United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, MARCH 29, 2000 No. 37

# House of Representatives

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

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*March 29, 2000.*

I hereby appoint the Honorable JIM NUSSLE to act as Speaker pro tempore on this day.

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

## PRAYER

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

Eternal God, source of life and all inspiration, breathe Your spirit upon this House, its Members and its guests.

As You breathed upon the waters and brought all Your creatures out of nothingness, as You redeemed Your people, leading them out of darkness into light and out of slavery into freedom, breathe now Your spirit upon us.

Make all in this assembly strong with convictions of justice, wise in judgment, and patient in the service of others.

The breath of life within us finds expression in joy and laughter, in deeds of kindness and generosity, in words of understanding and encouragement.

Help us to know we are temples of Your presence here on Earth. Empower us to bring peace and freedom to our brothers and sisters throughout the world. We pray to You, the living God, who lives and reigns forever and ever. 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The point of no quorum is considered withdrawn.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 gentlewoman from New York (Mrs. MALONEY) come forward and lead the House in the Pledge of Allegiance.

Mrs. MALONEY of New York 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.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 99. Concurrent resolution congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 10 1-minute speeches from each side.

## CONGRESS MUST PASS A VICTIMS' RIGHTS CONSTITUTIONAL AMENDMENT NOW

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

Mr. CHABOT. Mr. Speaker, Congress must follow the lead of 32 States, including my home State of Ohio, and pass the ''Victims' Rights Constitutional Amendment.''

This amendment will empower crime victims by allowing them to confront their assailants in a courtroom and at sentencing and parole hearings. It will also protect victims by requiring that they be notified about the release or escape of the perpetrator from custody. Finally, the amendment will restore victims by guaranteeing them the right to seek restitution from their attackers.

For far too long, victims of crime in this country have had to stand on the courthouse steps with meaningful justice just beyond their reach: not allowed to view proceedings in person sometimes, not permitted to speak out on behalf of a murdered loved one, not even notified when a violent abuser is turned loose.

Crime victims deserve to be treated better. They deserve to be treated with dignity in our criminal justice system.

With the adoption of this amendment, we will finally fortify an important truth, that victims must have their own inalienable rights under our Constitution.

## INTERNATIONAL ABDUCTIONS: BRING OUR CHILDREN HOME

(Mr. LAMPSON asked and was given permission to address the House for 1

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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minute and to revise and extend his remarks.)

Mr. LAMPSON. Mr. Speaker, I rise today to continue my 1 minute on internationally abducted children.

In December 1997, Rosana Wayson, at 3½, was abducted to Germany by her mother. The German court overturned the U.S. court order guaranteeing Rosana daily visitation with her father, Mark, and made no provisions regarding future contact.

Mark Wayson has not had any contact with his daughter since August of 1998. He has traveled to Germany 13 times in the last 2 years attempting to gain access to the legal system. The family court has refused to allow him to testify or to present evidence. In Rosana's case, the German government first refused to accept the Hague Convention application and later dismissed it summarily.

Last Thursday I joined my colleague, the gentleman from Ohio (Mr. CHABOT), and introduced a concurrent resolution urging signatories to uphold the Hague Convention on the civil aspects of international child abduction. This resolution was introduced with 126 original cosponsors, a powerful statement on the importance of this issue.

Mr. Speaker, we must continue to put pressure on other countries that are Hague signatories that are not abiding by the Hague treaty. I urge my colleagues to join me in getting the message out and help bring our children home.

## AMERICAN FREEDOM TRAIN 25TH ANNIVERSARY

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

Mr. GOODLATTE. Mr. Speaker, the American Freedom Train departed Cameron Depot, Virginia, on its inaugural run 25 years ago today. The American Freedom Train headed for Wilmington, Delaware, to make its premier to the American public and help mark our country's bicentennial.

During 21 months of travel across our great land, the American Freedom Train traveled more than 24,000 miles and visited 138 cities where it became the focal point of local 200th birthday festivities. Nearly 700 million people toured the train's 10 exhibit cars and saw 510 historical documents, works of art, and items of memorabilia that portrayed our country's heritage.

The American Freedom Train, the idea of Mr. Ross Rowland, became one of the greatest events of America's bicentennial. My deepest thanks to my constituents, John and Mary Jayne Rowe, of Covington, Virginia, for the work they have done to preserve the memories of the American Freedom Train.

The sign at the train's exit is as appropriate today as it was 25 years ago: ''And now let us celebrate America, its heritage and strength, and together let us build a meaningful tomorrow.''

## SUPPLEMENT SHOULD INCLUDE FUNDS FOR DRUG TRAFFICKING AND DRUG TREATMENT

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

Ms. KILPATRICK. Mr. Speaker, today the House will take up the first supplemental of the 21st century.

There are two problems with this supplemental. There is $1.6 billion for Colombia, who is the biggest trafficker of heroin and cocaine to our country, and no dollars for treatment for those in our country who need it.

Also, there is nothing in the bill for Mozambique. We have a commitment from the gentleman from Florida (Mr. YOUNG) and the gentleman from Alabama (Mr. CALLAHAN) that the money will be forthcoming, and I believe them. We need the President to ask for the money.

Mr. Speaker, there is $135 million in the International Disaster account. Spend the money. Send it to Mozambique. Do the assessment and replenish the International Disaster account.

Mr. Speaker, I urge my colleagues to vote against the rule. We need money for drug treatment. We must have it now.

## EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT

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

Ms. DUNN. Mr. Speaker, the most important gift parents can give their children is a quality education. This precious gift will open doors of opportunity, and it will ensure that a parent's wish is fulfilled: that the next generation will enjoy a better quality of life than the last.

Educating a child is not easy. It is expensive, too often bureaucratic and much too often out of a parent's control.

For the moms and dads who are struggling to give the gift of education to their children, help is on the way.

The Education Savings and School Excellence Act will help families save for their children's educations and give parents control over where their children are educated.

On behalf of the 90,000-plus children in the district I represent in Washington State, those children heading to college, I urge the United States House to pass this important legislation. We must do all we can to assure that no child is left behind.

## PRAYER IN OUR SCHOOLS

(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, once again, the Supreme Court is considering a school prayer issue.

Beam me up. The founders are rolling over in their graves. The founders never intended to separate God from our schools; the founders simply intended to ensure that there would not be one, one State-sponsored religion, period. My colleagues know it, I know it, and the American people know it. The truth is, an America without prayer is an America without God, and a school without prayer is a school without God.

I yield back the utter stupidity of the America political system that continues to rationalize, debate, and deny the importance of God and why our founders placed it in our Constitution.

## AMENDMENT TO SUPPLEMENTAL REGARDING EMERGENCY FUNDS FOR METHAMPHETAMINE LABS

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

Mr. HUTCHINSON. Mr. Speaker, this House will vote today on a supplemental spending bill. It will help maintain peace in Kosovo and fight narcoterrorists in Colombia. However, there is one emergency that is not addressed.

