubts must arise with regard to the Government’s ability to fairly assure that defendants have been treated fairly.

And if this kind of dereliction occurs in a case vigilantly observed under the television klieg lights, doubts must arise that this Nation has made sure that other capital defendants’ cases have been handled in full accordance with all the guarantees of our Constitution.

And if this kind of deficiency can take place when dedicated and well-trained counsel have labored and diligently applied themselves to ensure fairness for this defendant, doubts must arise that this Nation is in all death penalty cases delivering the justice on which “[t]he very foundations of our democracy depend.”

To honor “the guarantees of our Constitution,” we must ensure the fairness of the entire process by which the Government applies the death penalty—from arraignment, to trial, to sentencing.

And to ensure that “defendants have been treated fairly,” we must ensure that in treatment of all defendants, regardless of where in the Nation they live or what the color of their skin.

In these respects, the case of Timothy McVeigh does not present the Bush administration its most difficult test. For the McVeigh case lacks the questions of innocence, regional disparity, and discrimination that haunt so much of death row.

After McVeigh’s, the next scheduled Federal execution is that of Juan Raul Garza. Because of questions raised about regional and racial disparities in the Federal death penalty system, his execution was stayed until June 19.

When he stayed the execution, President Clinton instructed the Justice Department to conduct a study to determine the causes of those regional and racial disparities.

Observers of justice in America will await how the Justice Department and the President review these questions. Until these questions are resolved, and until we are certain of the fairness of the process, the Government should not execute Juan Raul Garza. These questions may provide the weightiest test of Attorney General Ashcroft and President Bush in the weeks to come.

TAX CREDITS FOR HYBRID VEHICLES

Mr. BIDEN. Mr. President, tomorrow, the administration will unveil its energy plan. From the early reports we have been given, I am concerned that the proposals are too heavily weighted on the production side and do not sufficiently address the need for conservation. One bright note that I have found is a general support for hybrid vehicles, the topic that I wish to address briefly today.

Specifically, I want to voice my support for legislation creating a hybrid vehicle tax credit. A hybrid vehicle combines an electric motor and battery pack with an internal combustion engine. The engine and the electric motor work in tandem, with either system providing primary or secondary power depending on driving conditions. For example, when stopped at a light, the vehicle shifts from an internal combustion engine to electric power and then back again as needed. In addition, the batteries are re-charged during operation, eliminating the need for an external charger. This is new technology and the result of years of hard work.

I would like to see my colleagues join me in passing legislation to create a tax credit that would encourage consumers to purchase hybrid vehicles. I
have known for years that this technology would become available and I have been looking for the right opportunity to draft legislation that would help put hybrid vehicles on our roads. I think that there are two components that must be addressed in a tax credit bill. To begin, I firmly believe that we must reward the integration of the technology into the vehicle with a base credit. In addition, however, I feel strongly that an important goal that must be achieved through legislation is to reward a vehicle that significantly decreases the amount of fuel consumed. I have proposed a plan that provides both a base credit of up to $2000 for the use of the technology, as well as a bonus credit, up to $1000, calculated based upon the lifetime fuel savings of the vehicle.

I think that this approach is a sound one. Placing the emphasis on gallons saved speaks directly to the importance of conservation and with our country’s energy crisis it is absolutely critical. And I also know that the biggest improvements in the reduction of fuel consumption will come from getting larger volumes of hybrid vehicles into the hands of consumers.

But in drafting this legislation, there are certain realities that we must accept. Today, there is a significant portion of the population that wants to drive a larger vehicle. This is America and people are entitled to personal choice. It is for this reason that I applaud the efforts of car manufacturers who have chosen to place hybrid technology in larger vehicles and SUV’s. For example, DaimlerChrysler has committed to hybridizing the popular Dodge Durango with the vehicle scheduled to come on line in 2003 and this will bring a 20 percent improvement in fuel consumption.

I am also aware that others have advocated different approaches to craft legislation that creates a tax credit for hybrid vehicles. My colleague Senator HATCH has introduced a bill, S. 760, that would provide a tax credit for hybrid vehicles as well as other advanced motor vehicle technologies. While his bill provides a base credit, up to $1,000, for the inclusion of hybrid technology, the bonus credit in this bill, up to $3,000, is calculated depending upon the fuel economy performance of the vehicle.

In addition, the Hatch bill and the administration’s general statements, members of the automobile industry as well as environmentalists are also engaged in discussions to draft language that will create an incentive for consumers to purchase a hybrid vehicle. In the next few weeks, we need to have a thorough discussion among members of the automobile industry and environmentalists so that we can reach consensus on the language of this important legislation and move forward to pass an approach that solves the problem and I am prepared to listen to all views. I hope that the other stakeholders are also ready to work for a compromise. While we may differ on our approach to drafting the legislation, I am sure that we can all agree that the goal should be passage of legislation that creates a tax credit for hybrid vehicles and provides the necessary encouragement to bring this important technology into the marketplace.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a heinous crime that occurred December 12, 1999 in Washington County, PA. Three men went to an adult bookstore to rob a gay man now face charges of kidnapping, robbery, aggravated assault, murder, tampering with evidence, and one count of conspiring to commit those crimes in the disappearance of Ira Swearingen. 48, a medical consultant from Stout, NV. The gruesome details of the abduction, beating, and murder of Swearingen were revealed in court. After being abducted, Swearingen was stuffed inside the trunk of his rental car, and one of the perpetrators said “Did ya hear it? I broke his jaw.” Another perpetrator heard gurgling of blood and heard the victim screaming. They yelled “Shut up faggo! Shutup, pickles.” Later, the victim was driven to an isolated area, forced to strip and marched into the woods as he pleaded for his life at which point, one perpetrator testified, he shot the victim between the eyes at close range.

I believe the Government’s first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, May 15, 2001, the Federal debt stood at $5,651,674,551,618.32, five trillion, six hundred fifty-one billion, six hundred eleven dollars and thirty-two cents.

Five years ago, May 15, 1996, the Federal debt stood at $5,115,694,000,000, five trillion, one hundred fifteen billion, six hundred nineteen dollars and thirty-two cents.

Ten years ago, May 15, 1991, the Federal debt stood at $3,460,389,000,000, three trillion, four hundred sixty-nine billion, three hundred eighty-nine million, thirteen hundred eighty-nine dollars and thirteen-cent.

IN RECOGNITION OF NEIGHBOR DAY

Mr. REED. Mr. President, I rise today to acknowledge the endeavors of the citizens and Town Council of Westerly, RI, in establishing and promoting Neighbor Day. Neighbor Day is an opportunity to learn more about others in our communities. It is also a celebration of friendship, civility, peace and cooperation. Since 1993, when a dispute between two teenagers left one youth dead and another charged with murder, Westerly has celebrated Neighbor Day in an effort to prevent similar tragedies at home and throughout the world.

Westerly’s tradition has been adopted throughout my state. The Rhode Island
General Assembly in 1999 designated the Sunday before Memorial Day as Neighbor Day for annual statewide observance. It is the hope of the citizens of Westerly that Neighbor Day will gain nationwide and worldwide recognition, and that its ideals—community, tolerance, and nonviolence—will one day become a reality for all.

I hope my colleagues will join with me in recognizing Westerly’s achievement in encouraging friendship and respect among all people.

I am very pleased to announce this statement the resolution of the Rhode Island General Assembly, declaring statewide recognition of Neighbor Day, be printed in the RECORD.

SENATE RESOLUTION DECLARING MAY 19, 1996 TO BE NEIGHBOR DAY IN RHODE ISLAND

Whereas, Go out of your way to get in touch with your neighbors. Ring doorbells and say “Hello.” These are but some of the things we each can do to learn more about the people in our communities; and

Whereas, In 1993, Westerly became the first town in the Ocean State to declare the Sunday before Memorial Day to be Neighbor Day. In Rhode Island it swiftly followed its splendid example. Hopefully national and international recognition of this special day will make it a reality for all; and

Whereas, While respect and justice for all is often upon our lips, it will take a strong personal commitment by each and every one of us to actualize this dream; now, therefore, be it

Resolved, That this Senate of the State of Rhode Island and Providence Plantations hereby declares May 19, 1996 to be Neighbor Day in Rhode Island. It is so important that all Rhode Islanders learn that the most important moral obligation we all share is to “Love Thy Neighbor”; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to Mary Jane DiMaio, M.J. Enterprises.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States May 13, 1996 were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 3:17 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills in which it requests the concurrence of the Senate:

H.R. 586. An act to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes.


H.R. 1727. An act to amend the Taxpayer Bill of Rights Act providing for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 429) concerning the participation of Taiwan in the World Health Organization.

The message further announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6131), as amended by Public Law 106-55, the Speaker reappoints the following member on the part of the House of Representatives to the Commission on International Religious Freedom for a term of 2 years: Ms. Nina Shea of Washington, DC.

The message also announced that pursuant to section 201(b) of the Congressional Award Act (2 U.S.C. 803), the Majority Leader appoints the following Member of the House of Representatives to the Congressional Award Board: Ms. Jackson-Lee of Texas.

At 4:21 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill in which it requests the concurrence of the Senate:

H.R. 1836. An act to provide for reconciliation pursuant to section 101 of the concurrent resolution on the budget for fiscal year 2002.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1836. An act to provide for reconciliation pursuant to section 101 of the concurrent resolution on the budget for fiscal year 2002.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1860. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report relative to the Department’s enforcement activities under statute during calendar year 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-1861. A communication from the Acting Assistant Secretary of Defense, Command, Control, Communications, and Intelligence, transmitting, pursuant to law, the Chief Information Officer Annual Information Assurance Report for Fiscal Year 2000; to the Committee on Armed Services.

EC-1862. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revision to Interim Approval Requirements” (FRL96896-6) received on May 10, 2001, to the Committee on Environment and Public Works.

EC-1863. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled “Disaster Assistance; Public Assistance Program Disparities; Disaster Loan (2001-AD29) received on May 14, 2001; to the Committee on Environment and Public Works.

EC-1864. A communication from the Acting Assistant Secretary of Health Standards Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Occupational Exposure to Asbestos—Amendment; Partial Acceptance for Batch-Kier Washed Cotton” (RIN1218-A190) received on May 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-1865. A communication from the Director of Regulation Policy and Management, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled “Secondary Direct Food Additives Permitted in Food for Human Consumption” (81 Fed. Reg. No. 00F-1467) received on May 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-1866. A communication from the General Counsel of the Office of Management and Budget, transmitting, pursuant to law, the report of a rule by unanimous consent, and a change in the previously submitted report information for the position of Administrator of the Office of Federal Procurement Policy, Office of Management and Budget; to the Committee on Governmental Affairs.

EC-1867. A communication from the Deputy Director of the Institute of Museum and Library Services, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC-1868. A communication from the Chairman of the United States International Trade Commission, transmitting, the report of a rule entitled “Change in the previously submitted report information for the position of Administrator of the Office of Federal Procurement Policy, Office of Management and Budget; to the Committee on Governmental Affairs.

EC-1869. A communication from the Attorney Advisor of the Commission, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Implementation of the Comparative Standards for Noncommercial Educational Applicants” (Doc. No. 96-131) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1870. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Classification of the Comparative Standards for Noncommercial Educational Applicants” (Doc. No. 96-131) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1871. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Memorandum Opinion and Order on Reconsideration, Establishment of Class A Television Service” (Doc. No. 00-10) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1872. A communication from the Special Assistant to the Bureau Chief, Mass
Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Albuquerque, NM” (Doc. No. 00-134) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1879. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment to Class E Airspace; Oglala, NE; Correction” (RIN2120-AA69) (2001-0080)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1882. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class D and Class E Airspace; Oxford, CT” (RIN2120-AA68) (2001-0080)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1888. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 707 and 720 Series Airplanes” (RIN2120-AA64) (2001-0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1890. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 777-200 and -300 Series Airplanes” (RIN2120-AA64) (2001-0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1891. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 777-200 and -300 Series Airplanes” (RIN2120-AA64) (2001-0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1892. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 777-200 and -300 Series Airplanes” (RIN2120-AA64) (2001-0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1893. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A330 and A340 Series Airplanes” (RIN2120-AA64) (2001-0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1894. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A300 B4-600, A310-205, A310-221, and A310-222 Series Airplanes” (RIN2120-AA64) (2001-0219)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1895. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: MD Helicopters Inc Model MD-900 Helicopters” (RIN2120-AA64) (2001-0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1896. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 757-200 and -300 Series Airplanes” (RIN2120-AA64) (2001-0194)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1897. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Raytheon Aircraft Company Beech Models 35A, 40A, 18, 19, 19B, 19D, V35A, V35B, 36 and A36 Airplanes” (RIN2120-AA64) (2001-0196)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1898. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Dassault Falcon 2000 and 2000EX Series Airplanes” (RIN2120-AA64) (2001-0196)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.
The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-53. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to prayer in public schools; to the Committee on the Judiciary.

SENIATE RESOLUTION No. 54
Whereas, The United States of America was founded by men and women with varied religious beliefs and ideals; and
Whereas, The First Amendment to the United States Constitution states that “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof...” which means that the government is prohibited from establishing a state religion. However, no barriers shall be erected against the practice of any religion; and
Whereas, The establishment clause of the First Amendment was not drafted to protect Americans from religion. Rather, its purpose was clearly to protect Americans from government mandates with respect to religion; and
Whereas, The Michigan Senate strongly believes that reaffirming a right to voluntary, individual, unorganized, and nonmandated prayer in public schools is an important element of religious choice guaranteed by the Constitution, and will reaffirm those religious rights and beliefs upon which the nation was founded: Now, therefore, be it
Resolved by the Senate, That the members of this legislative body memorialize the Congress of the United States to strongly support voluntary, individual, unorganized, and nonmandatory prayer in the public schools of this nation; and further, Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

REPORTS OF COMMITTEES
The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance, without amendment:
S. 896: An original bill to provide for reconciliation pursuant to section 103 of the concurrent resolution on the budget for fiscal year 2002 (H. Con. Res. 83).

EXECUTIVE REPORTS OF COMMITTEE
The following executive reports of committee were submitted:

By Mr. MURkowski for the Committee on Energy and Natural Resources:
Bruce Marshall Carnes, of Virginia, to be Chief Financial Officer, Department of Energy.
David Garman, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).
Francis S. Blake, of Connecticut, to be Deputy Secretary of the Interior, transmitting, pursuant to law, the reports of the service on the Marine Mammal Protection Act of 1972; to the Committee on Commerce, Science, and Transportation.

PENDING據 GENDALS AND JOIN/T RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself and Mr. McCaIN):
S. 993. A bill to establish the National Boxing Commission and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELMS (for himself, Mr. LiebEran, Mr. SANTorum, Mr. GRAHAM, Mr. Torricelli, Mr. EnsiN, Mr. ALlen, Mr. Crag, Mr. NelSon of Florida, Mr. Shely, Mr. SMith of New HampShire, Mr. SMith of Oregon, and Mr. REID):
S. 694. A bill to authorize increased support to the democratic and other oppressed people of Cuba to help them regain their freedom and prepare themselves for a democratic future, and for other purposes; to the Committee on Foreign Relations.

By Mr. KERRY (for himself and Mr. FRiST):
S. 895. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Finance.

By Mr. GRASSLEY:
S. 896. A bill to provide for reconcililation pursuant to section 103 of the concurrent resolution on the budget for fiscal year 2002 (H. Con. Res. 83); from the Committee on Finance, without amendment.

By Mr. BAucus (for himself, Mr. jEyFORDs, Mr. ALLARD, Mr. LEAHY, and Mr. LeVin):
S. 897. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or construction of a post office, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HATCH (for himself, Mr. DOmeniC, and Mr. DASCHiLe):
S. 898. A bill to make technical amendments to the Radiation Exposure Compensation Act (42 U.S.C. ch. 22 (note)); to the Committee on Energy and Natural Resources.

By Mr. DURbin (for himself, Mr. DoRGAN, Mr. Schumer, Mrs. BOXer, and Ms. StAhNows):
S. 900. A bill to establish a Consumer Energy Commission to assess and provide recommendations regarding recent energy price spikes from the perspective of consumers; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:
S. 901. A bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to cease mineral leasing activity on the outer Continental Shelf seaward of a coastal State that has declared a moratorium on mineral exploration, development, or production activity in State water; to the Committee on Energy and Natural Resources.

By Mr. ThURMONd (for himself, Mr. HATCH, Ms. Sessions, and Mr. SMith of New HampShire):
S. 902. A bill to amend section 1961 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. ALLARD:
S. 903. A bill to amend the Cache La Poudre River Corridor Act to make technical amendments; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mr. WarNEr, Ms. LANDRIEU, Mr. Cochran, Mr. ALLEN, and Mr. HATCH):
S. 904. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for qualified professional development expenses of elementary and secondary school teachers and to allow a credit against income tax to elementary and secondary school teachers who provide classroom materials; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. KERRY, Mr. DASCHiLe, Mr. KENNEdy, Mr. REID, Mr. JOHNSON, and Mr. LEVIN):
S. 905. A bill to provide incentives for school construction, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS
The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. BAYH, Mr. BOXer, Mr. BreaUX, Mr. BrownbSacK, Mr. CarPer, Mr. CleLAND, Mrs. CLiNTON, Mr. CRaKO, Mr. DAFo, Mr. DeWine, Mr. DODD, Mr. Durs, Mr. EdwArds, Mr. EnsiN, Mr. EnzI, Mr. FeiNGold, Mrs. FeiNsiN, Mr. GraSSLeY, Mr. HagEL, Mr. hATCH, Mr. HollINs, Mr. inouye, Mr. JoHnsOn, Mr. KennEddy, Mr. KERRY, Mr. KohL, Mr. LANDRIEU, Mr. LeVin, Mr. LiebEran, Mrs. LINCLUrn, Mr. McCuliSh, Mr. McCulLShi, Mrs. Murray, Mr. Nelson of Florida, Mr. REID, Mr. RockFellEr, Mr. SarBanEs, Mr. SchuMER, Mr. SesSiOns, Mr. SMith of Oregon, Ms. Snowe, Mr. SPEiXTER, Ms. StAhNows, Mr. Thomas, Mr. ThurmOnD, Mr. Torricelli, Mr. VoiNOvich, Mr. WarNEr, Mr. wellSTOne, and Mr. WydeN):
S. Res. 90. A resolution designating June 3, 2001, as “National Child’s Day”; to the Committee on the Judiciary.

ADDITIONAL COSPONsORS
S. 88
At the request of Mr. RockFeLLer, the name of the Senator from Michigan

May 16, 2001

CONGRESSIONAL RECORD — SENATE

S5005
At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a co-sponsor of S. 171, a bill to repeal certain travel provisions with respect to Cuba and certain trade sanctions with respect to Cuba, Iran, Libya, North Korea, and Sudan, and for other purposes.

At the request of Mr. WARNER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a co-sponsor of S. 201, a bill to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.

At the request of Mr. MCCAIN, the name of the Senator from Maryland (Ms. MINK) was added as a cosponsor of S. 284, a bill to amend the Internal Revenue Code of 1986 to provide incentives to expand health care coverage for individuals.

At the request of Mr. MURKOWSKI, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a co-sponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 468, a bill to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the “James C. Corman Federal Building.”

At the request of Mr. HUTCHINSON, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 580, a bill to expedite the construction of the World War II memorial in the District of Columbia.

At the request of Mr. GRAHAM, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a co-sponsor of S. 582, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to cover certain legal immigrants under the certain and State children’s health insurance program.

At the request of Mr. SANTORUM, the names of the Senator from New Hampshire (Mr. SMITH) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 592, a bill to amend the Internal Revenue Code of 1986 to provide for pension reform, and for other purposes.

At the request of Mr. BAUCUS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a co-sponsor of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a co-sponsor of S. 706, a bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

At the request of Mr. GRASSLEY, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Hawaii (Mr. INOUYE), the Senator from New Hampshire (Mr. SMITH), the Senator from Missouri (Mr. BOND), and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 742, a bill to provide for pension reform, and for other purposes.

At the request of Mr. FITZGERALD, the names of the Senator from Florida (Mr. NELSON) and the Senator from Vermont (Mr. LEAHEY) were added as co-sponsors of S. 749, a bill to provide that no Federal income tax shall be imposed on amounts received by victims of the Nazi regime or their heirs or estates, and for other purposes.

At the request of Mr. INOUYE, the name of the Senator from Alaska (MR. NUNI) was added as a co-sponsor of S. 790, a bill to amend title XIX, United States Code, to prohibit human cloning.

At the request of Mr. BROWNBACK, the name of the Senator from Nebraska (Mr. NEBEL) was added as a co-sponsor of S. 790, a bill to amend title XVIII, United States Code, to establish an informatics grant program.

At the request of Mr. BROWNBACK, the name of the Senator from Nebraska (Mr. NEBEL) was added as a co-sponsor of S. 790, a bill to amend title XVIII, United States Code, to establish an informatics grant program.

At the request of Mrs. HUTCHINSON, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a co-sponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

At the request of Mr. REID, the name of the Senator from Texas (Mrs. HUTCHINSON) was added as a co-sponsor of S. 866, a bill to amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underdosing in the United States.

At the request of Mr. HATCH, the name of the Senator from Wisconsin (Mr. LIEBERMAN) was added as a cosponsor of S. 881, a bill to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

At the request of Mr. BINGAMAN, his name was added as a co-sponsor of S. Res. 71, a resolution expressing the sense of the Senate regarding the need to preserve six day mail delivery.

At the request of Mr. FEINGOLD, the name of the Senator from Utah (Mr. BENNETT) was added as a co-sponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. Wisconsin and all those who served aboard her.
At the request of Mr. Harkin, the name of the Senator from Oregon (Mr. Wyden) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution condemning the violence in East Timor and urging the establishment of an international criminal tribunal for prosecuting crimes against humanity that occurred during that conflict.

At the request of Mr. Schumer, his name was added as a cosponsor of amendment No. 425.

At the request of Ms. Mikulski, her name was added as a cosponsor of amendment No. 425, supra.

At the request of Ms. Collins, her name was added as a cosponsor of amendment No. 425, supra.

At the request of Mr. Reed, the name of the Senator from West Virginia (Mr. Byrd) was added as a cosponsor of amendment No. 425, supra.

At the request of Mr. Corzine, his name was added as a cosponsor of amendment No. 563.

At the request of Mr. Dodd, his name was added as a cosponsor of amendment No. 563, supra.

At the request of Mr. Ensign, his name was added as a cosponsor of amendment No. 563.

At the request of Mr. Lieberman, the names of the Senator from New Hampshire (Mr. Smith), the Senator from Oklahoma (Mr. Inhofe), and the Senator from Kansas (Mr. Brownback) were added as cosponsors of amendment No. 648.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Helms (for himself, Mr. Lieberman, Mr. Santorum, Mr. Graham, Mr. Torricelli, Mr. Ensign, Mr. Allen, Mr. Craig, Mr. Nelson of Florida, Mr. Shelby, Mr. Smith of New Hampshire, Mr. Smith of Oregon, and Mr. Reid.)

S. 894. A bill to authorize increased support to the democratic opposition and other oppressed people of Cuba to help them regain their freedom and prepare themselves for a democratic future, and for other purposes; to the Committee on Foreign Relations.

Mr. Helms. Mr. President, it is an honor to be joined today by Senator Lieberman and eight other distinguished Senators in the sponsorship of the Cuban Solidarity Act which is intended to be a blueprint for a more vigorous U.S. policy to liberate the now enslaved island of Cuba.

This measure, S. 894, is the companion to House bill No. 1271 sponsored by Representative Lincoln Diaz-Balart and 95 other Members of the House of Representatives.

Whether one supports the current embargo on the Castro regime or not, we should all agree that we can and must do more to help those struggling for freedom today in Cuba. That is the aim of the Cuban Solidarity Act, and that is why I ask Senators on both sides of the embargo issue to consider supporting this bill and its merits here today. This is not a policy, it is merely a policy tool, and the U.S. policy should be put to an end to Fidel Castro’s stranglehold on the Cuban people and end his brutal dictatorship—and the sooner the better.

The Cuban regime will authorize $100 million in U.S. assistance to the Cuban people over 4 years. It also will mandate a proactive U.S. policy to support the internal opposition to Castro in Cuba. This strategy, by the way, is modeled after the decisive U.S. support for the Polish Solidarity movement back in the 1980s.

With the enactment of the legislation, the U.S. Government will move beyond merely isolating the Fidel Castro regime. We will determine Castro’s isolation and oppression of the Cuban people by finding bold, proactive, and creative programs to help those who are working for change on the island of Cuba. This can be achieved by requiring a President to mandate to increase all forms of U.S. support for democracia and human rights activists in Cuba.

This support may include food, medicines, office supplies, books, educational materials, telephones, FAX machines, or other material or financial support. And recipients may include political prisoners or their families, persecuted dissidents, labor rights activists, economists, journalists, and others working for peaceful change.

Such support will encourage independent libraries, independent agricultural cooperatives, so-called microenterprises run by self-employed Cubans, or U.S.-based exchange and scholarly programs. In addition, this measure will support nongovernmental charitable programs, such as senior citizen centers, free clinics, or soup kitchens.

For Senators who are not fans of foreign aid—and I am among them—I am obliged nevertheless to acknowledge that the investment the United States made in the liberation of Eastern Europe has yielded immeasurable benefits. That is precisely what we propose to do on behalf of our businesses and our farmers who stand to benefit once the Cuban people can begin to reconstruct their economy. This, of course, cannot happen until the Cuban people can shed themselves of the Marxist regime now in power in Cuba that is bankrupt in every sense of the word.

While the pending bill neither tightens nor loosens the embargo on the Cuban regime—that is to say, the Fidel Castro regime—it will allow President Bush to license private donations to independent Cuban groups and to independent self-employed Cubans. The President can license the importation into the United States of goods made by independent, self-employed Cubans. These potential beneficiaries and activities have in common the intent and purpose to promote freedom and independence from the ruthless Fidel Castro regime that now unleashes hunger and fear to keep the people of Cuba under control.

Critics of this bill may contend that this high-profile support will give Castro an excuse to harass and jail dissidents for receiving foreign support. But the sad truth is that Fidel Castro is already tormenting his own people, systematically and relentlessly.

Furthermore, if courageous Cuban dissidents choose to stand up for their God-given rights and look to us for moral or material support, certainly we should not turn our backs on them. Let Castro do his worst. Let us do our best. Let others waste their energy trying to engage the worrnout, cruel dictator, Fidel Castro. The United States will be engaging the other 11 million people on this island who have suffered persecution for too long already.

President Bush already has broad authority to initiate many of the programs prescribed by this bill, and I am among them that he must do so. He should begin by instructing all relevant U.S. agencies to increase support to democratic opposition groups on the island of Cuba.

For example, the U.S. Agency for International Development has been providing support to U.S. groups promoting democracy and human rights in Cuba. Under the Clinton administration, this program amounted to little more than “window dressing.” Hardly anything was done about it. Under President Bush, it must have more personnel, more money, and more room to maneuver around the Fidel Castro regime. Now other steps are prescribed by the proposed legislation, and they are steps that President Bush can take this day, right now. For example, the proposed act also urges multilateral diplomacy calling on the Cuban Government to respect human rights, free political prisoners, legalize political parties, allow independent trade unions, and submit to internationally monitored free elections, none of which Fidel Castro has permitted since he took over the island of Cuba.

Pending legislation urges the “freedom broadcasting” stations, known as Radio and Television Marti and the Voice of America, to take steps to overcome Castro’s jamming of the power of those stations so that their excellent programming will be available throughout the island.

The act also urges the President of the United States to instruct the Attorney General to bring to justice those Cubans involved in the February 1996 shoot-down of four innocent pilots on a humanitarian mission over international waters.

Pending indictments also tell us that Castro and his cronies are up to their...
The AIDS crisis has never been so devastating or so urgent as it is today. In less than two decades, AIDS has become a global epidemic, endangering the lives of millions of people, the majority of them in developing countries. It has proved more devastating than wars. In 1998, in Africa, 200,000 people died in armed conflict, but in the same time, 2.2 million people died from AIDS.

The AIDS crisis is one of the world’s greatest challenges, the AIDS pandemic in India is of particular concern to us. According to the International AIDS Vaccine Initiative, it is making clear inroads into the general population. As with the previous epidemic of HIV/AIDS, many of the high-risk groups, such as commercial sex workers, intravenous drug users, truckers, and migrant workers, all of whom have high infection rates, end up spreading HIV at alarming rates as globalization and the market economies continue to put pressure on the movement of migrant populations of workers.

Prevention efforts in India face many of the same obstacles as in many developing countries. These include high illiteracy rates, widespread poverty, very poor infrastructure, the low status of women, and taboos on talking about issues of sexuality. In East Asia, more than 2.4 million people are already infected with the HIV virus, and an estimated 150,000 children have been orphaned. While China does not yet have the same infectious diseases as India, Chinese researchers estimate that the number of HIV-infected people could jump to 10 million in a few years.

Countries of the former Soviet Union and Eastern Europe are also vulnerable, with Russia experiencing the highest increase in infection rates in the world last year. The Federation had more new HIV infections in 2000 than in all the previous years of the epidemic combined, totaling 700,000 infections in the year 2000, up from 170,000 in 1997. Latin America and the Caribbean are also heading down the same path. In fact, some of the Caribbean island states have worse epidemics than any country outside of sub-Saharan Africa. Five percent of the adults in Haiti are likely with AIDS.

By eating away at the social capital of many of these countries, AIDS is diminishing the most productive members of society who are needed to solve many of the other problems in their nations.

In addition to the challenges posed by AIDS, malaria and tuberculosis are also exacting a tremendous toll on the developing world. In 1999, there were an estimated 8.4 million new tuberculosis cases, and 10.2 million new cases are expected in 2005 if present trends continue. Malaria also poses an increasing threat as well, killing at least 1 million people each year, about 3,000 people a day.

The spread of each of these infectious diseases is made worse by health systems’ failure, population movement, deteriorating sanitation, and insufficient prevention and treatment efforts.

A human crisis of this proportion demands that we respond with urgency and thoughtfulness. We must continue to support robust prevention, treatment, and care programs. But we must also acknowledge that vaccines are the most effective weapon in the arsenal of modern medicine to stop the threat of AIDS and other infectious diseases. Pharmaceutical companies, however, are reluctant to invest in research for vaccines to prevent HIV/AIDS and other infectious diseases because they fear they will not recover the expense of their research.

The bill that I am introducing today, along with my colleague Senator FRIST, is designed to address this problem by providing incentives for pharmaceutical and biotech research companies to accelerate their efforts to develop vaccines and microbicides to prevent AIDS, TB, malaria, and other...
deadly infectious diseases. It does this in three ways.

First, it provides a 30 percent tax credit each year on qualified research expenses to develop microbiotics for HIV and vaccines for HIV, TB, malaria, and other infectious diseases affecting more than 1 million people annually. This is an expansion of the existing R&D tax and can be applied to clinical trials outside of the United States, since the majority of those infected with these diseases are beyond our borders.

Second, it provides a refundable tax credit to small biotechnology companies based on the amount of qualified research expenses and microbiotics, which is an increase over the 65 percent credit in the tax code, is designed to serve as an incentive to larger pharmaceutical companies to work hand in hand with the smaller biotech companies to pick up the pace of vaccine development.

Third, the bill provides a 100 percent tax credit on contracts and other arrangements for research and development of these vaccines and microbiotics, which is an increase over the 65 percent credit in the tax code, is designed to serve as an incentive to larger pharmaceutical companies to work hand in hand with the smaller biotech companies to pick up the pace of vaccine development. Over a number of pharmaceutical companies have taken steps to help in the treatment of those infected with AIDS by providing life-extending therapies to the developing world. These drugs are critically important but the war against AIDS cannot be won unless we develop vaccines against the HIV virus and related infectious diseases. The pharmaceutical and biotech companies hold the key.

Once vaccines are developed, it is imperative that they be widely distributed. The bill that I am introducing today with Senator Frist also addresses the distribution side of the equation. It provides a 30 percent tax credit that kilo companies on the sales of new vaccines and microbiotics as long as those sales are made to a qualified international health organization or foreign government for distribution in developing countries. It also directs the Secretary of the Treasury to establish a fund in the Treasury for the purchase and distribution of eligible vaccines to developing countries. Finally, it urges continued U.S. government support for the Global Alliance for Vaccines and Immunizations, GAVI, and the Global Fund for Children’s Vaccines.

Mr. President, many steps need to be taken in the war against AIDS and other infectious diseases. This bill focuses on only one area but a critically important one: vaccine development and distribution. If the public and private sectors work together with energy and commitment, I believe we can develop the vaccines and once developed, we will win the war.

It is easy for people in a country as rich as we are, as safe as we are, as blessed as we are to lose sight of what is happening on the rest of the planet. There are even some in this country who are quick to simply say: Well, it’s their fault; it’s the result of their sexual practices; it’s the result of their values; it’s the result of their culture.

It is possible for people to cast a finger and to point blame, but this is a crisis of human proportions that affects all of us. It affects all of us because of the potential destabilization of whole nations with which we are involved and which we must rely in a whole series of relationships.

It is also critical for us to understand the implications of this because in the world today there are no boundaries. This is a disease, and a disease has all the capacity to be carried across boundaries and become as important to us in this nation as it should have been already simply by virtue of the number of people in our country who are infected and who potentially carry the disease elsewhere.

Yes, we must continue to support prevention; yes, we must continue to support treatment; and, yes, we must continue to support care programs. But we also, in developing the vaccines, feel secure in the notion that there will be enough money, enough delivery systems, or that we will ever have the capacity to provide the kind of care, treatment, and prevention that will deal with the numbers about which we are talking in a global pandemic of this nature.

The most important tool, the most important weapon in the arsenal against this we have not even begun to use because we have not discovered it yet, and that is a vaccine. A vaccine can replace all of the need for infrastructure, except for the delivery of the vaccine, the need for care, the extraordinary burden on health care systems, and that we will eventually deal with the sheer numbers we are facing.

There is a reason we do not have a vaccine. It is because there is no marketplace. All of these countries are poor, and the drug companies, by and large, have an incentive to provide the drugs that most rapidly remunerates them. We have Prozac, Viagra, and a host of other drugs that are quickly and easily put in the marketplace.

We need to create an incentive in the Tax Code to encourage research and development for an AIDS vaccine. Many of us are confident that if the United States were to create the kind of energy in our research and development technology, in our education sector, we have the ability to provide the ultimate vaccine against this.

Senator Frist, a colleague of enormous respect in this institution, as a physician is unparalleled in his understanding of the difficulties of this issue.

I am proud that he is a cosponsor with me of this legislation. We are hoping our colleagues will join us next week when the tax bill comes to the floor in reconciliation. We have an opportunity to provide the small amount of money necessary through this tax structure to be able to create the vaccine that can help deal with this crisis. These steps are part of the war against AIDS and other infectious diseases. This bill focuses on only one area, but it is a critically important one, vaccine development and distribution. If the public and private sectors work together with the energy and commitment that we require so many other things in this country, we can make a global contribution of historic proportions. I think we should strive to do nothing less than that.

I yield the floor.

Mr. FRIST. Mr. President, I am pleased to support of S. 895, the Vaccines for the New Millennium Act of 2001. In an age where antibiotics are taken for granted, we often forget that one fourth of all deaths worldwide, 1,500 people a day or for so many other things in this country, we can make a global contribution of historic proportions. I think we should strive to do nothing less than that.

I yield the floor.
Research and development by both pharmaceutical and biotech companies have provided dramatic and lifesaving technologies and drugs that benefit millions here and abroad. Their efforts are the lynchpin that ensures recent advances reach the widest number of people. But companies are faced with a conundrum, how do they justify the hundreds of millions of dollars necessary to develop and license a vaccine, such as for TB, when the markets for those vaccines are primarily in the world’s poorest countries, countries spending less than $10-20 per person on health care per year?

The Vaccines for the New Millennium Act of 2001, is an attempt to provide market incentives for both the large pharmaceutical industry and smaller biotech companies to accelerate development of vaccines for AIDS, malaria and TB, diseases that disproportionately affect developing countries.

The bill will provide incentives at multiple levels in the vaccine development process. It: provides a 30 percent tax credit for research and development expenditures for vaccines for malaria, TB, and AIDS; provides a refundable tax credit to biotech companies that are doing innovative research but are not yet making a profit; provides a 100 percent credit on sale of vaccines for these three diseases to poor countries. Over 10 years, this provision alone could provide as much as $1 bilion in additional funding for pharmaceutical companies that develop vaccines for AIDS, malaria, and TB; authorizes a purchase fund for these three vaccines to be established after they become available to the market; and provides the same package of benefits to research and development of microbicides for HIV/AIDS—medications that women would enable to protect themselves from infection with the virus.

It is the objective of this bill to energize global partnerships that has helped the U.S. pharmaceutical industry become the world leader in innovation. By promoting increased R&D for diseases affecting the poorest countries, we will all benefit. There is a clear humanitarian and moral call to do what we can to provide safe and effective vaccines to save lives. But by this obligation, we cannot forget that infectious diseases do not respect borders. Until TB, malaria, and AIDS are eliminated, we all face the threat from diseases that should be rapidly relegated to the waste bin of history.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

Vaccines for the New Millennium Act of 2001—Summary

This bill has two purposes: to provide incentives to pharmaceutical and private sector biotech companies to accelerate research and development of vaccines and microbicides to prevent deadly infectious diseases such as HIV/AIDS, tuberculosis, and malaria, which kill some 5-6 million people annually; and to increase international access to vaccines and microbicides, once developed.

Incentives to Accelerated Research

1—Increased tax credit for vaccine research and development

Provides a 30 percent tax credit on qualified research expenses to develop vaccines for HIV/malaria vaccines for malaria, TB, HIV and other diseases that kill 1 million people or more annually. This is an expansion of the existing 20 percent Research and Development credit. Mandates that a company file a research plan with the Secretary of the Treasury on these priority vaccines or microbicides before claiming the credit.

2—Refundable tax credit for small biotech companies

Provides a refundable tax credit to small biotech companies based on the amount of qualified research that they do in a given year. Designed to stimulate increased research among firms that often do the most innovative research.

Mandates that any firm receiving this credit put an equivalent amount of funds into research and development within 2 years of having received the credit. Such expenditures cannot be claimed under the tax credit for research and development expenses that year.

Requires the Secretary of the Treasury to promulgate regulations to implement the credit. Requires a company to make these expenditures within 2 years of having received the credit. Such expenditures cannot be claimed under the tax credit for research and development expenses that year.

3—Tax credit for research contracted out

Provides a 100 percent tax credit on contracts and other arrangements for research and development on these priority vaccines and microbicides. This credit, an increase from the existing 65 percent, is designed as an incentive for larger firms to contract with smaller, vaccine research companies.

International Access to Vaccines and Microbicides

1—Tax credit on sales of vaccines and microbicides

Provides a 100 percent tax credit on the value of sales of new vaccines and microbicides against HIV/AIDS and any other disease killing more than 1 million people annually. Sales must be made to qualified international health organizations, some of which are proposed in this bill during National Historic Preservation Week. This week, sponsored by the National Trust for Historic Preservation, highlights the need to support the diversity and history of our communities and work to revitalize them.

A few years ago, we discovered that post offices throughout the country were not paying attention to local ideas and local needs before closing, relocating, consolidating, and constructing new facilities. I know of several examples in my home state of Montana. Post offices in Livingston and Red Lodge, for example, proposed changes that would have severely altered the downtown fabric of those communities. These small, rural towns have a Main Street by name and by function. It’s on Main Street that people stop by the post office on the way to the bank or the grocery store. It’s where they enjoy the chance to not only get their mail, but to meet their neighbors. It’s on Main Street where people stop by the post office on the way to the bank or the grocery store.

Mr. BAUCUS. Mr. President, today I am pleased to re-introduce an important, common sense, community-based bill with my friend, Mr. JEFFORDS. That bill is the Post Office Community Partnership Act of 2001.

It is not by mischance that we offer this bill during National Historic Preservation Week. This week, sponsored by the National Trust for Historic Preservation, highlights the need to support the diversity and history of our communities and work to revitalize them.

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While the Postal Service has made some internal changes in the past couple of years to include more public involvement, I fear that new pressures on delivery service will tempt the Postal Service to focus on ways to meet their business needs, while belying the role they play in communities.

Today, Senator Jeffords and I are re-introducing legislation to ensure public participation in local post office decisions relating to closing, consolidation, relocation, or new construction. This bill doesn’t impose new mandates on the Postal Service. It’s about honoring the role that the Postal Service plays in our towns and communities. It’s about protecting a partnership that communities and the Postal Service have nurtured throughout the history of this country.

Indeed, partnership is what this bill is all about. Specifically, our bill outlines a process for community notification and involvement. It makes sure that the community’s voice is heard. It requires the Postal Service to post notification of proposed facility changes. It specifies that local government officials be notified of the proposed changes at the same time as persons served by the post office. And it requires the Postal Service to follow local public participation processes if they are more stringent than their own.

These common-sense provisions will ensure that communities continue to partner with the Postal Service and that both the Postal Service and our communities will continue to enjoy a mutually beneficial relationship.

I urge my colleagues to support Senator Jeffords and me in passing this important legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 897

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 “Postal Service Community Partnership Act of 2001.”

SECTION 2. PROCEDURES RELATING TO THE PROPOSED CLOSING, CONSOLIDATION, RELOCATION, OR CONSTRUCTION OF A POST OFFICE.

(a) APPLIED TO THE POSTOFFICE.—Section 404(b) of title 39, United States Code, is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(2) by striking “(b)(1)” and inserting “(2)”;

and

(3) by inserting before paragraph (2) (as so redesignated) the following:

“‘(b)(1) This subsection shall apply in the case of any proposed closing, consolidation, relocation, or construction of a post office.,”

(b) ADVANCE NOTICE.—Paragraph (2) of such section 404(b) (as so redesignated) is amended to read as follows:

“(2)(A) The Postal Service, before making a determination under subsection (a)(3) as to the necessity for a proposed action described in paragraph (1), shall, in order to ensure that the persons, including local government officials, who are (or would be) served by the post office involved will have an opportunity to present their views, provide adequate notice of its intention to take such action with respect to such post office at least 60 days before—

(i) in the case of the proposed construction or relocation of a post office, the determination under subsection (a)(3); or

(ii) in the case of any proposed closing, consolidation, or construction of a post office.