For that reason, I will be offering an amendment to help our States and communities pay for the cleanup of methamphetamine labs, those dangerous and deadly meth labs. It is truly an emergency.

The Drug Enforcement Administration is currently out of money to help our States on meth lab cleanups. My colleagues hear it in their States; I hear it in my State.

My amendment will give the DEA $15 million to get through this year in helping our States and our local police. It is not new money, but it is a reallocation of the COPS program. It will make a difference to our communities; but more importantly, it will keep our police moving forward on reducing the production of meth that is tearing apart our families, our communities, and destroying lives.

Mr. Speaker, for that reason, I would ask my colleagues to support that amendment when it is offered.

## CENSUS 2000

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

Mrs. MALONEY of New York. Mr. Speaker, census day is 3 days away, and so far, the census is going very well. The Federal response rate is at 44 percent. Everyone can go to the census Web site at census.gov and get a daily update on how their localities and States are responding.

I know that some Members on the other side of the aisle have urged their constituents not to fill out the long form. This will only hurt people and localities and their districts. The information we gather on the census enables us to understand who we are as a

Nation and serves as a guide on where to spend our resources from the Government. The Speaker and the minority leader should be urging all Members to work with and encourage their constituents to participate in this important civic ceremony.

## SMITH AND WESSON LATEST VICTIM OF WHITE HOUSE ASSAULT ON DEMOCRACY

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

Mr. LARGENT. Mr. Speaker, Smith and Wesson is but the latest victim of the administration's assault on democracy. The recent so-called voluntary agreement by the gun manufacturer follows a familiar script. First, the administration proposed mandatory trigger locks. Then, finding insufficient support among Congress, the people's representatives, the administration turned to ulterior, undemocratic means, to achieve its purpose. They threatened to unleash the full weight of the Federal Government upon the maker of a legal product by suing them into oblivion.

Guess what? The maker of the legal product decided to voluntarily do what the administration asked.

The administration makes no attempt to conceal the power grab. Last week's Wall Street Journal quoted White House domestic policy advisor, Bruce Reed, as stating the agreement shows that ''the public good does not have to be held hostage to legislative stalemate.'' Legislative stalemate? Mr. Reed, it is called democracy.

Mr. Speaker, gun legislation has not moved because the majority of the people believe that those who pull the trigger are the ones actually responsible for the outcome, not gun manufacturers or law-abiding citizens who own firearms and use them responsibly.

The administration calls this voluntary; I call it extortion.

□ 1015

## LET US STAND AND BE COUNTED IN THE CENSUS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

### EXTENDING CONCERN TO FAMILIES AFFECTED BY TEXAS DISASTERS

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me offer my concern to our families and friends in the Fort Worth, Texas area with the terrible tornado that they experienced last evening, and to our families and friends in the Harris County area, with Phillips Petroleum, with the terrible tragedy of the explosion that happened at that plant.

Mr. Speaker, however, this morning, I want to talk about the importance and crucialness of the Census, not only in this Nation but particularly in the State of Texas, where, from the 1990 Census, the State of Texas lost $1 billion by undercounting 400,000 people.

Unfortunately, the State of Texas has a 33 percent return, but the fourth largest city in the Nation only has a 26 percent return. That is the city of Houston. Why? Because frivolous lawsuits are being filed alleging an invasion of privacy, not recognizing that this responsibility is a constitutional responsibility and that in fact these questions have not ever been proven to have been used or misused by the Census Bureau.

We need to have the information on the homeless, and I applaud the efforts being made by them. I ask of the INS not to do unnecessary and provocative raids of immigrants to discourage them from being counted. We must count every single person in the United States. We all must count. This is a constitutional right and responsibility and duty. Let us stand up and be counted.

## THE EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT

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

Mr. SCHAFFER. Mr. Speaker, tomorrow the House will consider the Education Savings and School Excellence Act. The proposal allows parents to invest more in their child's education. It allows other relatives, such as grandparents, aunts, and uncles, to invest in a child's education. A parent's employer may contribute, too.

These vital education resources will be made available to cover education expenses that best meet the child's need, be it a tutor, books, tuition, or even a computer.

H.R. 7 would help the families of at least 52 million children. Seventy percent of the tax savings under our Education Savings and School Excellence Act will go to children in public schools whose parents make less than $75,000 a year, and 76 percent of the children who will benefit from ESA's attend public schools.

Promoting greater investment in learning is not an issue of rich versus poor or Democrat versus Republican, it is about fairness. It is about doing what is right.

Mr. Speaker, I ask my colleagues, let us pass H.R. 7, the Education Savings and School Excellence Act. Let us make sure no child is left behind.

## GUN SAFETY

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

Ms. WOOLSEY. Mr. Speaker, every day the Republican leadership wastes by not convening the Juvenile Justice Conference Committee, 13 children are wasted as a result of gun violence. That is 13 children gone forever. This is not a game, this is about children's lives.

Our children need safety locks, they need effective background checks, and they need the NRA to loosen its grip on the Republican leadership. They need these things now. Guns kill. It is that simple.

According to the Justice Department, Federal gun prosecutions are up 16 percent, State and local gun prosecutions have risen 22 percent, but our children are still dying. The Republican leadership must convene a meeting of the Juvenile Justice Conference Committee to expand gun safety measures and protect our children.

I urge my Republican colleagues to stop playing politics with children's lives and start working on meaningful gun safety legislation. Our children's lives depend on it.

## SUPPORT THE REPUBLICAN BUDGET AND ELIMINATE THE PUBLIC DEBT

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

Mr. HEFLEY. Mr. Speaker, Republicans have a plan to pay Uncle Sam's credit card bills. For over 30 years, tax and spend liberals have racked up an enormous debt. It is just now beginning to be paid down, thanks to the GOP majority in the House and Senate.

In our budget, we will pay down $3.6 trillion, yes, that is $3.6 trillion, in public debt by the year 2013.

Why does this matter? If we ask a family in my district if they live better without debt, or if they would rather be sitting on massive credit card bills with high interest rates, it is pretty easy to guess the answer will be the former. They will have a hard time understanding the fact that a sizable chunk of our annual budget goes to pay creditors because government spending cannot be kept under control.

Mr. Speaker, paying the public debt will benefit everyone. Seniors will not have their social security funds raided, homebuyers will have lower mortgage rates, car buyers will have lower interest rates. This country will function better with a zero balance and maybe even a surplus to be given back to the taxpayer.

It is time to lift the burden of debt off our children. It is time to support the Republican budget and eliminate the public debt.

## URGING HOUSE MEMBERS TO ENCOURAGE CONSTITUENTS TO RETURN CENSUS FORMS

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

Ms. NORTON. Mr. Speaker, Census forms are due. The Census form, the

short form, is impressively short. It takes less than 10 minutes to fill out. I urge Members to help raise consciousness and raise the heat to get these forms back.