(B) The requirements of this paragraph shall not be considered met unless the notice—

(I) has, by the deadline specified in subparagraph (A)—

(ii) been hand delivered or delivered by mail to the persons required under subparagraph (A); and

(ii) has been published once a week for at least 4 weeks in 1 or more newspapers regularly issued and of general circulation within the zip code areas which are (or would be) served by the post office involved; and

(iii) includes a description of the action proposed to be taken with respect to the post office; its effects on the persons required under subparagraph (A) with respect to such action; and the date on which such action is proposed to be taken (or, if the construction of a post office is involved, the proposed time frame for the construction) and the date on which the action is to begin.

(c) CONSIDERATIONS.—Paragraph (3) of such section 404(b) (as so redesignated) is amended—

(1) in the matter before subparagraph (A), by striking “to close or consolidate” and inserting “to take a proposed action with respect to”;

(2) by striking “such closing or consolidation” each place it appears and inserting “such action”;

(3) in subparagraph (A)(i), by striking the semicolon and inserting “, taking into account (I) the extent to which the post office is part of a core downtown business area (if at all), and (II) the nature and the extent of any opposition within the community to the proposed action;”;

(4) in subparagraph (A)(ii), by striking “service employed at such office;” and inserting “Service employed at such post office;”;

(5) in subparagraph (A)(iv), by inserting “quantified long-term” before “economic;” and

(6) in subparagraph (A), by striking “and” at the end of clause (iv), by redesignating clause (v) as clause (vi), and by inserting after clause (iv) the following:

“(v) any views or concerns expressed by any officials or other representatives of local government, including whether the proposed action is reasonable in light of local population projections;

“(vi) consistency with the size, scale, design, and general character of the surrounding community;

“(vii) whether there are reasonable alternatives to such action have been explored; and;

(d) NOTICE OF DETERMINATION.—Paragraph (4) of such section 404(b) (as so redesignated) is amended—

(1) by striking “to close or consolidate” and inserting “to take a proposed action (described in paragraph (1)) with respect to”;

(2) by striking “paragraph (2)” and inserting “paragraph (3)”; and

(3) by striking “office,” and inserting “of the district or office,” and inserting “office (including posting a copy of such determination in the post office or post office serving the persons who will be affected by such action) and shall be transmitted to appropriate local officials.”.

(e) ANNOUNCEMENT.—Such section 404(b) is amended by adding at the end the following:

“(f) TECHNICAL AND CONFORMING AMENDMENTS.—Such section 404(b) is amended—

(1) in paragraph (5) (as so redesignated) by striking “take no action to close or consolidate” and inserting “take no action described in paragraph (1) with respect to”;

(2) in paragraph (6) (as so redesignated) by striking “(A) by striking “to close or consolidate” and inserting “to take any action described in paragraph (1) with respect to”; and

(3) by striking “paragraph (3)” and inserting “paragraph (4)”.

Mr. Jeffords. Mr. President, I rise today to join my colleague Senator Baucus in reintroducing the “Post Office Community Partnership Act of 2001.”

This bill is similar to the one we introduced in the 106th and 107th Congress that so many of our colleagues supported in the past. It is my hope that this year the House will follow suit.

We are also coordinating our efforts with Representative Blumenauer of Oregon who will introduce a companion bill in the House of Representatives this week.

This bill will allow local communities to have a voice in determining the future of their local Post Office. In many towns across Vermont, the post office functions as the social and economic cornerstone of the local downtown area. Not only does the post office provide a daily service for residents, it is an enduring neighborhood institution. The post office is an enduring neighborhood institution where...
residents catch up with their neighbors, or get the latest news. As a consequence, many small towns across America are hurt by decisions to close, relocate, or consolidate postal facilities. Our bill will increase local community input in the Postal Service decision making process. It also determines that a facility will be constructed, consolidated, relocated, or closed.

This bill also addresses larger smart growth concerns. Right now, the U.S. Postal Service is exempt from local zoning and building laws. This creates situations where the new facilities do not fit in with the size or scale of the local community. Many new facilities are relocated to the outer fringes of downtowns which encourages sprawl. Transplanting local facilities out of downtown locations has a potentially devastating impact on the character of many towns. This bill will help preserve the small town way of life by preventing sprawl and encouraging the reuse of old buildings. The Post Office Community Partnership Act will help communities have a say in the future of their local post offices.

There have been a number of incidents in Vermont, where a post office has moved out of the traditional downtown center and local officials have little or no say in the decision. In Perkinsville, VT the post office moved from the general store to a site miles from the downtown. The same thing happened in Fairfax, when the post office moved from a historic building downtown to a strip mall.

A prime example is Westminster, one of the oldest towns in Vermont. This town of 3,200 people was shocked to learn that the Postal Service was replacing their old facility with a building more than four times as large with 33 parking spaces. There were several reasons the community and local government officials were outraged at the decision. First, the Postal Service’s standard “design number 30” does not fit in with Westminster’s size, scale, zoning, or historic character. The Postal Service has been unwilling to modify their standard designs to meet community needs. Moreover, the neighboring town recently built a new post office with more than 1,200 PO boxes that are still vacant. The Post Office Community Partnership Act will allow the Postal Service and the local community to work together from the beginning of the planning process toward common sense solutions that benefit everyone.

This legislation is necessary to ensure that local communities will always have a voice in the Postal Service’s decision making process. As towns struggle to grow and plan for their development, the Postal Service has all too often been an unwilling partner. In Vermont and across the U.S., many communities want the Postal Service to carefully plan their future development, to protect and preserve their open space, prevent unregulated sprawl, and conserve natural resources. Yet they are not getting any assistance, and are often hindered by Postal Service decisions. This bill will close some of the loopholes that allow the Postal Service to operate outside the regulations that localities place on other businesses and government agencies.

This legislation will strengthen the ties between the Postal Service and local governments, help preserve our downtowns, prevent sprawl, and promote sensible, managed growth. I urge my colleagues to join Senator Baucus and me in support of this legislation.

Mr. LEAHY. Mr. President, I am pleased to be an original co-sponsor of the Post Office Community Partnership Act. Too often the Postal Service’s designs for new offices fail to conform with local land use laws and these new cookie-cutter structures are replacing what were once the heart and soul of our towns. This legislation will ensure that the Postal Service does a better job of listening to local communities, adhering to building regulations, and preserving Vermont’s distinctive character.

In Vermont and across the country, Post Offices are community linchpins, serving more than just generic mailing stations. It is the Post Office where people go to meet their neighbors and talk about the latest news. The Postmaster is sometimes the only national representative in a community, and they often provide advice and guidance about important issues. The Post Office is inextricably linked with daily life. Remove it, and the special character of the place is lost.

As the Post Office has experienced financial difficulties in recent years, the prospect of Post Office closures has loomed larger. Unfortunately, inadequate processes are in place to ensure that the U.S. Postal Service will consult with local communities in the event of a closure, relocation, or consolidation. This legislation will ensure that the service notifies communities far in advance of any action, and ensure that concerned citizens have a role in decisions.

With such provisions in place and other much-needed reforms, the U.S. Postal Service will work through its difficulties. The service will continue to grow, expanding access and making much-needed modernizations to its older facilities.

To the extent that new post offices look like they do not belong in the heart of a traditional town center. Local zoning ordinances are ignored, and the Post Office contributes to unsightly sprawl. While there are many success stories, there are few detailed guidelines to avoid repetitions of the failures. That is why this legislation also includes provisions to ensure the U.S. Postal Service will follow local land use laws.

Successful small service is a subtle balance between efficiency and contributing to the community. I think this important legislation will help the U.S. Postal Service find that balance well into the future. I commend Senator Jeffords for introducing this legislation, and I urge its swift consideration and passage, as it will help preserve the important role of our Post Offices in our way of life.

By Mr. HATCH (for himself, Mr. Domenici, and Mr. Daschle):

S. 898. A bill to make technical amendments to the Radiation Exposure Compensation Act (42 U.S.C. 2210 note), to provide compensation to certain claimants under such act, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today I am introducing bipartisan legislation that will provide important and necessary technical changes to the Radiation Exposure Compensation Act of 1990, RECA, as amended.

I am delighted that my good friend and esteemed Chairman of the Budget Committee, Senator Domenici, is joining me as the primary cosponsor. Pete and I have been working on RECA since its enactment in 1990 and his leadership has been invaluable over the years in making this program a reality.

I want to give special thanks to Senator Daschle for joining us as an original cosponsor on this important legislation. His support of this program has been critical to its success.

I also want to thank Congressman Chris Canno who is introducing the companion bill in the House.

The compensation fund established under the original RECA Act of 1990 provides a level of financial support to thousands of individuals, both workers and civilians, who were not informed about the health hazards associated with radiation exposure. Many of these individuals worked in uranium mines, many drove the trucks which transported uranium ore, and many happened to live downwind of the nuclear test site.

These individuals, especially the downwinders, became ill due to their radiation exposure.

As my colleagues will recall, last year Congress passed the Radiation Exposure Compensation Amendments of 2000, S. 1515. This law, P.L. 106-245, included new eligibility standards so that individuals who were injured as a result of working in the government’s nuclear weapon’s program would receive compensation for their radiation-related illness.

The RECA Amendments of 2000 made important changes to the original 1990 Act by updating the list of compensable illnesses, primarily cancers, eligible for compensation. As a result of working in the government’s nuclear weapon’s program would receive compensation for their radiation-related illness.

The RECA Amendments of 2000 made important changes to the original 1990 Act by updating the list of compensable illnesses, primarily cancers, eligible for compensation. As a result of working in the government’s nuclear weapon’s program would receive compensation for their radiation-related illness.
First and foremost is the fact that the RECA Trust Fund is depleted. This is a situation we cannot allow to continue.

I must say that I am outraged by the lack of funding for RECA. If Social Security recipients suddenly did not receive their checks, can you imagine the outcry that would fall on the Congress? A government IOU is a second injustice for families who have already suffered once too much.

The fact of the matter is that funding for RECA must be permanently appropriated. Otherwise, we continue to run the risk of annual appropriation shortfalls during the appropriations process.

Because the trust fund is depleted, RECA claimants are now receiving “IOU” letters from the Federal Government in lieu of a check. I am informed by the Justice Department, which oversees the RECA program, that approximately 180 claims cannot be paid because the trust fund is depleted. Moreover, I understand this number is likely to increase to as many as 2,000 claims.

This situation is simply unacceptable. I have met with RECA claimants in my state. It does not take long to see the pain and suffering they have endured over the years. Pain and suffering, I might add, that has taken a toll not only on their lives but on the lives of their families, as well.

Most of these individuals are now retired; they live on modest incomes, and fear their declining health will only exacerbate their limited family finances.

Many of these individuals have already died as a result of their injuries sustained while working for the government’s nuclear production program. They have paid the highest price for service to their country—their lives.

I recently received a copy of a letter from one of my constituents, Miss Rita Torres, who wrote to President Bush regarding her father, Mr. Jose O. Torres, who suffered from cancer as a result of working in a uranium mine.

Mr. Torres was diagnosed with lung cancer two years ago. It metastasized to his liver. He had to use oxygen constantly because part of one of his lungs had been removed.

Seven months ago Mr. Torres received a letter from the Department of Justice informing him he had been approved for compensation under the RECA program.

According to Mr. Torres, “When I received my approval, it was a happy day. I have exhausted all my means and have been waiting for some relief from my government. Since the approval letter arrived seven months ago, once I was a strong man, glad to work hard all day long. But I am no match for the pain. It has brought me tears as I struggle to make ends meet. It has brought my children to tears to see their parents suffer. I have no access to money. I have no influential friends. I am a simple person who has understood that when you give your word, it meant something. But all the promises to the people have been forgotten. To be near the end [of my life] with no relief from the government has saddened me very much.” Mr. Torres never received his check from the federal government. He received an IOU instead.

Several weeks ago, on March 21 at 2:30 p.m., Mr. Jose Torres passed away. He was 73.

“We cannot forget these brave Americans. When Congress passed the original RECA legislation in 1990 and the subsequent RECA 2000 amendments last year, we made a promise to them. Mr. Torres, like thousands of other individuals in the 1940s, 50s and 60s, worked in some of the most horrendous conditions imaginable all the while not knowing that they were exposed to dangerous levels of radiation.

The legislation I am introducing today will provide for a permanent, indefinite appropriation to the RECA Trust Fund. Both the President’s budget and the budget resolution contain a provision proposing to fund RECA on a permanent basis.

The bill we are introducing today provides the necessary authority for Congress to follow-through and appropriate a full and permanent allocation to the trust fund.

Let me also take a moment to comment briefly about another key provision in the bill, which deals with a matter of fairness for the RECA community.

The legislation we are introducing today ensures that all individuals exposed to radiation as a result of the government’s nuclear weapons production program are accorded the same level of benefits.


This new program, which I supported, establishes a compensation fund for Department of Energy, DOE, employees and contract employees who were injured due to exposure to radioactive materials while working at DOE nuclear facilities and weapons testing sites.

Under the Energy program, individuals whose claims are approved will receive a monetary amount of $150,000 plus prospective medical benefits. These benefits are considerably more generous than those provided under RECA.

During the DOD conference last fall, Senator Domenici and I worked to provide an increase in benefits for the RECA claimants to provide them with an additional $50,000 plus prospective medical benefits.

It seems blatantly unfair for the federal government to provide a richer level of benefits to its own employees than to the New Mexico civilians who happened to live downwind from a test site, or who worked in one of the mining operations.

Although the final agreement did extend additional benefits to the RECA workers, the conference did not include the downwinders or on site participants.

The bill we are introducing today corrects this injustice and ensures that all individuals exposed to radioactive materials, as part of the government’s program, are treated the same with respect to the level of benefits provided. This bill and the final provision of this legislation provides necessary technical changes to the 2000 Act which, essentially, were recommended by the Department of Justice. The 2000 Act inadvertently eliminated some claimants previously eligible for compensation, and made it more difficult for other claimants to prove eligibility.

For example, in amending the list of downwinder areas, RECA 2000 inadvertently eliminated individuals in a portion of Mohave County in Arizona who were previously eligible under the original RECA program. As a consequence, claimants who reside in this portion of Mohave County are no longer eligible for compensation. The technical amendment would again include this area in the definition of downwinder areas.

The proposed legislation we are introducing today will also improve the efficiency of the RECA program. Moreover, this bill will ensure fairness in the administration of RECA.

I am particularly mindful of concerns regarding the inclusion of additional cancers or counties to be included in this Act as well as the standards for length of radiation exposure necessary to qualify for the program. I know there has been some confusion over the length of radiation exposure requirements for certain cancers.

In this regard, I have included in the bill Section 5 which specifically directs the National Research Council to report to Congress annually with recommendations to include additional cancers, or counties, in the program. Moreover, the NRC would examine whether the requirements for exposure to radiation should be reduced. This section will provide Congress the needed epidemiological data to assist us in resolving these issues.

It is critical that Congress pass this legislation as soon as possible. And, to that end, I intend to schedule this bill for an executive business meeting in the Judiciary Committee as soon as possible.

This bill has strong bipartisan support. I urge my colleagues to support this measure so that the Federal Government can keep its commitment to those eligible claimants for whom RECA was enacted.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 896

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. RADIATION EXPOSURE COMPENSATION TECHNICAL AMENDMENTS.

(a) IN GENERAL.—The Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(1) in section 4(b)(1)(C), by inserting “and that part of Arizona that is north of the Grand Canyon” after “Gila”; and

(2) in section 4(b)(4)(A), by striking “lung cancer (other than in situ lung cancer that is discovered during or after a post-mortem exam)”; and

(B) by inserting “liver (except if cirrhosis or hepatitis B is indicated).” and inserting “liver (except if cirrhosis or hepatitis B is indicated), or lung.”

(3) in section 5(a)(1)(A)(ii)(I), by inserting “or worked for at least 1 year during the period described under clause (i)” after “months of radiation”;

(4) in section 5(a)(2)(A), by striking “an Atomic Energy Commission” and inserting “a”;

(5) in section 5(b)(5), by striking “or lung cancer”;

(6) in section 5(c)(1)(B)(i), by striking “or lung cancer”;

(7) in section 5(c)(2)(B)(i), by striking “or lung cancer”;

(8) in section 6(e)—

(A) by striking “The” and inserting “Except as otherwise authorized by law, the”;

and

(B) by inserting “, mill, or while employed in the transport of uranium ore or vanadium-dioxide that may become such mill or mill after ‘radiation in a uranium mine’”;

(9) in section 6(i), by striking the second sentence;

(10) in section 6(j), by adding at the end the following: “Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000, the Attorney General shall prepare and issue revised regulations to carry out this Act.”;

(11) in section 6, by adding at the end the following:

“(m) SUBSTANTIATION BY AFFIDAVITS.—

(1) IN GENERAL.—The Attorney General shall take such action as may be necessary to ensure that the procedures established by the Attorney General under this section provide that a substantiation may be made by an individual filing a claim under those procedures by means of an affidavit described under subparagraph (A) or (B), or by any other material that may be used to substantiate—

(A) employment history for purposes of determining working level months; or

(B) the residence of an individual filing a claim under section 4.

(2) AFFIDAVITS.—An affidavit referred to under paragraph (1) is an affidavit that—

(A) meets such requirements as the Attorney General may establish; and

(B) is made by a person other than the individual filing the claim that attests to the employment history or residence of the claimant.

(12) in section 7, by amending subsection (b) to read as follows:

“(b) REMEDIES.—No individual may receive more than 1 payment under this Act.”;

and

(13) by adding at the end the following:

“SEC. 14. GAO REPORT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000, and every 18 months thereafter, the General Accounting Office shall submit a report to Congress containing a detailed accounting of the administration of this Act by the Department of Justice.

(b) REPORTS.—Such report submitted under this section shall include an analysis of—

(1) claims, awards, and administrative costs under this Act; and

(2) the budget of the Department of Justice relating to this Act.

(b) CONFORMING AMENDMENTS.—Section 3 of the Radiation Exposure Compensation Act Amendments of 2000 (Public Law 106-245) is amended by striking subsections (e) and (i).
cold war. We must not let their sacrifice go unanswered. These miners and their families lived under tough conditions. Some lived in one-room houses located as close as 200 feet from the mine shafts. Their children played near the mines and their families were exposed to radiation. These miners faced long, uncomfortable days many feet underground.

Many of those uranium miners from New Mexico who endured these conditions were Native Americans from the Navajo Nation. To this group of victims, our government owes a special duty of care based on a longstanding trust relationship formed by treaties and agreements.

Mr. President, the Navajos and all the uranium miners performed a special service for our nation, and our nation owes them a special obligation. An obligation that it has twice failed to keep.

Strike one: The government had adequate warning about the radiation hazards of uranium mining, and yet federal mine safety standards were not fully implemented until 1971. Thus, prior to 1971, the miners were sent into inadequately ventilated mines with virtually no warning regarding the dangers of radiation.

Strike two: The government has failed to keep the program fully funded. Frankly, this is unconscionable. Those who help protect our nation, and our nation owes them a special obligation. An obligation that it has twice failed to keep.

I was sort of the mother figure of these families of public safety officers killed in the line of duty; 30 officers from my State. Thirty from my little State have paid the ultimate price, with Corporal Collender being the most recent loss. This week, with thousands of law enforcement officers, survivors, and family members gathered in the Nation's Capital for National Police Week, we paid tribute to Corporal Collender and her family and to the families of all officers who were lost.

There are too many—there are too many—line-of-duty deaths each year, and for too long our response to their families just hasn’t been enough.

The Justice Department runs the Public Safety Officers’ Benefits program, an initiative begun 25 years ago to make one-time payments to qualifying officers and their families.

In 1988, we recognized this figure was inadequate both to express the gratitude of a grateful nation and to try to put these families on sound financial footing. So 13 years ago we raised the death benefit for those who give their lives but lost her own.

It is time to take another look at the Public Safety Officers’ Benefits program. It is time to take another look at the Public Safety Officers’ Benefits program. It is time to take another look at the benefits for families of military personnel killed in the line of duty. We should do the same thing for the families of slain
as they are any time they realize there are fewer slain police officers as a result of the work done by the Senator from Delaware in giving us the COPS Program, putting tens of thousands of new police officers all over America on the streets there are fewer slain police officers, so long as there is crime.

I, of course, did not know Frances Collender. The Senator, from Delaware as usual, is very articulate in explaining the importance of this woman to the State and to the country. As important as she is to the State of Delaware, the Senator from Delaware is important to the country for the work he has done. In Nevada, it has made a difference. Having additional police officers on the street has been a big benefit. We have less crime in Nevada and around the country. Statistics, by any way you look at them, have proven that.

So on behalf of the people in Nevada, and on behalf of the people of this country, I extend our appreciation to the Senator from Delaware for his undying efforts to make sure we have more police officers on the streets. Without the Senator from Delaware, it would not have happened.

Mr. President, I thank the Senator. As usual, he is generous and gracious. He is, as everyone on both sides knows, one of the most gracious men who serves in this body. He is a gentleman with a backbone like a ramrod. I take his comments to heart because I believe he means them. It means a lot to me that he does.

There are few things I have done in my 28-year career in the Senate that I believe has been more worthwhile, and that I am more proud of, than working with the law enforcement agencies of this country, getting them from 500,000 to over 600,000 in local law enforcement agencies.