I am having a job fair in my district today at the Convention Center from 4 to 10 p.m. to recruit Census enumerators at a rate of $15 to $17 per hour. It may sound like a lot, but actually, the cost to send live bodies out to count live bodies is about twice that.

To save the government money, Members need to be visible in urging constituents to return their forms, and at least have a job fair for good jobs for people to help us correct the undercount.

## URGING CAUTION ON FURTHER AMERICAN INVOLVEMENT IN COLOMBIA

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

Mr. WICKER. Mr. Speaker, this is the day! March 29, 2000, is the day that, unless something changes, this House of Representatives will decide to become involved in a lengthy and expensive military action in the country of Colombia.

There are a lot of questions that we do not know about plan Colombia, but we do know this, that at best it will take us 6 years to do the job, and probably twice that length. It will involve us in supporting a military action against guerillas on the left and narco terrorists on the right. Also, it will cost billions and billions of dollars, all without a full hearing and all without a full national debate.

This should not be a partisan issue, Mr. Speaker. Today I will vote for the Obey amendment which will say, at least let's put the brakes on $500 million of this appropriation until we know what we are doing. We ought to be fully informed, and the American people ought to be fully informed, before we embark on a course of action which will last for decades and cost billions of American dollars with doubtful results.

## CONGRESS MUST PASS SENSIBLE GUN SAFETY LEGISLATION

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

Ms. LEE. Mr. Speaker, I rise today to support the passage of sensible gun safety legislation. These laws would help bring an end to the many unnecessary deaths occurring at the hands of our children and upon our children.

We promised the American people commonsense gun control. We have not delivered on that promise. In fact, we have gone in the other direction, engaging in a war of words only. Now the Congress must act responsibly and at least insist that the conferees to the juvenile justice bill meet immediately.

In my district in Northern California, the Oakland City Council has taken a strong stance on gun safety. They are putting human lives first by prohibiting the sale of compact handguns, penalizing firearms straw sales, and prohibiting people under the age of 18 from entering establishments that display firearms.

Yet here in Congress we will not even take the minimum steps, such as child safety trigger locks, to ensure the safety of our children. We can no longer afford to play partisan politics while so many children's lives remain at stake. We must pass gun safety legislation, and demand that the conferees to the juvenile justice bill meet immediately.

## LET US PASS H.R. 7 AND PROVIDE AMERICAN CHILDREN A GOOD BASIC EDUCATION

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

Mr. BARTLETT of Maryland. Mr. Speaker, the airplane, the theory of relativity, the polio vaccine, Mr. Speaker, all of these discoveries occurred during the 20th century, and they have changed our society. None of these extraordinary accomplishments would have been possible without a basic education.

Yet, as we begin a new century, American children striving to achieve great things already start at a disadvantage. Our Nation's education system ranks well below other industrialized nations. In fact, in math and science, our 12th graders rank among the lowest in the world.

In a nation as great as America, there is no excuse for this. American children deserve more. That is why I support H.R. 7, legislation that allows family to set aside money tax-free for proven education improvements such as tutors, computers, and books. Fifty-two million families of school-age children, 76 percent of whom attend public schools, would benefit from this bill. It is time we prepared our children to succeed in the 21st century. Let us pass H.R. 7.

## MEMBERS SHOULD SUPPORT AMENDMENT TO SUPPLEMENTAL APPROPRIATIONS BILL TO ADDRESS GROUNDFISHING DISASTER FOR WEST COAST FAMILIES

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

Mr. WU. Mr. Speaker, the House today will take up a supplemental appropriations bill which shows tremendous disrespect for hard-working rural coastal community families on the West Coast of the United States. There is a groundfish disaster occurring on the West Coast because a Federal agency has basically shut down groundfishing on the West Coast, causing several thousand families hardship.

There were funds in this bill which have been removed, and despite a bipartisan amendment proposed to restore those funds sponsored by the gentleman from Oregon (Mr. WALDEN) and I, by the gentlewoman from California (Mrs. CAPPS) and the gentleman from California (Mr. KUYKENDALL), this amendment was not made in order.

I intend to bring this amendment to the floor of the House today. I ask the support of my fellow Members to address this groundfish disaster that is drastically affecting West Coast hard-working rural community fishing families. It is a commonsense bipartisan proposal to address a true emergency that is occurring today.

## UNNECESSARY SUPPLEMENTAL APPROPRIATIONS AND UNWISE MILITARY ADVENTURISM IN COLOMBIA

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

Mr. PAUL. Mr. Speaker, the current budget this year authorizes an expenditure of $1.789 trillion. We would think that would be enough. The President has asked for an additional $4 billion. After the House leadership thought about this, they decided to give him $9 billion.

Quite frankly, I think there is enough waste and fraud in the current budget that we could find the $4 billion if this expenditure were necessary. If we ever considered cutting back on some unconstitutional spending, we would have plenty of funds to take care of additional expenditures and have a lot left over.

But we should be very cautious about what we are doing today by expanding our involvement in Colombia. We are now moving into Colombia and spending a lot of money and expanding our war in this area. We should not be spending our money on military adventurism. We should be taking this money and spending it to build up our military defenses. We should be using this money to pay our military personnel more money, give them better housing and better education and better medical care.

What we are doing today, if we pass this bill, is we are going to move into an another area of the world where we have no constitutional interest.

## THE JOURNAL

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

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

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

Mr. FOLEY. 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 356, nays 47, answered ''present'' 1, not voting 30, as follows:

[Roll No. 80]

YEAS—356

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
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Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
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Davis (VA)
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Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
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Thurman
Tiahrt
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Watts (OK)
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Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—47

Aderholt
Baird
Bilbray
Bonior
Borski
Brady (PA)
Brown (OH)
Chenoweth-Hage
Costello
Crowley
DeFazio
English
Filner
Gibbons
Gutierrez
Gutknecht
Hefley
Hill (MT)
Hilleary
Hilliard
Kingston
Lewis (GA)
LoBiondo
Markey
Moran (KS)
Oberstar
Pallone
Peterson (MN)
Pickett
Ramstad
Riley
Rogan
Sabo
Sandlin
Schaffer
Stark
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Visclosky
Waters
Weller
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—30

Barrett (NE)
Bateman
Brown (FL)
Clay
Coburn
Crane
Everett
Franks (NJ)
Gekas
Granger
Hulshof
Hyde
Jefferson
Kasich
Klink
Kucinich
LaTourette
McCrery
McDermott
Norwood
Quinn
Rangel
Salmon
Sanders
Scott
Slaughter
Spence
Vitter
Wise
Young (AK)

□ 1052

So the Journal was approved.

The result of the vote was announced as above recorded.

## ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 2418, ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK AMENDMENTS OF 1999

Mr. GOSS. Mr. Speaker, Members will want to know that this afternoon a Dear Colleague letter will be sent to all Members informing them that the Committee on Rules is planning to meet the week of April 3 to grant a rule which may limit the amendment process on H.R. 2418, the Organ Procurement and Transplantation Network Amendments of 1999.

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by 12 noon on Monday, April 3, to the Committee on Rules in room H–312 in the Capitol. Amendments should be drafted to the text of the bill as reported by the Committee on Commerce.

Members should use the Office of Legislative Counsel to assure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

## PROVIDING FOR THE CONSIDERATION OF H.R. 3908, 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 450 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 450

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: page 58, lines 9 through 17. Before consideration of any other amendment it shall be in order to consider the amendments printed in part A of the report of the Committee on Rules accompanying this resolution. Each amendment printed in part A of the report may be considered only in the order printed in the report. The amendments printed in part B of the report of the Committee on Rules may be offered only at the appropriate point in the reading of the bill. The amendments printed in the report of the Committee on Rules may be offered only by a Member designated in the report, shall be considered as read, 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 division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for

electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. NUSSLE). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from the Commonwealth of Massachusetts (Mr. MOAKLEY), my friend and colleague, the distinguished ranking member of the Committee on Rules; pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate on this issue only.

Mr. Speaker, in the Committee on Rules parlance, we describe H.Res. 450 as an open rule plus; that is, we have provided an open rule which ensures that any amendments in order under the standing rules of the House may be offered. Additionally, we have provided protections for a variety of Members that require waivers.

There has been a great interest among Members in this bill. In fact, we had more than 40 amendments presented to the Committee on Rules yesterday and yesterday evening, and we spent the better part of yesterday evening, actually well into the night, attempting to craft this rule. In the end, the rule provides for waivers for 14 separate amendments above and beyond whatever amendments may be offered under the regular order of an open amendment process.

While we were unable to make provisions for each of the amendments submitted, we did seek to thread the needle and ensure adequate debate on the major issues raised by this bill.

□ 1100

In my view, this rule accomplishes that objective. I should note for those who like to keep score, that this type of ''open rule plus'' procedure is the same format that was used for last year's supplemental. Also, a bit of Committee on Rules history shows that 53 of the last 65 rules granted for supplementals have been open rules.

Mr. Speaker, H. Res. 450 is an open rule providing 1 hour general debate equally divided and controlled between the chairman and ranking member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill and waives points of order against provisions of the bill for failure to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations of legislative provisions in a general appropriations bill, except as specified in the rule.

This exception pertains to a provision in the bill under the jurisdiction of the Committee on Transportation and Infrastructure, a legislative provision which did not have the concurrence of the authorizing committee.

The rule further provides, prior to the consideration of any other amendment, for consideration of the amendments printed in part A of the Committee on Rules report, which may be offered only in the order printed in the report.

The rule provides for the consideration of the amendments printed in part B of the Committee on Rules report, which may be offered only at the appropriate point in the reading of the bill.

The rule provides that all of the amendments printed in the Committee on Rules report may be offered only by the Member designated in the report, shall be considered as read, shall be debatable for the time specified, shall not be subject to amendment, and shall not be subject to a demand for 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 Committee on Rules report and waives points of order during consideration of the bill against amendments for failure to comply with clause 2(e) of rule XXI, prohibiting nonemergency designated amendments to be offered to an appropriations bill containing an emergency designation.

The rule authorizes the Chair to accord priority in recognition to Members who have caused their amendments to be preprinted in the CONGRESSIONAL RECORD. The rule also allows for the chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

And, lastly, the rule provides for one motion to recommit with or without instructions as usual.

Mr. Speaker, there has been a lot of discussion voiced about this bill so far. Questions and concerns raised from many, many different perspectives. Some Members are uncomfortable with the defense funding, others have concerns about the counternarcotics package for Colombia. We have Members who believe this bill spends too much money, and we have other Members who seek more spending in other areas. We have Members who want to allocate more of the existing surplus to debt reduction, and we have Members who seek to realign priorities in the bill. With this rule, we have found a way to accommodate a great many of those Members.

With respect to the defense spending in this bill, an amount that reflects a sizable increase over what was requested by the President, this is necessary because the administration has consistently underfunded and overcommitted our Armed Forces to the point where readiness, training, equipment, and morale have all suffered, undeniably.

Whatever one's views about the wisdom of our policy in Kosovo, and I too have very deep misgivings about what we have been doing there and about what our definition of success is for that troubled region, though I have no misgivings about the brilliant performance of our military, the fact remains that President Clinton got us into that quagmire and now we have an obligation to foot the bill. We have to pay the President's bill.

We have been robbing Peter to pay Paul for too long when it comes to committing our military forces, causing in fact an emergency situation today. I fully support efforts in this bill to reverse that trend.

Turning to the other major component of the bill, the counternarcotics package centered on ''Plan Colombia,'' I urge my colleagues to look beyond the price tag of today's proposal and consider the cost; the cost in lives, in dollars, and lost productivity; of ducking this fight at this time. I believe we must act now. The administration has already waited too long. The most recent statistics related to Colombia are alarming, and I want to highlight three areas.

First, the amount of drugs coming from Colombia is rising dramatically. Colombia now produces 60 percent of the world's cocaine crop, an astounding 90 percent of which makes its way here to the United States. Now, part of Colombia's problem is caused by our success in fighting the drug war in Peru and Bolivia. Much of the drug problem in terms of supply is now concentrated in Colombia, and that Democratically-elected government has asked for our assistance to deliver the coup de grace to the drug suppliers.

Second, the flow of drugs into the U.S. poses a direct threat to our children. One in every two American school kids will try illegal drugs before graduating high school unless we reverse the trends. We also know that the potency of Colombia's cocaine today and heroin today is rising, making it even more likely that today's curious kids, under peer pressure in school, seeking to try something cool or something new, could get hooked more easily and become tomorrow's addicts.

Illegal drug use costs U.S. society a staggering $110 billion a year right now and results in more than 14,000 American deaths each year. I am going to say that again: 14,000 American deaths each year; primarily our youth. That is unbelievable. I cannot seriously believe that any Member is going to pull out the flag of surrender and say we are quitting on the war on drugs with those kinds of statistics. This is a meaningful way to deal with that subject.

Third, illegal drug use costs the U.S. society, as I said, not only 14,000 American lives but billions of dollars. We are already in this thing; we need to finish it. Today, we find ourselves at a very critical point. In recent years, the United States has decreased the amount of money we spend on interdiction, lowering our guard and opening the door for well-financed, opportunistic, and ruthless narco-traffickers to boost their shipments and bring more drugs to our school yards and our playgrounds, and, indeed, those are their target areas.

Meanwhile, the political situation in Colombia has spiraled out of control, despite the sincere efforts of a friendly Democratically-elected government in that country that is trying to do the right thing and asking for help, not only from us but from other countries as well. So we find ourselves in a crisis we can no longer afford to ignore, and this is a true emergency.

We have heard arguments against the Colombia package based upon the fear that we will become sucked into another Vietnam and that we will be aiding and abetting human rights' abusers. I reject both of those arguments. We cannot simply put our head in the sand and pretend that the emergence of a narco-State in our own back yard would not adversely impact our national security.