I appreciate the sentiments expressed by my friend. I add, he was there every step of the way, voting for it, adding amendments, pushing it. I know he will be with me as we try to, quite frankly, prevent the President of the United States from eliminating that program. I am sure the President cares deeply about the safety of law enforcement officers for all they have done. If we cannot afford it now, we can never afford it. I do not see how we can afford not to do this for the public safety officers of this Nation.

I thank the Chair. I thank the family of Frances Collender for their bravery because it is sometimes much harder to be in the waiting room than the operating room. Sometimes it is much harder to be at the grave site than being the one buried, I suspect. They have shown great class. They have shown great resolve. And the one thing all of us who deal with law enforcement and firefighters know, they never forget their own. Although those two beautiful young girls of Frances Collender do not have their mother, they have inherited, for as long as they live, the entire police force of the State of Delaware, who, for real—it is not hyperbole—will be there for them, whether they ever knew their mother or not, until the day they die. It is part of our tradition, it is part of the honor, and it is part of our responsibility as well.

I thank the Chair.

Mr. REID. Will the Senator yield?

Mr. BIDEN. I am happy to yield.

Mr. President, to the Senator from Delaware, the people of Nevada and people all over the country should be grateful to the Senator from Delaware, Mrs. BOXER. Mr. President, today I am introducing the Coastal States Protection Act, which is intended to protect our Nation’s fragile coastlines from the detrimental environmental impacts of offshore oil and gas development. Chronic leakage associated with normal oil and gas operations, as well as catastrophic spills such as the horrific Santa Barbara spill in 1969, irreparably contaminate the ocean floor, tidal lands, and beaches.

In California, there is strong and enduring public support for the protection of our oceans and coastlines. My State decided that the potential benefits that might be derived from future offshore oil and gas exploration were not worth the risk of destroying our priceless coastal treasures. To ensure that our beaches remain pristine and our waters clear, California passed legislation permanently prohibiting oil and gas exploration in State waters. Unfortunately, the State only has jurisdiction over the territory that extends three nautical miles out from shore.

Federal waters off the coast of California, which extend beyond State waters to 200 nautical miles out, have received several forms of temporary protection from additional offshore oil and gas development. Since 1982, Congress has approved successive 1-year leasing and drilling moratoria that have protected California waters.

In 1996, President Clinton issued a 10-year ban on Outer Continental Shelf activity off the coast of California. We now face, however, mounting pressures to explore new sources of domestic oil and gas.

My bill provides permanent protection by ensuring that no mineral leasing can occur on the Outer Continental Shelf in Federal waters where the State has placed a moratorium on mineral exploration, development, or production activity in adjacent States waters. Thus, this bill guarantees that the wishes of a State are reflected in the management decisions made regarding associated Federal waters.

This legislation is similar to bills I introduced in the 104th, 105th, and 106th Congress. Several officials in the new administration have expressed strong support for State and local decision-making, so I am hopeful that they will join me in supporting this legislation.

This bill will make an important and lasting contribution to the protection of our Nation’s coastlines.
By Mr. THURMOND (for himself, Mr. HATCH, Mr. SESSIONS, and Mr. SMITH of New Hampshire):

S. 902. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

Mr. THURMOND. Mr. President, I rise today to introduce legislation to close a long-standing loophole in our Nation’s labor laws, and help stop union violence in America. The bill would make clear that violence conducted in the course of a strike is illegal under the Federal extortion law, the Hobbs Act. I am pleased to have Chairman HATCH and others join me in introducing this important measure.

Violence has no place in our society. As I have said many times before, I would, if it were in my power to do so, put an absolute stop to the disruption of commerce in this country by intimidation and violence, whatever its source.

Unfortunately, corrupt union officials have often been the source of such violence. Encouraged by their special Federal exemption from prosecution, corrupt union officials have routinely used intimidation and violence over the years to achieve their goals. Since 1975, the Institute for Labor Relations Research has documented over 9,000 reported incidents of union violence in America. A major study entitled “Union Violence: The Record and the Response by Courts, Legislatures, and the NLRB,” which was updated and re-published in 1999 by the John M. Olin Institute at George Mason University, discusses the problem and trends in union violence in detail. This updated study shows that while union membership and the total number of strikes has decreased in recent decades, the number of reported incidents of violence per strike has actually increased.

It is time we closed the loophole on union violence in America.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 902

**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 “Freedom From Union Violence Act.”

**SEC. 2. INTERFERENCE WITH COMMERCE BY THREATS OR VIOLENCE.**

Section 1951 of title 18, United States Code, is amended to read as follows:

“(d) other commerce over which the United States has jurisdiction;

“(e) the term ‘extortion’ means the obtaining of property from any person, with the consent of that person, if that consent is induced—

“(A) by actual or threatened use of force or violence, or fear thereof; or

“(B) by wrongful use of fear of not involving force or violence; or

“(C) under color of official right;

“(f) the term ‘labor dispute’ has the same meaning as in section 209 of the National Labor Relations Act (29 U.S.C. 152(9)); and

“(g) the term ‘robbery’ means the unlawful taking or obtaining of personal property from a person or property of another, against his or her will, by means of actual or threatened force or violence, or fear of injury, immediate or future—

“(A) to his or her person or property, or property in his or her custody or possession; or

“(B) to the person or property of a relative or member of his or her family, or of anyone in his or her company at the time of the taking or obtaining;”

“(c) EXEMPTED CONDUCT.—

“(1) IN GENERAL.—Subsection (a) does not apply to any conduct that—

“(A) is incidental to otherwise lawful picketing during the course of a labor dispute;

“(B) consists solely of minor bodily injury, or minor damage to property, or threat of such minor injury or damage; and

“(C) is not part of a pattern of violent conduct or of coordinated violent activity.

“(2) STATE AND LOCAL JURISDICTION.—Any violation of this section that involves any conduct described in paragraph (1) shall be subject to prosecution only by the appropriate State and local authorities.

“(A) EFFECT ON OTHER LAW: Nothing in this section shall be construed—

“(i) to repeal, amend, or otherwise affect—

“(I) section 6 of the Clayton Act (15 U.S.C. 17); or

“(II) section 20 of the Clayton Act (29 U.S.C. 52); or

“(III) any provision of the Norris-LaGuardia Act (29 U.S.C. 101 et seq.); or

“(IV) any provision of the National Labor Relations Act (29 U.S.C. 151 et seq.); or

“(V) any provision of the Railway Labor Act (45 U.S.C. 101 et seq.); and

“(ii) to preclude Federal jurisdiction over any violation of this section, on the basis that the conduct at issue—

“(I) is also a violation of State or local law; or

“(II) occurred during the course of a labor dispute or in pursuit of a legitimate business or labor objective.”

By Mr. ALLARD:

S. 903. A bill to amend the Cache La Poudre River Corridor Act to make technical amendments; to the Committee on Energy and Natural Resources.

Mr. ALLARD. Mr. President, today I am introducing the Cache La Poudre River Corridor Technical Amendments Act of 2001. When former Senator Hank Brown and I decided to sponsor the Cache La Poudre River Corridor Act, Public Law 104-323, it was only after we held numerous meetings with the affected individuals, groups and governmental entities to determine the best law to protect the area. The result was a delicate compromise bill to which all parties agreed.
The purpose of the Act was to designate the Cache La Poudre Corridor within the Cache La Poudre River Basin for special use. It is to provide for an educational and inspirational benefit to both present and future generations, as well as provide unique and significant contributions to our national heritage of cultural and historical lands, waterways, and structures within the Corridor.

The Act also established the Cache La Poudre Corridor Commission to consult with public officials and conduct public hearings on how to administer the corridor consistent with the purpose of the Act. The make-up of the Commission was to represent the affected counties and interested parties.

However, due to drafting errors and conflicting interpretations of the appointment process for the Commission, local communities and the Department of the Interior have been unable to proceed with implementing the Act.

To correct these errors, my colleague Congressman Bob Schaffer and I are introducing the Cache La Poudre River Corridor Technical Amendments Act of 2001. These changes will allow the Cache La Poudre River Corridor Act to be fully implemented.

These corrections will address several non-controversial provisions of the original law, which include correcting references to affected counties and clarifying duties of the commission. I hope that Congress will move quickly and act on the Cache La Poudre River Technical Corrections Amendments Act.

I thank my colleagues for their consideration of this matter.

By Ms. Collins (for herself, Mr. Warner, Ms. Landrieu, Mr. Cochran, Mr. Allen, and Mr. Hatch).

S. 904. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for qualified professional development expenses of elementary and secondary school teachers and to allow a credit against income tax to elementary and secondary school teachers who provide classroom materials; to the Committee on Finance.

Mr. Warner. Mr. President, just last week, on May 8, 2001, the Senate overwhelmingly passed an amendment that I offered to the education bill currently on the floor. This amendment, which passed by a vote of 95-3, stated: The Senate should pass legislation providing a specific profession with tax relief. The amendment was introduced by the Presiding Officer, the Senator from Virginia, Mr. Warner, to introduce the Teacher Tax Relief Act of 2001. We are very pleased to be joined by the Presiding Officer, the Senator from Virginia, Mr. Allen, and Senators Cochran and Landrieu, as original cosponsors of our legislation. All of these Senators are strong advocates for education and for our Nation’s teachers.

It would be difficult to script a more appropriate time for us to introduce this important legislation. We stand now at the summit of an education debate that began over 2 weeks ago. At the same time, we anticipate a major tax relief bill to which we will turn our attention as early as tomorrow.

Our bill is related to both. It is both sound education policy and sensible tax policy. We plan on offering it as an amendment to the tax bill as soon as feasible on the Senate floor.

For that reason, Senator Warner and I wanted to take advantage of this time this evening to talk a little bit about our bill and the ensuing amendment. In the midst of the education and tax debates, we hope that Senator Warner does not overlook the selfless efforts of our teachers and the many financial sacrifices they make to improve our Nation’s education and for our Nation’s children.

Our teachers perform such a critical role in the education and development of our children. In fact, study after study demonstrates that other than involved parents, a high-quality, dedicated teacher is the single most important prerequisite for student success.

The amendment which Senator Warner offered earlier this past week, and which I was proud to cosponsor, expressed the sense of the Senate that Congress should pass legislation providing tax relief to teachers with tax relief in recognition of the many out-of-pocket expenses, unreimbursed expenses they incur to improve the education of our Nation’s students.

At that time, both Senator Collins and I were pursuing the same goal, obtaining much needed tax relief for our teachers. However, despite sharing the same goal, we each had our own bill and our own approach towards achieving this shared goal.

Senator Collins has truly been a leader on this issue. I commend her for her work in highlighting this issue and for her tireless efforts to improve education in this country.

I am so glad that Senator Collins and I had the opportunity to sit down and discuss teacher tax relief legislation in greater detail. As a result of these discussions, we have joined forces and agreed on an approach to achieve our shared goal.

Today, I am honored to be joining Senator Collins in introducing the Teacher Tax Relief Act.

This Collins/Warner bill is cosponsored by Senators Landrieu, Cochran, and Allen. We will be offering this bill as an amendment to the tax reconciliation bill that will be on the Senate floor tomorrow.

The Collins/Warner Teacher Tax Relief Act has two components. First, the legislation provides a $250 tax credit to teachers for classroom supplies. This credit recognizes that our teachers dip into their own pocket to buy supplies into the classroom to better the education of our children.

Second, this legislation provides a $500 above the line deduction for professional development costs that teachers incur. This deduction will particularly help low-income school districts that typically do not have the finances to pay for professional development costs for their teachers.

Our teachers in this country are overworked, underfunded, and all too often, under-appreciated. In addition, they spend significant money out of their own pocket to better the education of our children.

These out of pocket costs place last-minute burdens on our teachers. This is one reason our teachers are leaving the profession. Little wonder that our country is in the midst of a teacher shortage.

While the primary responsibility rests with the Federal Government, I believe the Federal Government can and should play a role in helping to alleviate the nation’s teaching shortage.

On a Federal level, we can encourage individuals to enter the teaching profession and remain in the teaching profession by providing tax relief to teachers for the costs that they incur as part of the profession. This incentive will help financially strapped urban and rural school systems as they recruit new teachers and struggle to keep those teachers that are currently in the system.

Our teachers have made a personal commitment to educate the next generation and to strengthen America. While many people spend their lives building careers, our teachers spend their careers building lives.

The Teacher Tax Relief Act goes a long way towards providing our teachers with the recognition they deserve by providing teachers with important and much needed tax relief.

It is important to note that providing a specific profession with tax relief is not without precedent. Title 26, United States Code, Section 62(a) allows an above the line deduction to performing artists in connection with their performances.

I believe teachers in this country deserve similar treatment under the tax code. I look forward to a vote on the Teacher Tax Relief Act in the next few days.

Ms. Collins. Mr. President, I rise this evening, along with my good friends the distinguished Senator from Virginia, Mr. Warner, to introduce the Teacher Tax Relief Act of 2001. We are very pleased to be joined by the Presiding Officer, the Senator from Virginia, Mr. Allen, and Senators Cochran and Landrieu, as original cosponsors of our legislation. All of these Senators are strong advocates for education and for our Nation’s teachers.

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It would be difficult to script a more appropriate time for us to introduce this important legislation. We stand now at the summit of an education debate that began over 2 weeks ago. At the same time, we anticipate a major tax relief bill to which we will turn our attention as early as tomorrow.

Our bill is related to both. It is both sound education policy and sensible tax policy. We plan on offering it as an amendment to the tax bill as soon as feasible on the Senate floor.

For that reason, Senator Warner and I wanted to take advantage of this time this evening to talk a little bit about our bill and the ensuing amendment. In the midst of the education and tax debates, we hope that Senator Warner does not overlook the selfless efforts of our teachers and the many financial sacrifices they make to improve their instructional skills and the classrooms where they teach. Senator Warner deserves tremendous credit for focusing our attention, through a sense-of-the-Senate amendment to the education bill, on the need to provide tax relief for our Nation’s teachers.

Our teachers perform such a critical role in the education and development of our children. In fact, study after study demonstrates that other than involved parents, a high-quality, dedicated teacher is the single most important prerequisite for student success.

The amendment which Senator Warner offered earlier this past week, and which I was proud to cosponsor, expressed the sense of the Senate that Congress should pass legislation providing tax relief to teachers with tax relief in recognition of the many out-of-pocket expenses, unreimbursed expenses they incur to improve the education of our children. The bill we introduce today is legislation very similar to Senator Warner’s amendment which was adopted by the Senate by a vote of 95-3.

The bill we introduce today is targeted to support the expenditures of teachers who strive for excellence beyond the constraints of what their schools can provide.

Earlier this year, Senator Warner, Senator Hatch, and I each introduced...
our own version of our teacher tax relief bills. Last year Senator Kyl and I teamed up in a similar way. We have now all come together behind the Teacher Tax Relief Act of 2001, which enjoys bipartisan support from our colleagues as well as the endorsement of the National Education Association.

Our bill has two major provisions. First, it will allow teachers, teachers’ aides, principals, and counselors to take an above-the-line deduction for their professional development expenses. I have talked with teachers in Maine who have financed continuing education courses at the master’s and doctoral level as well as seminars out of their pocket. They then came back to their schools and shared their knowledge with their colleagues, and that additional course work has made them better teachers.

Some school districts reimburse for those kinds of professional development expenses. It would be great if they did. But some school districts simply don’t have the resources to help teachers who are striving to improve their skills.

What our bill will do is help those teachers who are financing those educational costs out of their own pockets by giving them an above-the-line tax deduction.

The second provision of our bill will grant educators a tax credit of up to $250 for books, supplies, and equipment they purchase for their students. This tax credit would be set at 50 percent of such expenditures so that teachers would receive 50 cents of tax relief for every dollar of their own money they spend for supplies for their classroom.

It is remarkable how much the average teacher spends every year out of his or her own pocket to buy supplies and other materials for their students. According to a study by the National Education Association, the average public school teacher spends up to $400 annually on classroom materials.

Just recently, I met with Idella Harter, president of the Maine Education Association. She told me of the books, rewards for student behavior, and other materials she routinely purchases for her classroom. One year Idella decided to save her receipts to see how much she actually was spending. She said she started adding up the receipts and was startled to discover they totaled over $1,000. When they got that high she decided to stop counting. But she continues to this day to purchase supplies and materials for her students.

When you think that the average teacher is not particularly well paid, it speaks volumes about their dedication that they are willing to make that kind of investment to improve the teaching for their students.

Idella is not alone. Maureen Marshall, who handled education issues for me in the office, taught public school for several years in Hawaii and Virginia. In her first year as a teacher, she, too, spent more than $1,000 of her own money on educational software, books, pocket charts to assist with language arts instruction, and other materials. Because of her tax situation, she could not deduct any of these expenses from her taxable income.

The ultimate beneficiaries of efforts to provide such assistance to our teachers are our students. Our bill provides tax relief for up to $1,000 spent out of pocket by teachers for professional development and for supplies. These are teachers who are going the extra mile for our children, for our students.

Our bill makes it a priority to reimburse educators for just a small part of what they invest in our children’s future.

I hope our colleagues will join us in support of this important initiative. I hope they will join us in a resounding vote when Senator Warner and I offer this proposal as an amendment to the upcoming tax bill.

By Mr. HARKIN (for himself, Mr. KERRY, Mr. DASCHLE, Mr. KENNEDY, Mr. REID, Mr. JOHNSON, and Mr. LEVIN)

S. 905. A bill to provide incentives for school construction, and for other purposes, to the Committee on Finance.

Mr. KERRY. Mr. President, I am pleased to introduce legislation today with my good friend and colleague, Senator Breaux, to deal with the issue of overcrowded and dilapidated schools. In March I offered an amendment in the Senate Finance Committee that was very similar to the legislation that we are introducing today. I am sorry that the amendment failed on a 10-10 vote in the Committee, but I am hopeful that we can come together to find a way to pass school construction legislation during this Congress.

The need for school construction assistance is great. Three-quarters of the public schools are in need of repairs, renovation, or modernization. More than one-third of schools rely on portable classrooms, such as trailers, many of which lack heat or air conditioning. Twenty percent of public schools report unsafe conditions such as falling fire alarms or electric problems.

At the same time the schools are getting older, the number of students is growing, up nine percent since 1990. The Department of Education estimates that 2,400 new schools will be needed by 2003 and public elementary and secondary enrollment is expected to increase another million between 1999 and 2006, reaching an all-time high of 44.4 million and increasing demand on schools.

It’s increasingly difficult to have meaningful reform in schools that are falling apart at the seams. Research does show that student and teacher achievement lags in shabby school buildings, they do not have science labs, they do not have adequate, adequate ventilation, and faulty heating systems. Older schools are also less likely to be connected to the Internet than recently built or renovated schools. Facilities are vital to implementation of research-based school reform efforts. We know, for example, that students learn more effectively in small classes, but school districts cannot create smaller classes or hire more teachers unless there is a place to put them.

Many schools are trying to offer more robust curricula, including music, physical education and classes in the arts, but their ability to provide these programs is hampered if there is no space to house them.

Almost every State in the Nation has implemented curriculum standards, calling for advanced work in science and technologies, but some schools are so old that their electrical wiring cannot support enough computers for the students and their science facilities are so antiquated that students cannot perform the experiments required to learn the state’s curriculum.

Our bill is looking to implement universal preschool, a service that we know enhances children’s school preparedness and which a study published in last week’s Journal of the American Medical Association confirms makes children likely to complete high school, less likely to need special education or grade retention services while in school, and more likely to avoid arrest as young adults, but the lack of available facilities is being prohibitive. If we are serious about encouraging research-based, meaningful, effective education reforms, and if we are serious about doing our part to help local districts run safe schools, a commensurate investment in school facilities is imperative.

The America’s Better Classroom Act, is similar to legislation introduced in the House by Congressman Rangel and Congresswoman Johnson that has 158 cosponsors. Our legislation allows the Federal government to issue $2.8 billion in school modernization bonds through a formula-based allocation to states and through expansion of the Qualified Zone Academy Bond, QZAB, program. The bill also includes a $200 million set-aside for Bureau of Indian Affairs schools for two years to help school replacement projects at schools funded or run by the Bureau of Indian Affairs.

Our bill would allocate 50 percent of $22 billion in bonds to states based on school-aged population. The remaining 40 percent of the bond revenue would be directly allocated to the 125 school districts with the largest number of low-income students based on ESEA Title I funding.

States and local school districts are investing in school construction, but it is clear that they still need our help. Annual construction expenditures for elementary and secondary schools have been growing. But local and state budgets have not been able to keep up with demand for new schools and the repair of aging ones. Unless school leaders can
persuade their wary voters to pass such bond referendums or raise local taxes, though, there’s often little hope of change. Until the last few years, the plight of state and local leaders had not received much attention from Washington. Last year we came together to respond to their call by funding a $1.2 billion grant program and this year we should come together again and pass legislation that continues our commitment to help local districts with their repair and renovation needs.

It is a tragedy that so many of our Nation’s students attend schools in crumbling and unsafe facilities. According to the American Institute of Architects, one in every three public schools in America needs major repair. The American Society of Civil Engineers found school facilities to be in worse condition than any other part of our nation’s infrastructure.