Likewise, with regard to the question of human rights, later in today's debate I will be assisting in offering a bipartisan amendment designed to address those legitimate and important concerns head-on by conditioning military assistance on some tough certification requirements about ensuring that human rights' violators are properly dealt with.

And, lastly, we hear complaints that we are overly focused on the supply side of the equation. The fact is that in recent years we have cut back on interdiction and eradication in favor of more demand reduction and prevention programs here at home. And the statistics speak for themselves: That formula has failed. What we are trying to do in this bill is focus on the serious and growing threat that one of our close southern neighbors is being overrun by the drug traffickers who have sat their sights on unfettered access to the impressionable youth of America.

I believe we have provided for conditionality on the human rights' violations. I certainly want to underscore that it is the Colombians themselves who will be conducting this action. We are providing some training, some logistic support and some equipment for them. We are not sending military troops in the sense that we sent them to Kosovo or other places recently we have read about. We are sending them to help train these people to take care of a problem within their borders.

And on the question of the balance between supply and demand and treatment, I believe that we have to fight the war on drugs on all fronts, not just one front. And I believe the statistics will show that we are doing well when we stay applied on all fronts.

So the bottom line, Mr. Speaker, is that when all is said and done today, the House will have worked its will on a large complicated spending package that contains many important provisions besides those I have addressed. I urge support for the rule so we can get on with this debate, which I suspect will go well into the evening.

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

Mr. MOAKLEY. Mr. Speaker, I thank my dear friend and colleague, the gentleman from Florida (Mr. GOSS), for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, there are a lot of reasons to oppose this supplemental appropriations bill, one of the most important is the innocent people of Colombia. This bill will provide $1.3 billion to a military with one of the worst human rights' records in that hemisphere, the Colombian military, over which neither the Colombian government nor the United States Armed Forces have much control.

Mr. Speaker, we have been here before. Maybe not all of my colleagues remember El Salvador, but I do. The Colombian military has strong ties to paramilitaries which commit unspeakable atrocities. The Salvadoran military had strong ties to death squads which used intimidation, torture, and murder to do the dirty work of the Salvadoran army.

They say this is very different. They say there is a president in Colombia who is determined to stand up to the military and the drug leaders. Maybe so, Mr. Speaker, but in El Salvador we had two presidents, both of them were educated at Jesuit universities, one at Georgetown and one at Notre Dame, and they were determined to do the same. The fact remains, Mr. Speaker, that in both El Salvador and Colombia the government has very little control over the military.

Both countries were embroiled in a brutal civil war. Colombia's Civil War has already cost 30,000 lives in the last 10 years. El Salvador's civil war killed 75,000 noncombatants over a period of 10 years. Let me repeat, Mr. Speaker: The civil war in El Salvador, funded by the United States of America, killed 75,000 noncombatants.

Twenty years ago, Mr. Speaker, we were in the exact same situation that we are today. Twenty years ago we had a choice to make, Mr. Speaker, and we made the wrong choice. Today, the answer is clear. We must oppose this aid to a murderous Colombian military with a list of human rights' violations a mile long.

Now, just listen to a few of them. Just last January, Colombian paramilitaries, with ties to the Army, dragged 27 worshipers out of a church and shot them in cold blood. From January 7 to January 10 last year, paramilitaries committed 19 separate massacres, leaving 143 people dead and hundreds more displaced from their homes. And just last month, Mr. Speaker, paramilitaries linked to the Colombian army danced and drank as they tortured, as they beheaded, at least 28 villagers in northern Colombia.

Yet today, Mr. Speaker, the House is considering a $1.3 billion military aid package for military aid, training, helicopters, and arms to that very same military. I am reminded of a letter that Salvadoran Archbishop Oscar Romero wrote to President Carter 20 years ago today begging him, in the interest of human rights, to stop the military aid to El Salvador. One month later, 20 years ago, Bishop Romero was murdered by a Salvadoran military death squad as he was saying mass.

Downstairs in my office hangs a picture of Archbishop Romero. Every day I look at it and every day I remember the grievous wrongs our country did helping to perpetuate those killings in his country. Mr. Speaker, let us not remember the 20th anniversary of Archbishop Romero by making the same mistakes in Colombia.

I have stood at the place where the Jesuits were killed, where their brains were splattered on a wall, blood all over the ground, and I just cannot stand by and watch our country do to Colombia what we did to El Salvador. The administration is wrong and my Republican colleagues are wrong. We are endangering thousands more lives in El Salvador, in Colombia. It should not be done. I would think the United States should have learned its lesson by now.

Mr. Speaker, I urge my colleagues to oppose the military aid to Colombia.

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

Mr. GOSS. Mr. Speaker, may I inquire of the Speaker of the time on both sides?

The SPEAKER pro tempore (Mr. NUSSLE). The gentleman from Florida (Mr. GOSS) has 20 minutes remaining, and the gentleman from Massachusetts (Mr. MOAKLEY) has 25 minutes remaining.

□ 1115

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

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

Mr. Speaker, let me say I am going to vote against this rule for a number of reasons. First of all, if we look at spending issues, we will see that the bill as reported is $4 billion above the amount requested by the President. Before it is finished, this bill will have added to it an additional $4 billion not requested by the President.

It is clear that only 1 week after this House passed a budget resolution promising to live within spending ceilings that the $4 billion that will be added under the rule today is simply an attempt to get around those budget ceilings so that there will be $4 billion

more room in the defense appropriation for Members' projects. A very interesting exercise in fiscal discipline, it lasted one week.

Secondly, we are now being asked to enter into a huge new long-term commitment to underwrite a war in Colombia. We have been told it will last at least 5 years, and I suspect it will last probably 10.

For 35 years, the date of August 7, 1964, has lived in infamy in history because that was the day that Congress roared through the Gulf at Tonkin resolution on this very same floor with 40 minutes of debate.

Today, we are going to be given only 20 minutes to discuss the advisability of entering into this long 5- to 10-year commitment to underwrite this war in Colombia. That means that those of us who think this is not a good idea will have exactly 10 minutes to make our case. That is amazing.

Thirdly, despite the fact that the Rand Corporation has done a study financed in part by the U.S. Army which says that a dollar spent on reducing demand for drugs here at home is 23 times more effective than a dollar spent in reducing drug use through interdiction and supply reduction abroad, this rule denies us the opportunity to even vote on the Pelosi amendment, which would allow us to provide more funding to deal with the drug problem here at home by expanding drug treatment programs. That is, in my view, ill-advised.

There is also no provision allowed under which we could even put on the floor the President's request for debt relief for countries such as Bolivia and Honduras.

Lastly, I would say that there were over a dozen Democrats who asked to be allowed to offer amendments to this proposition. Only two were given the opportunity to offer those amendments. We have 10 amendments that are going to be offered by majority party Members and two others that are bipartisan, with lead sponsors being the majority party.