The problem is particularly acute in some high-poverty schools, where inadequate roofs, electrical systems, and plumbing place students and school employees at risk. Last month I visited the Westford Public School District in Massachusetts. School facilities were a big challenge to the town council which has seen its student population drop by half since the 1960s and is relying on pre-fab trailers to serve as an elementary school.

The Wilson Middle School in Natick, MA was built for approximately 500 students and currently houses 625. The school has no technical infrastructure, it has no electrical wiring to allow the integration of computers in the classroom. The classrooms are 75 percent of the size of contemporary classrooms and have fixed desks and chairs and no lights fixed to floor. Classrooms like these make it near-impossible for teachers to use modern-day teaching methods which rely heavily on student collaboration and interaction. The school also lacks science laboratories, making it impossible for students to do hands-on work and experiments.

Natick High School, like many aging school buildings around the Commonwealth, needs to have its basic infrastructure updated: electrical wiring, heating, plumbing and intercom systems are among the many components of the school in need of modernization. Also, the science labs are presently unable to meet the demands of updated state curricula. Natick put in place a prototype lab, and saw remarkable changes in students’ interest and ability to experiment in science.

I am very pleased to be introducing this legislation today with Senator HARKIN, and it is my sincere hope that we can come together again on the issue of school construction and pass legislation that addresses this Nation’s critical need for school repairs and renovation, and that we can do it as a part of a broader package of honest and tough reforms which focus, above all else, on the goal of empowering our schools to raise student achievement.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—DESIGNATING JUNE 3, 2001, AS “NATIONAL CHILD’S DAY”

Mr. GRAHAM (for himself, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CRAIG, Mr. CRAPO, Mr. D’WINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HOLLINGS, Mr. INHOFE, Mr. INOUYE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LEVIN, Mr. LIERMAN, Mr. LINDSAY, Mr. MCCAIN, Ms. MILLIKEN, Mr. MURRAY, Mr. NELSON of Florida, Mr. REID, Mr. ROCKEFELLER, Mr. SARBAZES, Mr. SCHUMER, Mr. SESSIONS, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECKER, Ms. STABENOW, Mr. THOMAS, Mr. THURMOND, Mr. TORRESZELLI, Mr. VONOVICH, Mr. WARNER, Mr. WELSTONE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary.

Resolved, That the Senate—
(1) designates June 3, 2001, as “National Child’s Day”; and
(2) requests the President to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. GRAHAM. Mr. President, I rise today to introduce a resolution that designates June 3, 2001, as National Child’s Day.

National Child’s Day celebrates the children of this country, recognizing them as one of our nation’s most valuable resources, and that they should be cherished and protected. Too often, we tell the world that children are our future, and yet our actions do not always convey our belief in the statement. Children are often made to feel that their challenges, concerns, and ideas are not valid. National Child’s Day shows the children of our country that we recognize the value of each of our children and the contributions they make to this great nation.

It is important therefore, that we establish a day of national admiration. This simple, yet important, resolution will ensure that our children receive the message of love, support, and encouragement they deserve.

Nearly 5 million children return to an empty home after school each week while their parents work because most communities lack adequate after-school programs. These children are more likely to engage in a host of risky behaviors that threaten their future.

Many children experience lapses of grave proportions. Sadly, over 5 million American children go to bed hungry at night. There has been an increase in the number of children in or in need of foster care services. Our children deserve more, and we must make a commitment to reverse these trends. When we fail to invest in our children, we fail to invest in our country.

National Child’s Day focuses on children’s accomplishments and addresses their needs. The establishment of a National Child’s Day will encourage families to spend more quality time together and will highlight the special importance of the child in the family unit.

I urge my colleagues to join me in establishing June 3, 2001, as National Child’s Day.

AMENDMENTS SUBMITTED AND PROPOSED

SA 649. Mr. ENZI (for himself, Ms. SNOWE, Mr. HAGEL, and Mr. D’WINE) proposed an amendment to amendment SA 358 submitted
by Mr. Jeffords and intended to be proposed to the bill (S. 1) extend programs and activities under the Elementary and Secondary Education Act of 1965.

**TEXT OF AMENDMENTS**

**SA 649.** Mr. Enzi (for himself, Ms. Snowe, Mr. Hage, and Mr. DeWine) proposed an amendment to amendment SA 358 submitted by Mr. Jeffords and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965 as follows:

**SEC. 2.—FEDERAL PRIORITIES FOR SCHOOL REPAIR AND RENOVATION.**

Title IX, as added by section 801, is amended by adding at the end the following:

>**PART B—SCHOOL RENOVATION PRIORITIES**

>**SEC. 9201. GENERALLY APPLICABLE PROVISIONS.**

>**(a) REQUIREMENT RELATING TO FUNDING OF CERTAIN SCHOOLS.**

>(1) IN GENERAL.—Notwithstanding any other provision of law (including the provisions of this Act) and except as provided in section 9202(e)(1), in administering any Federal formula or block grant program for school construction, renovation, or repair, the Secretary of Education shall ensure that assistance under such program is provided to meet the construction, renovation, or repair needs of schools receiving Impact Aid, schools under the jurisdiction of the Department of Defense, and Indian and Bureau of Indian Affairs funded schools prior to making any such assistance available under such program to other schools.

>(b) BOND CONSTRUCTION.—Nothing in this subsection shall be construed to apply to school construction bond programs or school renovation bond programs.

>**(b) TARGETING OF CERTAIN SCHOOLS.**

>(1) GENERAL RULE.—Notwithstanding any other provision of law (including the provisions of this Act), amounts made available under any Federal program to provide assistance for school construction, renovation, or repair for a fiscal year and remaining available after the requirement of subsection (a) to make such assistance available under such program to other schools.

>(A) PUBLIC SCHOOL FACILITY CONSTRUCTION PROJECT.—In the case of a State with a school financing law separate from the State’s education facilities capital construction program, nothing in subparagraph (A) shall be construed as affecting the application of such financing law or the eligibility of such a State to receive a grant under this section.

>(B) BULLSEYE ACT.—In the case of a State with a school financing law separate from the State’s education facilities capital construction program, nothing in subparagraph (A) shall be construed as affecting the application of such financing law or the eligibility of such a State to receive a grant under this section.

>(2) REQUIREMENT RELATING TO FUNDING OF CERTAIN SCHOOLS.

>(A) REQUIREMENT.—A State described in this paragraph shall be deemed eligible to receive assistance under this section if the State is appropriately participating in the renovation and construction of public education facilities in grades kindergarten through 12, as determined by the State. The State shall demonstrate that it has an operational plan to meet such an obligation.

>(B) BULLSEYE ACT.—In the case of a State with a school financing law separate from the State’s education facilities capital construction program, nothing in subparagraph (A) shall be construed as affecting the application of such financing law or the eligibility of such a State to receive a grant under this section.

>(A) IN GENERAL.—A State described in this paragraph shall be deemed eligible to receive assistance under this Act if the State has in effect a law that prohibits the State from making certain loans described in subparagraph (A)(i), the State, in consultation with the State educational agency, may use the fund described in subparagraph (A) to support the other uses described in subparagraph (A)(i).

>(B) REQUESTS.—The Governor of each State desiring assistance under this section shall submit a request to the Secretary of Education at such time and in such manner as the Secretary may require.

>**(3)** ELIGIBILITY.—

>(A) IN GENERAL.—Only those States described in subparagraph (B) shall be eligible to receive assistance under this section with respect to a fiscal year.

>(B) STATES DESCRIBED.—With respect to a fiscal year, a State described in this subparagraph is a State that has in effect under part A of title I for the fiscal year involved in an amount that is less than 4 percent of the total amount made available to all States under such part for such fiscal year.

>(C) PRIORITIES.—In selecting entities to receive funds under paragraph (1) for projects involving construction, repair, or acquisition of land for schools, the State shall give priority to entities with projects for schools with greatest need, as determined by the State. In determining the schools with greatest need, the State shall take into consideration whether a school is among the State’s highest concentrations of low-income families whose education imposes a higher than average cost per child, such as:

>(i) children living in areas with high concentrations of low-income families;

>(ii) children from low-income families; and

>(iii) children living in sparsely populated areas;

>(B) has inadequate school facilities and a lack of financial resources to meet the need for school facilities;

>(C) is located in a rural area;

>(D) is among the neediest 40 percent (ex- cept that schools described in section 9201(b)(2)(D) shall not be considered for purposes of this paragraph) of all public elementary and secondary schools in the State, as determined by the State; and

>(E) meets such criteria as the State may determine to be appropriate.

>**(D) REIMBURSEMENT.—**

>(A) IN GENERAL.—Subject to paragraph (2), a State that uses funds made available under subsection (e) to make a loan or support a State-administered program under subsection (e) shall reimburse the National Capital Reserve Fund for the amount of the loan or support, plus interest, at an annual rate of 4.5 percent. A State shall not be required to begin making such repayment until the year immediately following the 15th year for which the State is eligible to receive annual distributions from the fund (which shall be the final year for which such a distribution is available under this Act). The amount of such loan or support shall be fully repaid during the 19-year period beginning on the date of the expiration of the eligibility of the State under this section.

>**(E) EXCEPTIONS.—**

>(A) IN GENERAL.—Except as provided in subparagraph (B), from funds made available to a State under subsection (e) the State, in consultation with the State educational agency,

>(i) may use the funds to make annual interest payments on qualified school construction bonds, to support State revolving fund programs or for any other State-administered programs that assist State, regional, and local entities within the State in paying for the cost of construction, rehabilitation, repair, or acquisition described in subsection (a)(4)(A).

>(B) STATES WITH RESTRICTIONS.—If, on the date of enactment of this section, a State has in effect a law that prohibits the State from making certain loans described in subparagraph (A)(i), the State, in consultation with the State educational agency, may use the fund described in subparagraph (A) to support the other uses described in subparagraph (A)(i).
carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) for any fiscal year prior to fiscal year 2007 is sufficient to fully fund such part for the fiscal year at the originally promised level, which promised level would provide to each State 40 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State.

"(B) APPLICABLE INTEREST RATE.—Effective January 1, 2007, the applicable interest rate that will apply to an amount made available to a State under subsection (e) shall be—

(i) 0 percent with respect to years in which the amount appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) is not sufficient to provide to each State at least 20 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State;

(ii) 2.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 30 percent of such average per-pupil expenditure;

(iii) 4.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 40 percent of such average per-pupil expenditure; and

(iv) 7.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 50 percent of such average per-pupil expenditure.

"(c) FEDERAL RESPONSIBILITIES.—The Secretary shall—

(i) be responsible for ensuring that funds provided under this section are used only to pay for—

(A) the interest on qualified school construction bonds; or

(B) a cost described in subsection (b)(1)(A)(ii); and

(ii) 3.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 40 percent of such average per-pupil expenditure; and

(iii) 7.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 50 percent of such average per-pupil expenditure.

"(d) FEDERAL RESOURCES.—The Secretary shall—

(i) ensure that funds provided under this section are used only to pay for—

(A) the interest on qualified school construction bonds; or

(B) a cost described in subsection (b)(1)(A)(ii); and

(ii) 3.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 40 percent of such average per-pupil expenditure; and

(iii) 7.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 50 percent of such average per-pupil expenditure.

"(e) FUNDING.—

"(1) SET-ASIDE OF FEDERAL FUNDS.—

(A) IN GENERAL.—Notwithstanding any other provision of law (including section 221(b)(1) and the provisions of this Act) there shall be made available to carry out this section for each fiscal year, an amount equal to 20 percent of the total amount of Federal funds appropriated for such fiscal year for Federal programs providing assistance for school construction, renovation, and repair.

(B) TRANSFER OF FUNDS.—Not later than 60 days after the beginning of each fiscal year, the Secretary of the Treasury shall transfer to the Secretary of Education the amounts described in subparagraph with respect to the fiscal year involved and the Secretary shall utilize such amounts to carry out this section.

"(2) ALLOCATIONS.—

(A) IN GENERAL.—Subject to subparagraph (C), of the amount available under paragraph (1) for a fiscal year, the Secretary shall make available to each State submitting a request under this section a loan amount that bears the same relation to such available amount as the amount the State received under part A of title I for fiscal year 2001 bears to the loan amount received by all States under such part for such year.

"(B) DISBURSAI.—The Secretary shall disburse the amount made available to a State under this section on an annual basis, during the period beginning on October 1, 2001, and ending September 30, 2018.

"(C) SMALL STATE MINIMUM.—

(i) MIDDLE-STATE LOANS.—State shall receive a loan amount under subparagraph (A) for a fiscal year that is less than an amount equal to .5 percent of the total amount made available under this section for such fiscal year.

(ii) STATES.—In this subparagraph, the term ‘State’ means each of the several States of the United States, the State of Columbia, and the Commonwealth of Puerto Rico.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, May 22, 2001, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building, in Washington, DC.

The purpose of this hearing is to receive testimony on the Administration’s energy plan and the following bills: S. 388, the National Energy Security Act of 2001; and S. 597, the Comprehensive and Balanced Energy Policy Act of 2001.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224-8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, May 16, 2001. The purpose of this hearing will be to review the credit title of the upcoming farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 9:30 a.m. for the purpose of considering certain pending nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on the nominations of Maria Cine to be Assistant Secretary of Commerce for Trade and Development, General Counsel, U.S. Foreign Commercial Service; Kathleen Cooper to be Deputy Under Secretary of Commerce for Economic Affairs; Bruce Melman to be Assistant Secretary of Commerce for Technology Policy of the Department of Commerce; Sean O’Hollaren to be Assistant Secretary of Governmental Affairs; Donna McLean to be Assistant Secretary for Budget Programs and Chief Financial Officer of the Department of Transportation; and Tim Muris to be Commissioner of the Federal Trade Commission.

The hearing will take place on Tuesday, May 22, 2001, at 9:30 a.m. in room SH-216 of the Hart Senate Office Building, in Washington, DC.

The purpose of this hearing is to consider pending calendar business, as follows:

Agenda Item No. 1, S. 230.—To direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center.

Agenda Item No. 2, S. 254.—To provide further protections for the watershed of the Little Sandy river as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

Agenda Item No. 3, S. 329.—To require the Secretary of the Interior to conduct a theme
study on the peopling of America, and for other purposes.

Agenda Item No. 4, S. 498.—Entitled the “National Discovery Trails Act of 2001”.

Agenda Item No. 5, S. 505.—To amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation for other purposes.

Agenda Item No. 6, S. 507.—To implement further the Act (Public Law 94–241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes.

Agenda Item No. 6, S. 508.—To establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

Agenda Item No. 10.—Nomination of Francis S. Blake to be Deputy Secretary of Energy.

Agenda Item No. 11.—Nomination of Robert Gordon Card to be Under Secretary of Energy.

Agenda Item No. 12.—Nomination of Bruce Marshall Carnes to be Chief Financial Officer of the Department of Energy.

Agenda Item No. 13.—Nomination of David Garman to be Assistant Secretary for Energy Efficiency and Renewable Energy of the Department of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 16, immediately following the committee business meeting to conduct a hearing. The committee will consider the nominations of J. Steven Gritles to be the Deputy Secretary of the Interior; Lee Sara Liberman Otis to be the General Counsel for the Department of Energy; Jesse Hill Roberson to be the Assistant Secretary for Environmental Management of the Department of Energy; Nora M. Mead Brownell to be a Commissioner of the Federal Energy Regulatory Commission; and Patrick Henry Wood III to be a Commissioner of the Federal Energy Regulatory Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, to consider the nominations of Claude Allen to be Deputy Secretary, Department of Health and Human Services; Thomas Scully to be Administrator of the Health Care Financing Administration, Department of Health and Human Services; Piyush Jindal to be Assistant Secretary for Planning and Evaluation, Department of Health and Human Services; Peter R. Fisher to be Under Secretary for Domestic Finance, U.S. Department of Treasury; James G. Gurgule to be Assistant Secretary of the Treasury for Enforcement, U.S. Department of Treasury; Linnet F. Deily to be Deputy U.S. Trade Representative, with the Rank of Ambassador, Executive Office of the President; and, Peter Allgeier to be Deputy U.S. Trade Representative, with the Rank of Ambassador, Executive Office of the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet to hold a hearing on the following nominations for the Department of Veterans Affairs: Leo S. Mackay, Jr. to be Deputy Secretary; Robin J. Higgins to be Under Secretary for Memorial Affairs; Maureen P. Cragin to be Assistant Secretary for Public and Intergovernmental Affairs; Jacob Loxada to be Assistant Secretary for Human Resources and Administration; and Gordon H. Mansfield to be Assistant Secretary for Congressional Affairs.

The hearing will be held on Wednesday, May 16, 2001, at 9:30 a.m., in room 418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 2 p.m., to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Deborah Forbes, a detailed in Senator KENNEDY’s office, be granted floor privileges for the duration of the education debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Heather Smith, an American Planning Association congressional fellow in my office, be granted floor privileges for the duration of the debate on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S. C. 276d–276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17–21, 2001: The Senator from Iowa (Mr. GRASSLEY) and the Senator from Ohio (Mr. VONNOHICH).

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17–21, 2001: The Senator from South Carolina (Mr. HOLINGS), the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. SARBANES), and the Senator from Hawaii (Mr. AKAKA).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on the Executive Calendar: No. 77.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, that any statements relating to the nomination appear at this point in the Record, and the President be immediately notified of the Senate’s action. I also ask unanimous consent that the Senate then return to legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was considered and confirmed, as follows:

DEPARTMENT OF COMMERCE

James J. Ochum, of Virginia, to be an Assistant Secretary of Commerce.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

ORDERS FOR THURSDAY, MAY 17, 2001

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. on Thursday, May 17. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two hours reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.
Ms. COLLINS. Mr. President, for the information of all Senators, under the order, tomorrow the Senate will conduct two votes in relation to the education bill. The first vote will be in relation to the Dayton amendment No. 622, to be followed by a vote in relation to the Voinovich amendment No. 443. Senators should, therefore, expect two early morning votes beginning shortly after 9 a.m.

Following those votes, the Senate will begin consideration of the reconciliation bill and the statutory 20 hours for debate. Additional votes will occur throughout Thursday’s session, and the Senate is expected to remain in session into the evening in order to make progress on the tax reconciliation measure.

Before we close, I remind all Members of the early morning votes and ask that Senators be prompt to enable us to begin work on the important Tax Relief Act.

ADJOURNMENT UNTIL 9 A.M. TOMORROW
Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:02 p.m., adjourned until Thursday, May 17, 2001, at 9 a.m.

NOMINATIONS
Executive nominations received by the Senate May 14, 2001:

DEPARTMENT OF DEFENSE
PETER W. RODMAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE EDWARD L. WARNER, III.

DEPARTMENT OF TRANSPORTATION
ALLAN RUTTER, OF TEXAS, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION, VICE JOLENE MORTIZ MOLITORIS, RESIGNED.

DEPARTMENT OF THE INTERIOR
PATRICIA LYNN SCARLETT, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE M. JOHN BERRY.

ENVIRONMENTAL PROTECTION AGENCY
GEORGE TRACY MEHAN, III, OF MICHIGAN, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE J. CHARLES FOX, RESIGNED.

CONFIRMATION
Executive nomination confirmed by the Senate May 16, 2001:

DEPARTMENT OF COMMERCE
JAMES J. JOCHUM, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE’S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.
TROUBLES IN ADDIS AABABA

HON. MICHAEL M. HONDA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. HONDA. Mr. Speaker, I rise today to raise awareness and express my concern over the serious situation in Addis Ababa, Ethiopia. On April 11th while students at University College of Addis Ababa were peacefully protesting the fact that the government had disbanded the student council and closed the student newspaper, federal security police were sent in to crack down on the protests.

In the wake of this crackdown over 50 students were seriously injured. Amidst the call to protest, To my knowledge, formal charges have not been filed and these men's whereabouts are not known. These men were sent in to crack down on the protests.

Since April 17th, Human Rights Watch reported, “Students were dragged out of local churches and mosques, where they had sought refuge, and taken into detention [and] more than two thousand students were detained during these raids.” The use of unprovoked and heavy violence inflicted by the federal police, who were armed with live ammunition, against peaceful student demonstrators and the public must not continue.

I am also extremely concerned about the recent arrests of key Ethiopian human rights workers such as Dr. Mesfin Wolde-Mariam and Dr. Berhanu Nega for allegedly inciting students to protest. To my knowledge, formal charges have not been filed and these men’s whereabouts are not known. These men should be accorded due process of the legal system and be provided adequate medical care if needed and they should be released if no charges are filed against them.

I will be watching the events in Addis Ababa closely. I put those who would continue to harm innocent students and human rights advocates on notice that they are being monitored.

IN HONOR OF ROBERT D. DICKENS

HON. ASA HUTCHINSON
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. HUTCHINSON. Mr. Speaker, I rise today with the sad task of informing the House of the passing of Dr. Dick Dickens, Jr. of Little Rock. Dick was a neurosurgeon in private practice who was adored by his patients. They were deeply touched by his warmth as a human being, and by his dedication as a surgeon. Everyone knew that if they were being treated by Dick, they were in the skillful hands of a highly trained and committed surgeon.

Dick came from a family of doctors; his father and grandfather were doctors. Recently, Dick decided to use his background and skills to be an active participant in the effort to ensure that outstanding healthcare is available to all. He began working as an Associate Medical Director at Arkansas Blue Cross and Blue Shield of Little Rock because he wanted to be well-versed in all facets of the practice of medicine, including the administrative side.