In other words, the majority party first crafted the initial bill to its liking. Now they insist on being able to offer over 80 percent of the amendments that are going to be offered on the floor on this day. And then they wonder why there is not more support on this side of the aisle. I think those numbers speak for themselves.

This bill is a mistake. I will vote against the rule. I will vote against the bill. If we are going to get involved in a long-term war commitment in this hemisphere, we owe it to our constituents to spend more than 10 minutes discussing the consequences.

Mr. GOSS. Mr. Speaker, I am happy to yield 3 minutes to the distinguished gentleman from Florida (Chairman YOUNG), chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, unlike my friend and colleague, the previous speaker, I am going to support this rule. We need to get this rule passed. We need to get this supplemental on the floor, and we need to get it down to the other body so that then our friend and colleague, Senator STEVENS, can work his magic and get us a supplemental appropriations bill.

Now, time is not on our side in the case of the supplemental or our entire appropriations process. But let me just mention time in one regard. American soldiers are in Kosovo today. Americans are involved in a situation in Kosovo where we are putting up most of the assets. Many of our European allies are not responding to us with the support that they had promised to provide in Kosovo.

It is the humble opinion of this Member that the Kosovo experience is not going to be a positive one for the United States. And I hate to say that, because our troops do such a good job. But in order to eliminate the hatred and stop the killing that is taking place between not the organized groups in Kosovo but just the people themselves, neighbor to neighbor, the hate, the killing, we would have to put a soldier on every street corner in every city and town and hamlet in Kosovo. And, obviously, we cannot muster that kind of a major operation.

But the problem with Kosovo is that the money is already being spent. It is committed. The President deployed troops. The money is spent.

Now, where did the money come from? The money came from the fourth quarter operations and maintenance accounts of all of the military services. That means, if we do not replace this money, whether we like it or not, the fourth quarter training exercises of the United States military will have to stand down, many of them, because their fourth quarter money has already been spent.

Now, look at the calendar that I show here. All of this red is the fiscal year that has already gone by. This is today, March 29. This part of the fiscal year is gone. If we look closely at the blue colors on this chart, those are colors that the Congress will be in recess for the political conventions this summer for the work periods back home in our districts at 4th of July and other times of the year. And so, the white numbers are the only really working days left to get this work done.

We have got to get this supplemental over to the Senate where Senator STEVENS, as I said, can work his magic. This will help us begin to replace this money for the military. Whether we like it or not, the President has already spent the money. When we pass this rule, we can deal with some of the other issues we will hear on the floor today.

We will deal with a number of the issues that my friend, the gentleman from Wisconsin (Mr. OBEY), raised. Some of them are very legitimate, and they should be considered and they should be debated. But we have got to move along. We need to adopt this rule this morning and get on to the consideration of this bill.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NUSSLE). The Chair will remind Members that although it is permissible to refer to the sponsor of a measure in the Senate, further personal references should be avoided.

Mr. MOAKLEY. Mr. Speaker, I would like to make a personal reference to a dear friend of mine and yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I thank my friend from Massachusetts (Mr. MOAKLEY) for yielding me the time. And he is my dear friend.

Mr. Speaker, it is very rare that I disagree with the gentleman from Massachusetts (Mr. MOAKLEY). It would be remiss of me not to acknowledge the incredible work that the gentleman from Massachusetts (Mr. MOAKLEY) did in Central America during the 1980s. More than any other individual in this institution, the gentleman from Massachusetts (Mr. MOAKLEY) can take credit for saving thousands and thousands of lives, and I want to acknowledge that.

But I do disagree. Colombia is not Central America. Colombia is not El Salvador. There was recently an article in a report called the International Policy Report. The agency or the think tank that produces this particular publication is headed by the former ambassador to El Salvador, Robert White, who, by the way, was discharged from that ambassadorship because of his position on the issue of El Salvador by President Reagan.

Now, in fairness, I have to acknowledge that Ambassador White was clear that he disagreed with this particular package, but on other grounds. This article that was written by his associate I think captures the fact that the analogy between Central America and Colombia is inaccurate. I am going to read some excerpts:

''Colombia's decades-old conflict and the effort to end it are far more complicated than the violence El Salvador, Guatemala, and Nicaragua suffered during the 1980s.''

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. DELAHUNT).

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

Mr. Speaker, he goes on to point out: ''Unlike the groups in El Salvador's FMLN and Guatemala's URNG, Colombia's three guerilla groups fight separately, violating human rights frequently, and are held in low esteem by most citizens. The paramilitary death squads operate in the open, resembling private armies more than shadowy

groups of killers and are somewhat independent of the Army.''

''Here in Colombia,'' he points out, ''the Government seeks to bring guerillas to the negotiating table.''

He concludes by saying, ''With the exception of the United States, no foreign source arms or combatants. Instead, the drug trade pervades, corrupts, and finances all sides.''

''On deeper examination, this conflict, the western hemisphere's oldest and most brutal, bears only a passing resemblance to Central America.''

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) has 16 minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 19 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a gentleman who served with me in El Salvador.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, I am deeply disappointed that the majority refused to allow debate on the amendment offered by the gentlewoman from California (Ms. PELOSI) to add $1.3 billion for drug treatment and prevention here at home.

Sadly, Mr. Speaker, today we will be given very limited debate on a number of important amendments to the Colombia aid package. I strongly oppose this Colombia aid package as it is currently constituted.

Like every Member in this House, I want to support President Pastrana in his efforts to negotiate peace and end the 40-year civil war and to provide economic development for the Colombian people. And like every Member in this House, I want to reduce drug use in the United States. Unfortunately, this package will not further either of those goals.

The three antidrug battalions and related aircraft in this bill are to be deployed in two southern provinces to root out guerillas that have been entrenched there for 40 years and to eradicate coca crops grown by peasant farmers. The futility of spending billions on eradication should be obvious to anyone who has studied this question, whether those studies are from the Rand Institute or our own GAO.

Coca is so profitable and easy to grow that short-term success has always proven an empty victory. Like mercury hit with a hammer, coca cultivation attacked in one location simply scatters elsewhere.

So what will this package achieve? In the most violent country in the hemisphere, it will only result in more violence. It will ally the United States with the most brutal military in the hemisphere.

Read the Human Rights Watch report. Read the reports of the Colombian Commission of Jurors. Read the reports by the United Nations and the OAS. They paint a picture of the Colombian military that I doubt any Member of this House would want to be associated with. And the victims, and there will be victims, will be the civilian population.

My colleague, the gentleman from Massachusetts (Mr. DELAHUNT), says that Colombia is not El Salvador. He is right in one respect. Colombia is 20 times the size of El Salvador.

I think one of the things that we need to do is we need to learn from the lessons of El Salvador and our other interventions in Central America to make sure we do not repeat the mistakes. Better to spend this money on treatment, education, and law enforcement here at home.

The best way to fight drugs is to reduce demand, something this bill does not even attempt to do. Defeat this rule and rethink the Colombia package.

□ 1130

Mr. GOSS. Mr. Speaker, I am very happy to yield 2 minutes to the gentleman from California (Mr. LEWIS), the distinguished subcommittee chairman of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Speaker, I thank very much the gentleman from Florida for yielding me this time. The rule includes an amendment that will allow as we have heard for additional $4 billion to be added to the defense accounts. It touches on many of the vital needs that we have in terms of our shortfall for our military. I will have an opportunity to discuss that later. I will not later be talking about the Colombia piece, and I would like to take just a moment to address that. I would like my colleagues to know that this brings back amazing memories. For the first time I ever focused upon my chairman the gentleman from Florida (Mr. YOUNG) who today was presenting the difficulty of our schedules and our ranking member the gentleman from Wisconsin (Mr. OBEY), it was at a time that we were discussing Central America and Latin America.

In those days, the debate flowed around El Salvador and Nicaragua, Guatemala, indeed the voices that swirl around the ranking member today were very similar in those days. They were opposed to America's involvement in Central America. Today, we see that region thriving in democracy. Indeed today Colombia is asking us for our assistance with a very, very significant drug problem. Indeed, America cannot solve Colombia's entire problem; but they have asked for our help. It would be a grave error for us to make the same mistake that those same voices would have suggested we make in El Salvador in the country of Colombia. I urge us to pass the rule and indeed to support this bill in its final form.

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

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would suggest the gentleman go back and recheck my record. I did not oppose our efforts in Salvador. I opposed certain efforts that did not provide for the support of legitimate democratic forces, but I also supported funding for Salvador.

Mr. LEWIS of California. Taking back my time, there is little doubt that the voices were almost identical to those that flow today regarding this issue. There is little question, they did not want us involved in El Salvador or Nicaragua, and there is democracy there today because of America's involvement in part. Colombia has a major problem. They are asking for our assistance. I would suggest that we provide them with a small amount of assistance.

Mr. MOAKLEY. Institutional memory, Mr. Speaker, is the ability to recognize a mistake and make it again. Let us hope we do not do it again today.

Mr. Speaker, I yield 2½ minutes to the gentleman from South Carolina (Mr. SPRATT).

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

Mr. SPRATT. Mr. Speaker, last Friday morning, the House passed the Republican budget resolution by all of four votes. Today, the Republican leadership would override it because if this rule passes, the House will take up and probably pass a supplemental appropriations bill that, with amendments, will put spending $4 billion above the level assumed in the budget resolution we passed just days ago. And since the extra costs will not be offset, the budget surplus for 2000 will drop and so will the budget surplus for 2001. Indeed, by our calculation, this supplemental, together with other activities, actions already or likely to be passed will reduce the surplus, the on-budget surplus for this year from $26.5 billion to $5.1 billion.

Last week when the House debated the budget resolution, we predicted that over 10 years the Republican resolution which passed would spend all of the non-Social Security surplus and $68 billion of the Social Security surplus. We pointed out that the resolution assumed discretionary spending cuts of $117 billion over 5 years which we seriously doubted Congress would ever make; and if those cuts were not made, we predicted that you would have to dig even deeper into Social Security. We were convinced that eventually this resolution would be overridden as it was in 1999 and again in 1998, but we never thought you would do it in less than a week.

Now, I readily agree that this bill contains funds for national defense and domestic priorities that are important. I am not contesting the validity of most of these items. I am making a stronger point. I think this supplemental shows that the budget resolution adopted just days ago contains spending levels for discretionary spending that are a sham.

Last week you were calling for Draconian spending cuts. This week you

are calling for dramatic increases, $12.5 billion this year. Granted this spending is for this year alone but it is bound to have recurring effects. I cannot believe that what we are doing for Colombia will end this year. I cannot believe that the spare parts we are buying now for 2001 will not be needed next year. We need a realistic budget resolution. I think we should hold in abeyance this supplemental until we come back from conference with a budget resolution that is realistic and it recognizes the costs that we are surely going to incur as this supplemental points out.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding me this time. I rise in strong opposition to this rule. The emergency spending bill appropriates $9 billion. However, this rule does not make in order the Wu-Kuykendall-Capps amendment to provide just $14.2 million to help hard-pressed West Coast fishermen.

Pacific Coast fishermen have had their livelihood restricted by the Federal Government's effort to restore the West Coast groundfish fishery. This is costing hardworking men and women millions of dollars in lost income. It is hurting communities up and down the coast like Morro Bay and Avila Beach in my district.

The governors of California, Oregon, and Washington have requested disaster assistance for fishing communities. The administration recognized their need and asked for this funding. The money would fund important research and stock assessment of the fishery, it would allow for the buyback of permits and boats, and it would help communities cope with the loss of a big industry.

The fishing men and women in my district would rather be on the water hauling in their catch. But if we are going to keep them off their boats, it is imperative that we help them to feed their families. I am disappointed in this rule. I urge a ''no'' vote.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding me this time. Let me give a response to the gentleman from South Carolina (Mr. SPRATT) with respect to the dollars that are in this supplemental under the defense heading.

They are there simply because your Marines, your Air Force, your Army, your Navy needs them. Every time the Commandant of the Marine Corps addresses Congress in any forum, he always says, ''This is your Marine Corps.'' And in a very true sense, it is your Marine Corps and all the rest of the services. As my friend the gentleman from South Carolina knows, and I know that is the reason the gentleman from Missouri (Mr. SKELTON) is going to join with me and a number of other people in supporting the Lewis-Spence amendment to bring in about 4 billion extra dollars in spare parts, in safety fixes, in emergency fixes on the military health care system and a number of other areas where there truly is an emergency.

That is why Democrats and Republicans have very carefully asked the services when they came before us, did the $305 billion defense budget submitted by the administration, does that take care of what your troops need, and they told us no. We said, be specific. And they outlined $15 billion worth of unfunded requirements; things we had to do.

Let me tell my colleagues why they outlined them to us. They outlined them to us because our planes in many cases are not able to get off the ground and go do the mission. The mission capability is dropping like a rock. That means your plane cannot start up on the tarmac or on a carrier deck, go off, do its mission, and return.

They brought them to us because, in my estimation, the safety record is going down in the services. Eighty crashes of military aircraft in 1998 and 1999, 80 crashes, 90 dead as a result of those crashes. We have got old platforms. We have got platforms without spare parts.

The Air Force is 1,200 pilots short. Some of the money in this amendment, the Spence-Lewis amendment, requests extra money for recruiting, for retention, to keep skilled people in the services. This is probably our most important job, keeping our Nation secure. This amendment gives about 25 percent of what our services told us they have to have to keep the wheels turning, to keep this reduced force going, to keep the equipment repaired, to keep the spares coming.