Dick was also deeply interested in the complex ethical issues which confront physicians and hospitals today. He received a Certificate of Achievement from the University of Virginia Center for Biomedical Ethics after studying ethical issues which confront physicians and hospitals today.

More important than Dick’s extremely successful professional and personal accomplishments was the fact that he was a man who knew the value of people. He loved and was loved. He would often say that the true value of a man was not the things that had been done in life, but the people loved. It can be said of Dick by those who knew him well that they were granted a great privilege to be his friend, and as one friend said “I am a better man today because I had the opportunity to know Dick Dickens.”

The world is a better place today because Dick Dickens lived, and a little sadder because he has passed away. I join my colleagues in sending our deepest sympathy to the Dickens family, and especially, Dick’s wife Nancy and his children, Rob and Margaret Avery.

FAIRNESS FOR FOSTER CARE FAMILIES ACT OF 2001

SPREECH OF
HON. CONSTANCE A. MORELLA
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2001

Mrs. MORELLA. Mr. Speaker, I rise in strong support of the Fairness for Foster Care Families Act and thank my colleague Congressman Ron Lewis for taking this important step toward expanding the benefits of our foster care system.

Approximately 500,000 children are placed in foster care programs each year nationwide, including 23 counties in Maryland. According to the Maryland State Social Services report for January 2001, the number of children in foster care has risen over 20 percent from 8,178 in 1997 to 9,900. H.R. 586 addresses a growing need for foster care and foster care placement agencies.

Imagine two households of foster care families. The first one is run by John Doe, who receives his foster care payments from a nonprofit foster placement agency. His next door neighbor, Jane Doe, puts in the same amount of effort and spends the same amount of money on her foster child, and her initial foster care payments are the same. But because Jane’s payments are from a for-profit foster placement agency, current law states that Jane has to pay taxes, so she effectively earns less money than John Doe even though she puts in the same amount of effort as John Doe. The Fairness for Foster Care Families Act will remedy this patently unfair system by ensuring that equal effort from foster care family members equal reward in the form of non-taxable payment from all foster placement agencies.

Tax credits for payments from any qualified placement agency will make it easier for prospective foster care parents and placement organizations alike to provide a safe and nurturing environment in which these children can develop without worrying about profits or financial insecurity. If we do not in the House of Representatives expand tax credits to include for-profit foster care organizations, we risk jeopardizing the quality of care that foster children may receive while at the same time further complicating the screening process for foster parents.

Currently, for-profit foster care organizations that are not directly controlled by the government do not receive tax credits for the payments they make to providers of foster care. As a result, these companies must raise their payments to solicit more applicants.

Applicants for foster care undoubtedly increase as payments from foster care organizations increase. With a tax credit for all qualified foster care placement agencies we can be sure that the applicant pool of foster parents can increase in a way that boosts both quantity and quality of the applicant pool.

The Fairness for Foster Care Families Act will help expand foster care to meet a growing need that affects my constituents and the nation at large. We owe it to our children, we owe it to the future of our society, we owe it to the families who have the courage and compassion to open up their homes to those children that are, for whatever reason, without a home. Passing the Fairness for Foster Care Families Act sends the message that we care enough about our foster individuals to provide them all with an equal opportunity for proper care. I encourage my colleagues to join me in supporting H.R. 586.
Mr. Speaker, the positive impact NAHASDA has had in the lives of so many Native people is nothing short of remarkable. With its emphasis on self-determination and responsibility at the local level, I hope that the House will act quickly to approve the NAHASDA reauthorization legislation we are introducing today. I look forward to working with my colleagues in the House, as well as in the Senate and the Bush administration, to ensure that the American Dream becomes a reality for Native Americans.

NAHASDA promotes tribal self-determination. Under the Act, tribes administer their funds directly instead of the regional housing authorities in Washington, D.C., promoting the involvement of private sector entities and communities’ development, focusing on the long-term health of the community without the burden of excessive regulation. Offering the maximum amount of flexibility in the use of housing dollars, while still upholding strict accountability standards, NAHASDA adheres to the self-determination of tribes and allows for local problem-solving.

Furthermore, the formula-driven block grant allows tribes to involve private markets and private real estate entities to improve economic conditions in Indian country. Simply put, NAHASDA facilitates a better use of federal dollars to address the needs of Indian communities.

Mr. Speaker, the NAHASDA reauthorization bill will build upon the success of the past five years by providing more housing development on our nation’s Indian reservations. Housing is the backbone of economic and community development. It creates jobs and drives tribal economies. It is a basic need that can strengthen progress in other areas like education and health care too.

I would like to thank my colleague, Congressman J.D. Hayworth for his dedication to Native American issues, and for introducing this bill today. It is my hope that my colleagues will support this bill for what it is—a renewed commitment to the well-being of the Native American people of this nation.
I hope that all of these individuals continue to utilize their artistic talents, and I wish them all the best of luck in their future endeavors.

A TRIBUTE FOR TAIWANESE-AMERICAN HERITAGE WEEK

HON. GERALD D. KLECZKA
OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. KLECZKA. Mr. Speaker, each May, our nation prides to recognize the enormous contributions that Pacific Islanders and Americans of Asian descent have made to our country. One week of this month long celebration, the week following Mother’s Day, is designated as Taiwanese-American Heritage Week. This observance offers us the opportunity to acknowledge the contributions of the Taiwanese-American population throughout the United States, and celebrate its rich and unique cultural heritage.

There are currently over 10 million Americans of Asian descent in the United States, 500,000 of whom are Taiwanese Americans. In Wisconsin, our Asian-American population has grown statewide to nearly 88,000, with over 25,000 located in Milwaukee County alone.

The Taiwanese-American community in the United States places strong emphasis on the importance of education. Over 40% of its population consists of college graduates, many with advanced degrees. Americans of Taiwanese descent have made significant contributions in all walks of life, including the arts, sciences, and the humanities.

There are currently over 3,400 veterans of Asian descent in the United States, and some 4,600 veterans reside in Cortland County alone. Veterans from across the State of New York will be descending upon the Country Music Park in Truxton, New York on Sunday, May 20th to attend festivities recognizing their service to the American people.

As a Member of Congress representing Cortland County and Chair of the House Appropriations Subcommittee on Veterans Affairs, I fully support the funding of our federal veterans benefits and health services.

Mr. Speaker, I rise today to recognize the dedication these New York State veterans and their families have shown in service to our nation.

Americans of all ages owe a sincere debt of gratitude to the sacrifice of all veterans who have defended our country and preserved the freedoms of liberty and freedom both home and abroad. I anticipate that the event on May 20th will be a fitting tribute to their selfless service.

HONORING THE MUSIC MAN, DR. THOMAS HAMMETT—A REMARKABLE EDUCATOR

HON. ZACH WAMP
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. WAMP. Mr. Speaker, I rise today to talk about an exceptional teacher in my district—Dr. Thomas Hammett. Dr. Hammett teaches chorus and drama at Lookout Valley High School and is also the Director of Music at Rivermont Presbyterian Church. I think it is particularly fitting to honor Dr. Hammett the same week we are debating H.R. 1, the No Child Left Behind Act of 2001.

Dr. Thomas Hammett has continually demonstrated character education in the classroom long before the term was ever coined. Many of his students believe he invented the phrase. Not only does he teach music; he teaches character, morals and how to live life. He has made a significant difference in the lives of so many of his students. He teaches them that music can break down barriers in a way that nothing else can. It can break down prejudice and indifference and it crosses racial lines. Dr. Hammett is a man of Christ and is never afraid to demonstrate his faith despite the consequences. Without his dedication many of his students wouldn’t be where they are today.

I have heard from a number of Dr. Hammett’s students and their words tell the story better than I could. Rebekah Griffiths said, “Dr. Hammett has made a huge difference in my life and I am a better person because of his example and teachings. I love him like a father and appreciate his listening ear, time and advice more than I will ever know.” Michael Langston states, “Dr. Hammett has been an outstanding role model for me. He has taken many days out of his personal life to help me succeed in chorus.”

I don’t know many teachers who would take a single student to All-State auditions and performances.”

I am proud to have him teaching in my district. Keep up the good work Dr. Hammett—you are a perfect example of why character education works and a role model for other teachers who dedicate their lives to teaching America’s children. I commend you and your wife, Faye, and your four daughters, Charity, Emily, Stephanie and Rosalie.

ATTACKS ON PLACES OF WORSHIP IN THE BALKANS

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. SMITH of New Jersey. Mr. Speaker, news reports from Bosnia and Kosovo earlier this month give reason to despair.

First, in Bosnia-Herzegovina, about 30 people were injured and property was damaged during riots in the “Republika Srpska” cities of Trebinje on May 5 and Banja Luka on May 7. Islamic leaders, Bosnian officials and representatives of the international community were attacked during ceremonies to lay the first stones of mosques being rebuilt where mosques destroyed by Serb militants in 1993 once stood.

We remember well, hundreds of mosques were destroyed during the war as part of the genocidal campaign of ethnic cleansing. The apparent purpose was to eradicate the cultural vestiges of the Bosniac population which was terrorized and forced to flee. It was not uncommon for the local ethnic Serbs subsequently to deny a mosque had ever existed, once the rubble had been cleared away. The famous Ferhadija mosque in Banja Luka built in 1583 was blown to bits on May 7, 1993. The ceremony exactly eight years later was the culmination of persistent efforts, including the Helsinki Commission which I co-chair, to get Republika Srpska leaders to permit the reconstruction of destroyed mosques, which they finally did this year.

The riots last week demonstrate the continued intolerance in the region. Moreover, while Bosnian Serb officials have officially condemned the incidents, there are indications that both the Trebinje and Banja Luka events were orchestrated and perhaps linked. In Trebinje, the police force seemed simply to be not adequate. In Banja Luka, though, some believe that the police forces may have been involved in plans to disrupt the ceremonies. Radovan Karadzic, the wartime Bosnian Serb leader who has been indicted for genocide but remains at large, is alleged to have been responsible.

Meanwhile, in Kosovo on May 6, local Albanians threw stones breaking windows and the doors of the Serbian Orthodox church of St. Dimitrije in the village of Susica. Damage was done inside, and some cash offering was stolen. This was only the most recent in a wave of attack since the end of the conflict in Kosovo in 1999 in which about one hundred Orthodox churches have been damaged or destroyed. Many of these incidents have been documented by Serbian Orthodox Bishop Artemije in testimony before the Helsinki Commission. Mr. Speaker, there are signs that in
Kosovo, too, these attacks are not spontaneous acts of intolerance. Unfortunately, it seems that an environment has been created in which such acts of violence are not discouraged, let alone thwarted.

Mr. Speaker, attacks on places of worship are reprehensible, no matter what the faith, no matter where committed, and no matter by whom. These acts are sacred to believers, and important as cultural symbols even to many who are not. Orchestrated or spontaneous, these attacks must be stopped. The international presence, including peacekeeping forces, local law enforcement, political leaders, and religious figures across faiths must be part of the solution, not the problem.

I was particularly disappointed with the response of Yugoslav President Vojislav Kostunica, who, while criticizing those who engaged in violence, sought to place some of the blame on those working to rebuild the mosques in Republika Srpska. He was quoted as saying that some churches and mosques should not be rebuilt because they might provoke such incidents. Blaming the victim, sadly, has become a norm in the minds of too many who could and should, instead, be champions of justice.

In conclusion, Mr. Speaker, let us remember that freedom of thought, religion and belief is a fundamental human right, and attacks on religious sites are attacks on that right. Attacks must be stopped. The international community, including peacekeeping forces, local officials, and religious leaders must work together to ensure that these sites are protected and respected.

STATEMENT APPLAUDING CHICAGO PUBLIC SCHOOL TEACHER INDUCTION INTO THE NATIONAL TEACHERS HALL OF FAME

HON. JESSE L. JACKSON, JR.
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. JACKSON of Illinois. Mr. Speaker, I am proud to recognize Dr. Emiel Hamberlin, who is being inducted into the National Teachers Hall of Fame today. Today’s children need a balance of guidance and knowledge, and I am glad to see that Chicago’s public schools and its students are being fortified by teachers like Dr. Hamberlin.

Dr. Hamberlin has been teaching biology and Horticulture Environmental Sciences for the past 36 years in Chicago public schools. His honors and awards include City of Chicago Teacher of the Year, the Kohl Family Foundation International Educator, Who’s Who Among Black Americans, and the Golden Apple Foundation Academy Fellowship, and he has been recognized as one of Newsweek Magazine’s America’s 100 Heroes.

Dr. Hamberlin has applied a practical application of his science curriculum that includes educating his pupils in small business and small business enterprises. Through the Ornamental Horticulture Program, he and his students developed a landscaping club where student were paid for producing public and private landscapes throughout the city.

He and his students have also developed an award winning Urban Ecology Sand, where students maintained and housed various animals, numerous plant life, and unique ecosystems all within an enclosed courtyard on their high school campus. Dr. Hamberlin has shown that classrooms can be stimulating experiences for all types of students, and they can have first hand experience at life’s lessons.

Dr. Hamberlin has demonstrated what a great impact a teacher can have on our children, and we are glad to have him teaching the children of Chicago. Dr. Hamberlin, thank you for your years of dedication to the most noble of services, and may you continue to influence and inspire students for many years to come.

TRIBUTE TO DONALD J. SIEGEL

HON. MICHAEL E. CAPUANO
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. CAPUANO. Mr. Speaker, I rise to pay tribute to Donald J. Siegel. On May 16, the Israeli Bond National Labor Division will honor Don Siegel with the Habonim Yisrael, the Builders of Israel Award. It is fitting that Don will receive this honor in a union hall. It is fitting, too, that Edward C. Sullivan, President of the Building and Construction Trades Department of the AFL-CIO, serves as honorary chair of the celebration. This ceremony, like Don Siegel himself, exemplifies all that is best in our country: men and women of good will working to understand and help one another.

Don has served for many years as counsel to the Massachusetts Building Trades Council. He began practicing labor law in 1971, and, since then, he has been a trusted friend and advisor to many unions and employee benefit funds. In 1994, the Archdiocese of Boston honored him with its Cushing-Gavin award, recognizing his moral integrity, professional competence, and community concern. There is no faith community in Massachusetts, and, I think, few activists of any political or religious persuasion, who do not recognize him as a tireless, persuasive advocate for working people.

Don is a man who assumes responsibility as naturally as he breathes and unafraidly. He is the immediate past president of the Jewish Community Relations Council and now chairs its Israel Strategy Group. He has taken pains to educate non-Jews—and for this I am personally grateful—about Israeli society, about Israel’s success in absorbing new immigrants, and about the difficult and important attempts, like those in the city of Haifa, to build understanding between Jewish and Arab Israelis.

Don Siegel is a righteous man. He lives, teaches, and inspires others to uphold the principles of Tzedakah v'hessed: justice and loving-kindness.

TRIBUTE TO DORI PYE

HON. HOWARD L. BERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to Dori Pye, a remarkable woman. She has proven that love and caring are powerful forces that can change lives and lift a community.

For more than 30 years, Mrs. Dobbs has worked tirelessly to feed the less fortunate. As founder and director of Care and Share, the community food bank in my hometown of Simi Valley, California, Mrs. Dobbs has been responsible for seeing to it that thousands of men, women and children have been fed.
Except for a short time during the ’70s, Care and Share has received no outside funding. It’s an all-volunteer effort.

And what an effort it is. Care and Share feeds an estimated 500 families a month. During the holidays, Mrs. Dobbs’ dogged determination ensures that every family has access to a good, nutritious holiday meal. Every basket is served with Mrs. Dobbs’ ever-present smile and a kind and encouraging word.

Mrs. Dobbs began in the 1960s by enlisting schools to sponsor canned food drives. As Care and Share grew and allied with other charitable organizations, Mrs. Dobbs also reached out to community organizations to help with the drive.

That made it a true community effort as the Simi-Moorpark Association of Realtors, Rotary and Kiwanis clubs, Scouts, churches and numerous other community groups joined the cause.

Mrs. Dobbs has decided to retire and enjoy life with her husband, Carl, their five children and six grandchildren. Care and Share will continue to thrive under the guidance of long-time volunteer Veronica Rubio. Mrs. Dobbs has promised to volunteer from time to time as well.

Mr. Speaker, I know my colleagues will join me in thanking Willa Dobbs for caring for her fellow human beings; for making life richer and fulfilling for everyone who helped her and those who were helped by her; and for proving that one person can make a difference in many, many lives. We wish her love and Godspeed in retirement.

INTRODUCTION OF LEGISLATION ALLOWING VICTIMS OF DATING VIOLENCE TO ACCESS DOMESTIC VIOLENCE LEGAL ASSISTANCE PROGRAMS

HON. ASA HUTCHINSON
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. HUTCHINSON. Mr. Speaker, I rise today to introduce legislation that is an important step in continuing to assist victims of dating violence. The bill I am introducing today with Rep. CONNIE MORELLA will allow victims of dating violence to qualify for federal legal assistance grants authorized under the Violence Against Women Act.

Dating violence is a little-known and misunderstood aspect of domestic violence. Historically, domestic violence laws have been applied only to cases where the victim is married or cohabiting with the abuser, or where the couple shares a child together. Unfortunately, this criteria ignores the equally dangerous violence that can occur in dating relationships. Victims of domestic violence are victims regardless of their relationship to the abuser. These victims face the same trauma and the same manipulation as every other domestic violence victim. As Congress focuses its attention on providing necessary assistance to the states for the prevention of domestic violence, we must not allow victims of dating violence to be left behind.

The lack of recourse for victims of dating violence was brought to my attention through a tragic incident in the State of Idaho. In December 1999, seventeen-year-old Cassie Dehl was killed in an accident involving her abusive boyfriend. Despite documentation of years of vicious and life-threatening abuse, Cassie’s parents were unable to obtain legal protection for their daughter because neither federal nor state domestic violence laws applied to teenage dating relationships. Although the abuse was evident and the need for assistance was clear, no one was able to offer Cassie the help she needed.

Last year, Congress overwhelmingly reauthorized a number of important domestic violence programs under the Violence Against Women Act. In continuing the existing programs, the VAWA reauthorization included two new provisions of particular importance. First, a legal definition of dating violence was created, the first such definition under federal law. Second, a new grant program to provide civil legal assistance to victims of domestic violence was authorized. Unfortunately, while many of the existing VAWA programs were expanded to include dating violence, this new legal assistance grant was not. Our legislation will correct this discrepancy.

The victims of dating violence require and deserve the same legal assistance given to other victims of domestic violence. The ability to obtain a legal protection order or pursue other legal remedies can be the difference in a victim being able to break the cycle of oppression and regain control of their life.

Under this legislation, victims of dating violence will have the same legal standing as all other victims of domestic violence when seeking civil legal assistance.

Mr. Speaker, I applaud Congress for coming together last year by bringing attention to the continuing problem of domestic violence. In order to build upon the advances we made last year, I urge my colleagues to support this legislation that takes another step toward achieving an equal status for victims of dating violence.

TRIBUTE TO BRANDON SILVERIA
HON. MICHAEL M. HONDA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. HONDA. Mr. Speaker, I rise today to recognize Brandon Silveria, a courageous young man committed to fighting underage drinking and drunk driving.

Over the last seven years, many of my fellow Members have had the opportunity to meet and introduce Brandon to students in our districts.

After consuming a few drinks at a high school party and then driving his friends home, Brandon fell asleep and crashed head-on into a tree. With his family at his side, Brandon spent three long months in a coma. To this day, Brandon faces daily difficulties—recurring and persistent seizures and noticeable speech and walking limitations. Despite these difficulties, Brandon made a commitment to apply his experience to the lives of high school students throughout the United States. He recalls his personal story to others urging them to make the right choice about underage drinking.

Through a partnership with The Century Council, a national non-profit organization dedicated to fighting drunk driving and underage drinking and funded by America’s leading distillers, Brandon and his father, Tony Silveria, travel to high schools across the country to educate students about the life consequences of underage drinking and driving.

For his National Prom and Graduation month. Appropriately enough, this month Brandon will speak to his one millionth student at his hometown high school in Los Gatos, California. Brandon is a special young man with an important mission to our next generation of leaders. Brandon and The Century Council are to be commended for their efforts.

THE DANGERS OF UNILATERALISM

HON. BARNEY FRANK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2001

Mr. FRANK. Mr. Speaker, I was very interested to read in the May 9 issue of The Hill an article by David Silverber which sounded an important warning about excessively unilateralist tendencies in the Bush administration foreign policy. Coming from the perspective from which Mr. Silverber writes, I think there is a problem that we absolutely must address and I hope that it has a favorable impact on the policy makers in the Bush administration.

[From The Hill, May 9, 2001]

AMERICA’S COURSE TOWARD SPLENDID ISOLATION

(By David Silverber)

Late in the reign of Queen Victoria, Brit-ain, possessing the world’s most powerful navy, owning an empire on which the sun never set, described its diplomatic strategy as one of “splendid isolation.” By that Britons meant that they remained above the passions and rivalries of the Euro-pen continent.

As one charts the course of President Bush’s foreign policy today, one gets the uncomfortable feeling that the United States is heading toward its own version of “splendid isolation.” This is not the same as the isolationism of the 1930s, which would have had the United States withdraw from the world stage. Nor is it neo-isolationism, which would revive the 1930s doctrine in a new guise. It is something different.

It also comes as we stand on the edge of a new defense era. In the coming weeks, De-fense Secretary Donald Rumsfeld is going to unveil a new overarching defense strategy. This plan, formulated in great secrecy, is expected to go beyond the strategy created in the Bottom-Up Review of 1993 which has since then governed American defense. Early indications are that the Rumsfeld policy will be a policing strategy, aimed at maintaining the status quo against possible violent efforts at change.

That’s fine as far as it goes, and an informed critique will have to await its unveil-ing. However, it’s likely to follow the gen-eral foreign policy outline of this administra-tion. As war is politics by other means, strategy is policy by other means.

To date, this administration has consistently taken a unilateral approach in foreign policy. It is abandoning the Kyoto Treaty on Global Warming. In a brusque departure from previous policy—White House denials notwithstanding—President Bush has de-clared that the United States will defend Taiwan and the United States will sell it a
significant arms package. He did this without consulting allies or the potential rival, China.

Now, in pursuit of a missile defense shield, the United States is seeking to expand or significantly modify the Antiballistic Missile (ABM) Treaty of 1972.

In the interests of fairness, instances of multilateralism to be noted: The United States is promoting the hemispheric Free Trade Area of the Americas, and relations with Mexico have never been better.

So what does all this add up to? The Bush administration appears to believe in muscular unilateralism everywhere but in the Western Hemisphere and on trade issues. The United States will depart from the international consensus on the environment and its commitments on ABM, and will build a missile shield behind which it will withdraw, while jostling to contain China.

If this is to be American policy, American strategy and American military means will have to follow it. The United States will spend billions on a missile defense shield. The United States will have to have very robust naval forces to protect Taiwan and the American mainland from attack, but will also have to reach far out to defend against pinpoint attacks should they be necessary.

While President Bush specifically rejected isolationism as a policy during the campaign, a version of isolationism appears to be taking shape on a day-to-day basis. The United States will not withdraw from the world, but it will act unilaterally when it feels the need. Of course, any country has this right—it's inherent in sovereignty. But during the previous administration the United States exercised its rights judiciously and needed real efforts to work in concert with partners, allies and even competitors like China.

The world is not accepting American unilateralism passively. The United States has been voted off the United Nations' Human Rights Commission in a small, but telling, gesture of disapproval. Such gestures are likely to become more significant and more pronounced if things don't change.

Perhaps the problem is simply one of style. The world was more accustomed to Bill Clinton's more ingratiating ways and is having trouble adjusting to a more brusque manner. If style is the difficulty, it's easily corrected. The administration determined to be an unrestrained unilateralist it will court, literally, a world of trouble. As President Theodore Roosevelt counseled, "Talk softly and carry a big stick." The world is talking about America's big stick, perhaps George W. Bush and his administration should speak a bit more softly.

What we may end up with is an American version of "splendid isolation" where America stands proud but very alone in the world. We can achieve isolation if we want—but it certainly won't be splendid.

**Tribute to Stephen Dunn**

Mr. LOBIONDO. Mr. Speaker, I rise today to salute a celebrated poet from Southern New Jersey, Stephen Dunn of Egg Harbor Township, Atlantic County on his winning the 2001 Pulitzer Prize for poetry. His collection of poems, entitled "Different Hours," has won the acclaim of critics and readers from across the nation.

The book, Stephen Dunn's 11th collection of original verse, has been hailed as an exploration and insight into the "different hours" of one's life as well as into the philosophical and historical life all set in the Southern New Jersey environs that we both call home.

Stephen Dunn, as well as being an accomplished author and poet, is also a Trustee Fellow and Professor of Creative Writing at Richard Stockton College in Pomona, New Jersey. I am confident that his students and the faculty members there are tremendously appreciative of both his great literary talent and his great devotion to teaching, handing down his creative spark to the next generation of chroniclers of life in Southern New Jersey.

Mr. Speaker, I congratulate Professor Stephen Dunn on his Pulitzer Prize and thank him for his many contributions to the State of New Jersey and its people.

**Boeing Employee Named Minority Business Buyer of the Year**

Mr. Speaker, I am pleased that since 1993, the 12th District of Illinois has received funding for 286 new law enforcement officers under the COPS grant funding program. These additional officers have worked to increase the safety and well being of my constituents.

Last year 150 very devoted, brave officers were killed in the line of duty and 6 women were killed. The average age of those killed was 39 years, and with an average of 10 years in service.

In my state of Illinois three police officers died in the line of duty during 2000—At this time...
Mr. GILMAN. Mr. Speaker, I rise to take this opportunity to recognize Police Memorial Week. It is a time when the citizens of our Nation join the families, friends, and colleagues of America’s slain peace officers, to honor and remember their sacrifice.

On September 24, 1789, Congress created the first Federal law enforcement officer, the United States Marshal. Five years later, on January 11th, 1794, U.S. Marshal Robert Forsyth became the first officer in a long list of men and women who have given their lives to protect and serve the communities of their beloved nation. Since then, over 14,000 officers have died in the line of duty, including over 1,000 from the state of New York. The city of New York has lost more officers than any other department in the nation, with more than 500 deaths. These heroes must never be forgotten, and their sacrifice as a reminder that the price of a safer America, a nation based on law and order, is being paid for by the lives of our men and women in blue.

Earlier today, along with President Bush and attorney General Ashcroft, I had the opportunity to participate with the friends and families of our Nation’s slain police officers at the 20th Annual National Peace Officers’ Memorial Service outside the Capitol. This service reflects the loss which our Nation’s communities have felt and echo our need to ensure that our nation’s law enforcement community is provided the support and assistance necessary to protect our communities and our citizens.

Although our Nation’s crime rate is at its lowest level in years, on the average, one law enforcement officer is killed somewhere in America nearly every other day. Over the past 10 years, America has lost one police officer every 54 hours; over 1,500 men and women. In the year 2000, 150 men and women who served our communities with the greatest honor, respect and dedication, gave their lives to protect our Nation’s communities. Accordingly, we honor Police Memorial Week, to remind us that when a police officer is killed, it is not a community that loses an officer, it is an entire nation. We hope and pray that the senseless murders and crimes against our Nation’s bravest men and women will one day cease; until then we will do everything we can in order to remember and honor all of our law enforcement officers who have ever given their lives.

Let us take this opportunity to recite the names of those fallen heroes from New York, who, in the name of duty, gave their lives over the past year: Officer Raymond J. Curtis, Officer John M. Kelly, Officer T. Michael Kelly, Trooper Kenneth A. Poormon, and Officer David Alexander Regan. I would also like to pay tribute to New York City Police Officer Michael Buczek of Suffern who was brutally murdered in the line of duty in 1988. In March of this year we were able to secure the extradition of Pablo Almonte Telluberes, his accused killer, from the Dominican Republic after years of international negotiation. The return of this cop killer to face American justice is a tribute to the many law enforcement officials who pursued the case and refused to give up in the name of their fallen comrade. To Michael Buczek and all of our fallen officers, we express our nation’s gratitude.

To our fallen men and women in blue, I pledge to you, that in your spirit, I will continue to fight for those laws that provide our Nation’s peace officers with the tools needed to fulfill their mandate of making our communities a safer place in which to live.

I invite all Americans to visit the National Law Enforcement Officers Memorial in Washington which is a fitting tribute to their dedicated service and sacrifice.
SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 17, 2001 may be found in the Daily Digest of today’s Record.

MEETINGS SCHEDULED

MAY 22
9 a.m.
Governmental Affairs
To hold hearings on the nomination of Erik Patrick Christian and the nomination of Maurice A. Ross, each to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342

9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine certain issues surrounding retiree health insurance.

SD-430

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine issues surrounding Amtrak.

SR-253

10 a.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine the challenges in cybercrime focusing on the National Infrastructure Protection Center.

SD-366

Banking, Housing, and Urban Affairs
Economic Policy Subcommittee
To hold hearings to examine the reverse wealth effect, focusing on consumer confidence with regard to market losses.

SD-538

Judiciary
To hold hearings to examine competition in the pharmaceutical marketplace, focusing on the antitrust implications of patent settlements.

SD-226

2 p.m.
Judiciary
Immigration Subcommittee
To hold hearings on U.S. immigration policy, focusing on rural and urban health care needs.

SD-226

Foreign Relations
To hold hearings on the nomination of Lorne W. Craner, of Virginia, to be Assistant Secretary for Democracy, Human Rights, and Labor; the nomination of Ruth A. Davis, of Georgia, to be Director General of the Foreign Serv-

2:30 p.m.
Energy and Natural Resources
To hold hearings on the Administration’s proposed energy plan, and S. 386, to protect the energy and security of the United States and decrease America’s dependency on foreign oil sources to 50% by the year 2011 by enhancing the use of renewable energy resources conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies; improve environmental quality by reducing emissions of air pollutants and greenhouse gases; mitigate the effect of increases in energy prices on the American consumer, including the poor and the elderly; and for other purposes; and S. 597, to provide for a comprehensive and balanced national energy policy.

SH-216

Commerce, Science, and Transportation
Consumer Affairs, Foreign Commerce, and Tourism Subcommittee
To hold hearings to examine prescription drug advertising.

SR-253

MAY 23
9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine issues relating to the boxing industry.

SR-253

Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine issues surrounding human subject protection.

SD-430

Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Department of Defense and related programs.

SD-192

10 a.m.
Governmental Affairs
Business meeting to consider certain nominations.

SD-342

Environment and Public Works
Fisheries, Wildlife, and Water Subcommittee
To hold hearings to examine the Environmental Protection Agency’s support of water and wastewater infrastructure.

SD-628

Joint Economic Committee
To hold joint hearings on the economic outlook of the nation.

311, Cannon Building

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for international financial institutions.

SD-138

Logout Committee
To hold hearings on Department of Justice and certain judicial nominations.

SD-226

2 p.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine issues relating to carbon sequestration.

SR-253

Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings to examine the Lower Klamath River Basin.

SD-366

MAY 24
9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine issues surrounding patient safety.

SD-430

Governmental Affairs
Investigations Subcommittee
To hold hearings to examine alleged problems in the tissue industry, such as claims of excessive charges and profiling making within the industry, problems in obtaining appropriate informed consent from donor families, issues related to quality control in processing tissue, and whether current regulatory efforts are adequate to ensure the safety of human tissue transplants.

SD-342

Commerce, Science, and Transportation
Business meeting to consider pending calendar business.

SR-253

10 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Secretary of the Senate and the Architect of the Capitol.

SD-124

Appropriations
Transportation Subcommittee
To hold hearings to examine transportation safety issues and Coast Guard modernization proposals.

SD-192

10:30 a.m.
Foreign Relations
Business meeting to consider pending calendar business.

SD-419

JUNE 6
10 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the National Science Foundation and the Office of Science Technology Policy.

SD-138

JUNE 13
10 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Environmental Protection Agency and the Council of Environmental Quality.

SD-138

JUNE 14
9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the nature and scope of cross border fraud, focusing on the state of binational U.S.-Canadian law enforcement coordination and cooperation and what steps can be taken to fight such crime in the future.

SD-342
To continue hearings to examine the growing problem of cross border fraud, which poses a threat to all American consumers but disproportionately affects the elderly. The focus will be on the state of binational U.S.-Canadian law enforcement coordination and cooperation and will explore what steps can be taken to fight such crime in the future.
HIGHLIGHTS


House Committees ordered reported 20 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S4969–S5024

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 893–905 and S. Res. 90.

Page S5005

Measures Reported:

S. 896, to provide for reconciliation pursuant to section 103 of the concurrent resolution on the budget for fiscal year 2002 (H. Con. Res. 83).

Page S5005

Elementary and Secondary Education Act Authorization: Senate continued consideration of S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965, taking action on the following amendments proposed there-to:

Adopted:

By 60 yeas to 39 nays (Vote No. 105), Boxer Modified Amendment No. 563, to express the sense of the Senate regarding, and authorize appropriations for, part F of title I of the Elementary and Secondary Education Act of 1965.

Pages S4970–77

Akaka Amendment No. 407 (to Amendment No. 358), to strike the provisions requiring recognition by the Governor of Hawaii of certain organizations primarily serving and representing Native Hawaiians.

Page S4978

By 69 yeas to 30 nays (Vote No. 106), Reed Modified Amendment No. 425 (to Amendment No. 358), to provide funding for library books and library materials to increase literacy and reading skills.

Pages S4978–81, S4983–84

Akaka/Corzine Amendment No. 524 (to Amendment No. 358), to provide for excellence in economic education.

Pages S4984–85

Cleland Amendment No. 430 (to Amendment No. 358), to provide funding for certain instructional services and activities that are designed to assist immigrant students to achieve in elementary and secondary schools in the United States.

Pages S4985–86

By 83 yeas to 16 nays (Vote No. 109), Hutchinson Amendment No. 550 (to the language proposed to be stricken by Amendment No. 358), to liberalize the tax-exempt financing rules for public school construction.

Pages S4971–72, S4995, S4997–98

Rejected:

By 37 yeas to 62 nays (Vote No. 107), Enzi Amendment No. 649 (to Amendment No. 358), to provide Federal priorities for certain school construction, renovation, and repair.

Pages S4986–95, S4995

By 49 yeas to 50 nays (Vote No. 108), Harkin Amendment No. 525 (to Amendment No. 358), to provide grants for the renovation of schools.

Pages S4971, S4997

Pending:

Jeffords Amendment No. 358, in the nature of a substitute.

Pages S4970–99

Kennedy (for Dodd) Amendment No. 382 (to Amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Page S4970

Biden Amendment No. 386 (to Amendment No. 358), to establish school-based partnerships between
local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Voinovich Amendment No. 389 (to Amendment No. 358), to modify provisions relating to State applications and plans and school improvement to provide for the input of the Governor of the State involved.

Reed Amendment No. 425 (to Amendment No. 358), to revise provisions regarding the Reading First Program.

Leahy (for Hatch) Amendment No. 424 (to Amendment No. 358), to provide for the establishment of additional Boys and Girls Clubs of America.

Helms Amendment No. 574 (to Amendment No. 358), to prohibit the use of Federal funds by any State or local educational agency or school that discriminates against the Boy Scouts of America in providing equal access to school premises or facilities.

Helms Amendment No. 648 (to Amendment No. 574), in the nature of a substitute.

Dorgan Amendment No. 640 (to Amendment No. 358), expressing the sense of the Senate that there should be established a joint committee of the Senate and House of Representatives to investigate the rapidly increasing energy prices across the country and to determine what is causing the increases.

Wellstone/Feingold Amendment No. 465 (to Amendment No. 358), to improve the provisions relating to assessment completion bonuses.

Voinovich Amendment No. 443 (to Amendment No. 358), to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

Dayton Modified Amendment No. 622 (to Amendment No. 358), to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act.

Hutchinson Modified Amendment No. 555 (to Amendment No. 358), to express the sense of the Senate regarding the Department of Education program to promote access of Armed Forces recruiters to student directory information.

Bond Modified Amendment No. 476 (to Amendment No. 358), to strengthen early childhood parent education programs.

Feinstein Modified Amendment No. 369 (to Amendment No. 358), to specify the purposes for which funds provided under subpart 1 of part A of title I may be used.

A unanimous-consent agreement was reached providing for further consideration of the bill and certain pending amendments on Thursday, May 17, 2001, with votes to occur on Dayton Modified Amendment No. 622 (to Amendment No. 358), and Voinovich Amendment No. 443 (to Amendment No. 358), beginning at 9 a.m.

Reconciliation: A unanimous-consent agreement was reached providing for consideration of H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002 on Thursday, May 17, 2001.

Appointments:

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17–21, 2001: Senators Hollings, Leahy, Sarbanes, and Akaka.

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senators as member of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17–21, 2001: Senators Grassley and Voinovich.

Nominations Confirmed: Senate confirmed the following nomination:

James J. Jochum, of Virginia, to be an Assistant Secretary of Commerce.

Nominations Received: Senate received the following nominations:

Angela Antonelli, of Virginia, to be Chief Financial Officer, Department of Housing and Urban Development.

Lori A. Forman, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Pierre-Richard Prosper, of California, to be Ambassador at Large for War Crimes Issues.

Charles J. Swindells, of Oregon, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa.

Margaret DeBardeleben Turwiler, of Alabama, to be Ambassador to the Kingdom of Morocco.

A routine list in the Air Force, Army.

Executive Communications:

Petitions and Memorials:
Executive Reports of Committees: Page S5005
Messages From the House: Page S5003
Measures Placed on Calendar: Page S5003
Statements on Introduced Bills: Pages S5007–20
Additional Cosponsors: Pages S5005–07
Amendments Submitted: Pages S5020–22
Additional Statements: Pages S5002–03
Notices of Hearings: Page S5022
Authority for Committees: Pages S5022–23
Privilege of the Floor: Page S5023

Record Votes: Five record votes were taken today. (Total—109) Pages S4977, S4984, S4995, S5997–98

Adjournment: Senate met at 9:30 a.m., and adjourned at 6:02 p.m., until 9 a.m., on Thursday, May 17, 2001. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5024.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings on the nominations of Eric M. Bost, of Texas, to be Under Secretary for Food, Nutrition, and Consumer Services, and William T. Hawks, of Mississippi, to be Under Secretary for Marketing and Regulatory Programs, both of the Department of Agriculture, after the nominees testified and answered questions in their own behalf. Mr. Hawks was introduced by Senator Cochran.

AGRICULTURAL CREDIT

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the state of Department of Agriculture farm loan programs, focusing on current credit conditions confronting American farmers and farm lenders, after receiving testimony from Neilson Conklin, Director, Market and Trade Economics Division, Economic Research Service, and Carolyn B. Cooksie, Deputy Administrator for Farm Loan Programs, Farm Service Agency, both of the Department of Agriculture; Lawrence J. Dyckman, Director, Natural Resources and Environment, General Accounting Office; Jay Penick, Northwest Farm Credit Services, Spokane, Washington, on behalf of the Farm Credit Council; Henry D. Edelman, Federal Agricultural Mortgage Corporation (Farmer Mac), and Ferd Hoeftner, Sustainable Agriculture Coalition, both of Washington, D.C.; John Evans, Jr., D.L. Evans Bank, Burley, Idaho, on behalf of the Independent Community Bankers of America; Gary R. Canada, Bank of England, England, Arkansas, on behalf of the American Bankers Association; David Carter, Rocky Mountain Farmers Union, Aurora, Colorado, on behalf of the National Farmers Union; and Frank Brost, Rapid City, South Dakota, on behalf of the National Cattlemen’s Beef Association.

D.C. FAMILY DIVISION REFORM

Committee on Appropriations: Subcommittee on District of Columbia concluded hearings on the District of Columbia Superior Court’s proposed reform of its Family Court Division, after receiving testimony from Chief Judge Rufus G. King, III, and Presiding Judge Reggie B. Walton, Family Court Division, both of the Superior Court of the District of Columbia; and Judge David E. Grossmann, Hamilton County Juvenile Court (Ret.), Cincinnati, Ohio, on behalf of the National Council of Juvenile and Family Court Judges.

APPROPRIATIONS—LEGISLATIVE

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings on proposed budget estimates for fiscal year 2002, after receiving testimony in behalf of funds for their respective activities from James W. Ziglar, Senate Sergeant at Arms and Doorkeeper; James J. Varey, Chief, United States Capitol Police; and Bill Thompson, Executive Director, Office of Compliance.

APPROPRIATIONS—FEMA


NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nominations of Timothy J. Mursi, of Virginia, to be a Federal Trade Commissioner; Maria Cino, of Virginia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, Kathleen B. Cooper, of Texas, to be Under Secretary for Economic Affairs, Bruce P. Mehlman, of Maryland, to be Assistant Secretary for Technology Policy, all of the Department of Commerce; and Sean B. O’Hollaren, of Oregon, to be Assistant Secretary for Governmental Affairs, and Donna R. McLean, of the District of Columbia, to be Assistant Secretary for Budget Programs and Chief Financial Officer, both of the Department of Transportation, after the nominees testified and answered questions in their own behalf. Ms. Cino was introduced by Senator.
Allen, Dr. Cooper was introduced by Senator Hutchison, Mr. O’Hollaren was introduced by Senators Gordon Smith and Wyden, and Ms. McLean was introduced by Representative Duncan.

BUSINESS MEETING
Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 230, to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center;

S. 254, to provide further protections for the watersheds of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon;

S. 329, to require the Secretary of the Interior to conduct a theme study on the peopling of America;

S. 498, to amend the National Trails System Act to include national discovery trails, and designate the American Discover Trail, with amendments;

S. 506, to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation;

S. 509, to establish the Kenai Mountains-Turnagain Arm National Heritage Corridor in the State of Alaska, with an amendment in the nature of a substitute;

S. 238, to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River Basin, Oregon;

S. 491, to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater to participate in the design, planning, and construction of the Denver Water Reuse project, with an amendment in the nature of a substitute;

S. 517, to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006; and

The nominations of Francis S. Blake, of Connecticut, to be Deputy Secretary, Robert Gordon Card, of Colorado, to be Under Secretary, Bruce Marshall Carnes, of Virginia, to be Chief Financial Officer, and David Garman, of Virginia, to be Assistant Secretary for Energy Efficiency and Renewable Energy, all of the Department of Energy.

NOMINATIONS
Committee on Energy and Natural Resources: Committee concluded hearings on the nominations of J. Steven Griles, of Virginia, to be Deputy Secretary of the Interior, and Lee Sarah Liberman Otis, of Virginia, to be General Counsel, Jessie Hill Roberson, of Alabama, to be Assistant Secretary for Environmental Management, Nora Mead Brownell, of Pennsylvania, and Patrick Henry Wood III, of Texas, both to be Members of the Federal Energy Regulatory Commission, all of the Department of Energy, after the nominees testified and answered questions in their own behalf. Mr. Griles was introduced by Senators Warner, Allen, and Representative Boucher, Ms. Roberson was introduced by Senator Allard, and Ms. Otis was introduced by Senator Allen and Warner.

RECONCILIATION
Committee on Finance: On Tuesday, May 15, committee ordered favorably reported an original bill (S. 896), to provide for reconciliation pursuant to section 103 of the concurrent resolution on the budget for fiscal year 2002 (H. Con. Res. 83).

NOMINATIONS
Committee on Finance: Committee concluded hearings on the nominations of Claude A. Allen, of Virginia, to be Deputy Secretary, Thomas Scully, of Virginia, to be Administrator of the Health Care Financing Administration, and Piyush Jindal, of Louisiana, to be Assistant Secretary for Planning and Evaluation, all of the Department of Health and Human Services, Linnet F. Deily, of California, and Peter F. Allgeier, of Virginia, each to be a Deputy United States Trade Representative, each with the rank of Ambassador, Peter R. Fisher, of New Jersey, to be Under Secretary for Domestic Finance, and James Gurule, of Michigan, to be Under Secretary for Enforcement, both of the Department of the Treasury, after the nominees testified and answered questions in their own behalf. Mr. Jindal was introduced by Senator Landrieu.

NOMINATIONS
Committee on Foreign Relations: Committee concluded hearings on the nominations of Stephen Brauer, of Missouri, to be Ambassador to Belgium, and A. Elizabeth Jones, of Maryland, to be Assistant Secretary of State for European Affairs, after the nominees testified and answered questions in their own behalf. Mr. Brauer was introduced by Senator Bond.

NOMINATIONS
Committee on Foreign Relations: Committee concluded hearings on the nominations of Thelma J. Askey, of Tennessee, to be Director of the Trade and Development Agency, and Peter S. Watson, of California, to be President of the Overseas Private Investment Corporation, after the nominees testified and answered questions in their own behalf. Ms. Askey was introduced by Representatives Bereuter and Nancy Johnson.
NOMINATIONS

Committee on Veterans' Affairs: Committee concluded hearings on the nominations of Leo S. Mackay, Jr., of Texas, to be Deputy Secretary, Robin L. Higgins, of Florida, to be Under Secretary for Memorial Affairs, Maureen Patricia Cragin, of Maine, to be Assistant Secretary for Public and Intergovernmental Affairs, Jacob Lozada, of Puerto Rico, to be Assistant Secretary for Human Resources and Administration, and Gordon H. Mansfield, of Virginia, to be Assistant Secretary for Congressional and Legislative Affairs, after the nominees testified and answered questions in their own behalf. Mr. Mackay was introduced by Senator Hutchison, and Ms. Cragin was introduced by Senator Collins.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community. Committee will meet again tomorrow.

ILLEGAL DRUG TRANSIT ZONE

United States Senate Caucus on International Narcotics Control: Caucus concluded hearings to examine counterdrug interdiction strategy and operations in the Caribbean and Eastern Pacific, known as the Transit Zone, after receiving testimony from Edward H. Jurith, Acting Director, Office of National Drug Control Policy; Donnie R. Marshall, Administrator, Drug Enforcement Administration, Department of Justice; Adm. James M. Loy, Commandant, United States Coast Guard, Department of Transportation, United States Interdiction Coordinator; and Charles Winwood, Acting Commissioner, United States Customs Service, Department of the Treasury.

House of Representatives

Chamber Action

Bills Introduced: 27 public bills, H.R. 1858–1884; and 1 resolution, H. Con. Res. 136, were introduced.

Reports Filed: Reports were filed today as follows:

- H. Res. 143, providing for consideration of H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (H. Rept. 107–69).
- H. Res. 142, the rule that provided for consideration of the bill was agreed to by a yea-and-nay vote of 220 yeas to 207 nays, Roll No. 116.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker pro tempore for today.

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Whit W. Grace, First United Methodist Church of Long Beach, Mississippi.

Journal Vote: Agreed to the Speaker’s approval of the Journal of Tuesday, May 15, by a yea-and-nay vote of 348 yeas to 53 nays with 1 voting "present", Roll No. 114.

Economic Growth and Tax Relief Reconciliation: The House passed H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002 by a yea-and-nay vote of 230 yeas to 197 nays, Roll No. 118.

By a yea-and-nay vote of 188 yeas to 239 nays, Roll No. 117, rejected the Rangel amendment in the nature of a substitute that sought to establish the Tax Reduction Act that would include a one-time rebate, payable to all individuals who had income tax liability for tax year 2000, up to a maximum of $300 for single taxpayers or $600 for married couples, make individual income tax rate reductions, modify the earned income tax credit, and provide marriage penalty relief.

H. Res. 142, the rule that provided for consideration of the bill was agreed to by a yea-and-nay vote of 220 yeas to 207 nays, Roll No. 116.

Order of Business—Foreign Relations Authorization: Agreed that during further consideration of H.R. 1646, Foreign Relations Authorization Act, that it be in order to offer en bloc amendments numbered 5, 6 (as modified), 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25, and 26 printed in House Report 107–62.

Foreign Relations Authorization Act: The House passed H.R. 1646, to authorize appropriations for the Department of State for fiscal years 2002 and 2003 by a recorded vote of 352 ayes to 73 noes, Roll
No. 121. The House previously considered the bill on May 10.

Rejected the Hastings of Florida motion to recommit the bill to the Committee on International Relations with instructions to report it back forthwith with an amendment that sought to establish within the Department of State a United States Special Coordinator for Korea by a recorded vote of 189 ayes to 239 noes, Roll No. 120.

Agreed to:

Hyde amendment No. 4 printed in H. Rept. 107–62 that strikes Sections 131 through 133 which would have allowed funding to foreign nongovernmental organizations that perform or promote abortions (agreed to by a recorded vote of 218 ayes to 210 noes, Roll No. 115).

Hyde en bloc amendments printed in H. Rept. 107–62:

No. 5, extending the publication of the State Department report on compliance with the Hague Convention on the Civil Aspects of International Child Abduction for another year; No. 6, as modified, requiring a State Department report on the German foundation “Remembrance, Responsibility, and the Future” including status information on the International Commission on Holocaust Era Insurance Claims (ICHEIC); No. 7, correcting a drafting error in P.L. 106–113 that imposed a two year waiting period for filing certain grievances and clarifying the provisions of a separation for cause from the Foreign Service; No. 9, requiring a Agency for International Development (AID) study to determine what industries are under-represented by small businesses in its procurement contracts; No. 10, requiring an annual report on the use of children soldiers; No. 11, authorizing support for local in-country nongovernmental organizations to assist victims of trafficking and violence; No. 12, requiring a report by the Attorney General on the efforts between the United States and foreign governments to extradite individuals charged with major offenses including murder, kidnapping, abduction, drug trafficking, terrorism, or rape;

No. 13, allowing the payment of anti-terrorism judgments to 6 American TWA victims; No. 14, recommending that the State Department develop a process for negotiating effective extradition treaties working closely with the Justice Department to accomplish this objective; No. 15, encouraging the Secretary of State to send election monitors to Fiji and offer technical support to East Timor and Peru to support free and fair elections in these nations; No. 16, urging the State Department to continue to raise the issue of the murder of John M. Alvis with the Government of Azerbaijan and to make this issue a priority item in U.S. relations with Azerbaijan; No. 17, condemning Syrian President Bashar al-Assad for his inflammatory remarks on March 27 and May 5, 2001; No. 19, encouraging an objective non-governmental study to examine environmental contamination and health effects emanating from former U.S. military facilities;

No. 20, suggesting that the Secretary of State, subject to security considerations, give favorable consideration to requests by the Director of the Peace Corps to maintain offices at locations separate from the United States embassy; No. 21 extending sympathy to civilian men and women prisoners incarcerated by the Axis Powers during world War II; No. 22, encouraging all entities receiving assistance to purchase only American-made equipment and products; No. 24, withholding contributions to the International Atomic Energy Agency for programs and projects in Iran unless the Secretary of State certifies that such programs and projects are consistent with U.S. nuclear nonproliferation and safety goals; No. 25, establishing the East Timor Transition to Independence Act; and No. 26, making available not less than 1 percent of the funding under the Diplomatic and Consular Programs heading for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor to monitor human rights activities and developments;

Bartlett amendment No. 8 printed in H. Rept. 107–62 that further restricts the release of arrearage payments to the United Nations upon the receipt of a General Accounting Office Report on United States contributions to U. N. Peacekeeping Operations;

Lantos amendment No. 18 printed in H. Rept. 107–62 that requests the Secretary of State to review the travel warning for Israel, the West Bank, and Gaz to determine which areas present the highest threat to American citizens in the region and which areas may be visited safely; and

Lantos amendment No. 23 printed in H. Rept. 107–62 that prohibits international military education and training funding to Lebanon unless the President certifies that the Lebanese armed forces have been deployed to the internationally recognized border between Lebanon and Israel and that the Lebanese government effectively secures the borders where the armed forces are deployed (agreed to by a recorded vote of 216 ayes to 210 noes, Roll No. 119).

The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill.

H. Res. 138, the rule that is providing for consideration of the bill was agreed to on May 10.

Recess: The House recessed at 10:31 p.m. and reconvened at 11:33 p.m.
Quorum Calls—Votes: Four yea-and-nay votes and four recorded votes developed during the proceedings of the House today and appear on pages H2189, H2203, H2206–07, H2222–23, H2223, H2247, H2250–51, and H2251. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:34 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State and Judiciary held a hearing on the FBI and on the State Department Management. Testimony was heard from Louis H. Freeh, Director, FBI, Department of Justice; the following officials of the Department of State: Richard Armitage, Deputy Secretary; and Grant Green, Jr., Under Secretary, Management.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on Management Reform. Testimony was heard from J. Christopher Mihm, Director, Strategic Issues, GAO; the following officials of the District of Columbia: John A. Koskinen, Deputy Mayor/City Administrator; Natwar Gandhi, Chief Financial Officer; Suzanne Peck, Chief Technology Officer; Milou Carolan, Director, Personnel; and Jacques Abadie, Acting Chief Procurement Officer.

LABOR, HHS AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services and Education held a hearing on NIH Budget Overview. Testimony was heard from Ruth L. Kirschstein, M.D., Acting Director, NIH, Department of Health and Human Services.

VA, HUD APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on the NSF. Testimony was heard from the following officials of the NSF: Eamon Kelly, Chairman, National Science Board; and Rita Colwell, Director.

SMALL BUSINESS LIABILITY RELIEF ACT


MEDICARE REFORM

Committee on Energy and Commerce: Subcommittee on Health continued hearings on Medicare Reform: Providing Prescription Drug Coverage for Seniors. Testimony was heard from Dan Crippen, Director, CBO; and public witnesses.

NARAB AND BEYOND: ACHIEVING NATIONALWIDE UNIFORMITY IN AGENT LICENSING

Committee on Financial Services: Subcommittee on Capital Markets, Government Sponsored Enterprises, and Insurance held a hearing entitled “NARAB & Beyond: Achieving Nationwide Uniformity in Agent Licensing.” Testimony was heard from Representative Kelly; and public witnesses.

FEDERAL DEPOSIT INSURANCE REFORM

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on Federal deposit insurance reform. Testimony was heard from Donna Tanoue, Chairwoman, FDIC; and public witnesses.

U.S. POSTAL SERVICE’S UNCERTAIN FINANCIAL OUTLOOK

Committee on Government Reform: Held a hearing on “The U.S. Postal Service’s Uncertain Financial Outlook—Part II.” Testimony was heard from public witnesses.

SUDAN PEACE ACT; BRIDGING INFORMATION DIVIDE IN AFRICA

Committee on International Relations: Subcommittee on Africa approved for full Committee action, as amended, H.R. 931, Sudan Peace Act.

The Subcommittee also held a hearing on Bridging the Information Technology Divide in Africa. Testimony was heard from Lane Smith, Coordinator, USAID Leland Initiative, Bureau for Africa, Office of Sustainable Development, AID, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following: H.R. 37, amended, to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; H.R. 617, amended, to express the policy of the United States regarding the United States relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian government and the recognition by the United States of the Native Hawaiian government; H.R. 640, amended, Santa Monica Mountains National Recreation Area Boundary; H.R.

LEAVE NO CHILD BEHIND

Committee on Rules: Granted by record vote of 9 to 2, a structured rule on H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind providing two hours of general debate equally divided between the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule makes in order the Committee on Education and the Workforce amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment, which shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only by a Member designated in the report, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

SBA BUDGET

Committee on Small Business: Held a hearing on the Administration's proposed Fiscal Year 2002 budget for the SBA. Testimony was heard from John D. Whitmore, Jr., Acting Administrator, SBA; and public witnesses.

MISCELLANEOUS MEASURES; RESOLUTIONS

Committee on Transportation and Infrastructure: Ordered reported the following measures:

- H. Con. Res. 76, authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts; H. Con. Res. 79, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 87, authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds; H.R. 495, to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Island, as the "Ron de Lugo Federal Building;" H.R. 691, to extend the authorization of funding for child passenger protection education grants through fiscal year 2003; H.R. 819, to designate the Federal Building located at 143 West Liberty Street, Medina, Ohio, as the "Donald J. Pease Federal Building;" H.R. 1020, amended, Railroad Track Modernization Act of 2001; H.R. 1140, amended, Railroad Retirement and Survivors Improvement Act of 2001; H.R. 1407, amended, to amend title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays; H.R. 1699, to authorize appropriations for the Coast Guard for fiscal year 2002; and H.R. 1831, Small Business Liability Protection Act.

The Committee also approved 4 11(b) Project Building Survey Resolutions and 2 GSA Resolutions.

ANIMAL FEEDING OPERATIONS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Management Options for concentrated Animal Feeding Operations. Testimony was heard from Representatives Smith of Michigan and Walden of Oregon; Jane Nishida, Executive Director, Department of the Environment, State of Maryland; Russell J. Harding, Director, Department of Environmental Quality, State of Michigan; and public witnesses.

MILITARY OPERATIONS SUPPORT

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Support to Military Operations. Testimony was heard from departmental witnesses.

CYBERTERRORISM

Permanent Select Committee on Intelligence: Terrorism Working Group met in executive session to hold a hearing on Cyberterrorism. Testimony was heard from departmental witnesses.
COMMITTEE MEETINGS FOR THURSDAY, MAY 17, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine the implementation of the National Family Caregiver Support Program, 9:30 a.m., SD–562.

Committee on Appropriations: Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2002 for the Department of the Treasury, focusing on the Internal Revenue Service, 9:30 a.m., SR–485.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings on agriculture market concentration issues, 10 a.m., SD–138.

Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget estimates for fiscal year 2002 for the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Immigration and Naturalization Service, all of the Department of Justice, 10 a.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance, to hold hearings on proposed legislation authorizing funds for United States Export-Import Bank, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings on the nomination of Kathleen Q. Abernathy, of Maryland, the nomination of Kevin J. Martin, of North Carolina, the nomination of Michael Joseph Copps, of Virginia, and the nomination of Michael K. Powell, of Virginia, all to be a Member of the Federal Communications Commission, 9:30 a.m., SR–253.

Committee on Environment and Public Works: to hold hearings on the nomination of Linda J. Fisher, of the District of Columbia, to be Deputy Administrator, the nomination of Jeffrey R. Holmstead, of Colorado, to be Assistant Administrator for Air and Radiation, the nomination of Stephen L. Johnson, of Maryland, to be Assistant Administrator for Toxic Substances, all of the Environmental Protection Agency; and the nomination of James Laurence Connaughton, of the District of Columbia, to be a Member of the Council on Environmental Quality, 9:30 a.m., SD–628.

Committee on Foreign Relations: to hold hearings on the nomination of William J. Burns, of the District of Columbia, to be Assistant Secretary of State for Near Eastern Affairs; and the nomination of Christina B. Rocca, of Virginia, to be Assistant Secretary of State for South Asian Affairs, 2 p.m., SD–419.

Full Committee, to hold hearings on the nomination of Walter H. Kansteiner, of Virginia, to be Assistant Secretary of State for African Affairs, 4 p.m., SD–419.

Committee on Governmental Affairs: to hold hearings on the nomination of John D. Graham, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget; the nomination of Angela Styles, of Virginia, to be Administrator for Federal Procurement Policy; and the nomination of Stephen A. Perry, of Ohio, to be Administrator of General Services, 10 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine certain issues surrounding the nursing staffing shortage, 9:30 a.m., SD–430.

Select Committee on Intelligence: to hold closed hearings on intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: business meeting to consider the nomination of Theodore Bevry Olson, of the District of Columbia, to be Solicitor General of the United States; the nomination of Viet D. Dinh, of the District of Columbia, to be an Assistant Attorney General; the nomination of Michael Chertoff, of New Jersey, to be an Assistant Attorney General; and S. 487, to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of a single copy of such performances or displays is not an infringement, 10 a.m., SD–226.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, State and Judiciary, on the DEA, 2 p.m., 2358 Rayburn.

Subcommittee on District of Columbia, on Housing and Environment Issues, 1:30 p.m., H–140 Capitol.

Subcommittee on Foreign Operations, Export Financing and Related Programs, on AID Administrator, 10 a.m., 2359 Rayburn.

Subcommittee on Labor, Health and Human Services and Education, on NIH Health Budget (Research Infrastructure), 10 a.m., and on NLRB, 11:15 a.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on FEMA, 9:30 a.m., H–143 Capitol.

Committee on Armed Services, Subcommittee on Military Personnel, hearing on lessons learned from the current version of the TRICARE managed care support contracts and recommendations for the design of the next round of contracts, 9 a.m., 2118 Rayburn.

Subcommittee on Readiness, hearing on examining vulnerabilities of Department of Defense networks, 10 a.m., 2212 Rayburn.

Committee on Energy and Commerce, to mark up H.R. 1831, Small Business Liability Protection Act, 1:30 p.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing on H.R. 1765, to increase penalties for common violations of the Communications Act of 1934, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Government Sponsored Enterprises, and Insurance, hearing entitled "Fair Disclosure or Flawed Disclosure: Is Reg FD helping or hurting investors?" 10 a.m., 2128 Rayburn.

Committee on Government Reform, to mark up H.R. 577, to require any organization that is established for the purpose of raising funds for the creation of a Presidential archival depository to disclose the sources and amounts of any funds raised, 10 a.m., 2154 Rayburn.
Subcommittee on National Security, Veterans’ Affairs, and International Relations, hearing on “Rule of Law Assistance Programs: Limited Impact, Limited Sustainability,” 11 a.m., 2154 Rayburn.

Committee on House Administration, hearing on Voting Technology, 11 a.m., 1310 Longworth.

Committee on International Relations, Subcommittee on International Operations and Human Rights, hearing on Suffering and Despair: Humanitarian Crisis in the Congo, 10:15 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on the Courts, the Internet, and Intellectual Property, oversight hearing on “Music On The Internet,” 1 p.m., 2131 Rayburn.

Committee on Resources, Subcommittee on National Parks, Recreation, and Public Lands, to mark up the following bills: H.R. 1161, to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia; and H.R. 1284, Navajo Long Walk National Historic Trail Act, 10 a.m., 1334 Longworth.

Committee on Science, Subcommittee on Energy, hearing on the Department of Energy Office of Science-Issues and Opportunities, 10 a.m., 2318 Rayburn.

Subcommittee on Environment, Technology, and Standards, to mark up H.R. 64, to provide for the establishment of the position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, 9:30 a.m., followed by a hearing on Science and Technology at the Environmental Protection Agency: The Fiscal Year Budget Request, 9:30 a.m., 2325 Rayburn.

Committee on Small Business, hearing on Access to Capital, 10 a.m., 2360 Rayburn.

Subcommittee on Regulatory Reform and Oversight and the Subcommittee on Rural Enterprises, Agriculture and Technology, joint hearing on Economic Development in Rural America—Small Business Access to Broadband, 2 p.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on Social Security’s Processing of Attorney Fees, 10 a.m., B–318 Rayburn.
**Next Meeting of the SENATE**
9 a.m., Thursday, May 17

**Senate Chamber**

Program for Thursday: Senate will continue consideration of S. 1, Elementary and Secondary Education Act Authorization, with votes to occur on or in relation to Dayton Modified Amendment No. 622 (to Amendment No. 358), and Voinovich Amendment No. 443 (to Amendment No. 358); to be followed by consideration of the Reconciliation Bill.

**Next Meeting of the HOUSE OF REPRESENTATIVES**
10 a.m., Thursday, May 17

**House Chamber**

Program for Thursday: Consideration of H.R. 622, Hope for Children Act (closed rule, one hour of debate); and H.R. 1, Leave No Child Behind Act of 2001 (structured rule, two hours of debate).

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**Extensions of Remarks, as inserted in this issue**

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