When we went to Kosovo, Air Force readiness went down 50 percent Stateside because we had to move all the spare parts and all the available mechanics because we did not have very many of them, we had to move them into theater. So we dropped mission capability 50 percent in the units that were remaining. We are stretched very thin. Please work with us. Moderates, liberals, conservatives, vote for the Spence-Lewis amendment. It helps America's people in uniform.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

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

Ms. KILPATRICK. Mr. Speaker, I rise in strong opposition to this rule, a rule that will not allow Democrats by and large to offer amendments on this most important supplemental appropriation, the first one, I might add, for the 21st century. Eighty percent of the amendments are by the majority party. We were not able to offer many.

One of the most important amendments is an amendment that would provide treatment on demand for those Americans who found themselves unfortunately addicted to drugs, drugs I might add that more than any other country in the world Colombia supplies the heroin and the cocaine that has infested our families and our neighborhoods across America.

In this supplemental, we are providing $1.7 billion to Colombia and not a penny for drug treatment. I think it is horrible that the amendment by the gentlewoman from California (Ms. PELOSI) was not allowed, and I think we should vote against this rule.

Additionally, Mozambique. We are told that the assessment must be made for Mozambique. The assessment I understand will be done on Friday. I offered an amendment in committee, $60 million, $20 million for child survival, $20 million for development assistance, $20 million for international disaster relief, but withdrew the amendment because they said we had to have the assessment.

The chairman of the full committee, the gentleman from Florida (Mr. YOUNG), and the chairman of the subcommittee, the gentleman from Alabama (Mr. CALLAHAN), have agreed that this money should come forth and the money is in the accounts now to be released for Mozambique. Release the money. It ought to be a part of the rule. We ought to be able to debate it. We are not able at this time.

Treat those Americans who are addicted to much of the drugs that come from Colombia. We are not allowed to debate; we are not allowed to offer it. It is a bad rule. Vote against it.

Mr. GOSS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from the Commonwealth of Pennsylvania (Mr. GOODLING).

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

Mr. GOODLING. Mr. Speaker, in this supplemental, there is $40 million to deal with the citrus canker problem in Florida, a problem that the Department of Agriculture said could have been handled probably with $5 million had they jumped on it immediately.

The Department of Agriculture now is saying if we do not jump on the plum pox virus problem again, we are not going to have a $5 million problem, we are going to have a several billion dollar problem. This citrus problem is probably going to cost at least $200 million.

What has happened in Europe and what has happened in Spain and Chile is that their stone fruit crop was wiped out. If you happen to produce peaches, apricots, plums, cherries, almonds, avocados in your particular districts, they will be wiped out.

I have four orchards in my district now. They had to destroy the entire orchard. You cannot destroy the infected tree. You have to destroy the entire orchard. They waited 10 years to get profit, all of a sudden they must burn that crop and must wait 2 years then to replant the trees and then wait another 5

years to get any profit from that production. The Department of Agriculture says it spends $6 million now to stop it in its tracks or let it spread through Washington, California, Michigan, Maryland, Pennsylvania, South Carolina, Georgia and wherever else they grow peaches, prunes, apricots, avocados, et cetera.

And they have asked for the money, because they realize that it is their watch and if they do not stop it now, it becomes a billion-dollar problem. Unfortunately, OMB has not released the money as they have not released the $40 million for the citrus problem in Florida.

□ 1145

So I hope that everybody understands, we will pay $6 million this year, or we will pay billions and billions of dollars in the future when many of my colleagues will still be in the Congress of the United States. So I would hope my colleagues would come back with an appropriation to allow them to wipe out this virus immediately, rather than see it spread all over the United States.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I ask my colleagues to vote against the rule today. We appeared before the Committee on Rules late last night with a bipartisan, commonsense approach to a real emergency, a real disaster: emergency aid to West Coast fishers and owners of small fishing boats. This real emergency is caused by a fish population decline and by bad Federal policy. It affects the entire West Coast.

Simply put, there are too many fishing boats, too few fish, and too many Federal fishing restrictions based on spotty data.

The bipartisan commonsense amendment we offered, offered by me, by the gentleman from Oregon (Mr. WALDEN), by the gentlewoman from California (Mrs. CAPPS), and by the gentleman from California (Mr. KUYKENDALL), that is two Democrats and two Republicans, would have addressed these challenges with better science and better fish counting, with a buy-back of boats to reduce fishing capacity, and financial aid to affected families.

Mr. Speaker, this commonsense, bipartisan amendment was rejected by the Committee on Rules in the dead of night. I guess it is easy for common sense and compassion to die late at night.

I ask my colleagues who care about hard-working fishing families to vote against this rule.

Mr. GOSS. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore (Mr. NUSSLE). The gentleman from Florida (Mr. GOSS) has 9 minutes remaining; the gentleman from Massachusetts (Mr. MOAKLEY) has 9 minutes remaining.

Mr. GOSS. Mr. Speaker, perhaps the gentleman from Massachusetts would like to continue the rotation.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman for his realization that my 9 minutes is more important than his 9 minutes.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

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

Ms. KAPTUR. Mr. Speaker, I rise in opposition to this rule and in utter consternation that the Republican majority has not allowed Democrats to offer worthy amendments under this so-called open rule.

First of all, allowing only 10 minutes to debate war in Colombia and a major U.S. commitment that will be long term is absolutely reprehensible.

Secondly, on the domestic scene, when we look at oil prices and our total dependence on foreign sources of supply into this economy, and the fact that we have not been allowed to offer amendments that would ask our Secretary of Energy to begin to move toward renewables here at home, giving him the right to purchase ethanol and bio diesel, to fill that strategic petroleum reserve, which, by the way, 90 percent of it has been imported foreign oil.

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

Ms. KAPTUR. Mr. Speaker, I will not yield to the gentleman; I do not have enough time right now. The gentleman did not give me the right to offer these amendments.

Mr. DREIER. Mr. Speaker, I would offer the gentlewoman time right now if she would like to yield to me.

The SPEAKER pro tempore. The gentlewoman does control the time. The gentlewoman may proceed.

Ms. KAPTUR. Mr. Speaker, that is the gentleman that denied me the right to offer my amendments on this floor.

Now, I want to say on this oil business that for us to continue foreign dependence is absolutely a military vulnerability to the United States of America. We had an amendment that would have allowed the Secretary of Energy to purchase domestically produced product and put it in the reserve and we have been denied that opportunity here on the floor.

Finally, in the area of farm crisis here at home, low prices across this country, our farmers biting the dust, small and medium-sized farmers; we had an amendment in here that would have permitted the Secretary of Agriculture to offer equity capital in loans to those small and medium-sized farmers trying to reposition in this cruel marketplace today. We were disallowed the ability to do that. This is the year of 2000. They cannot hang on until next year.

I want to say that many of our Members here also went up to the Committee on Rules yesterday. The gentleman from Pennsylvania (Mr. GOODLING), who was just here on the floor asking for plum pox which is going to destroy the fruit crop in Pennsylvania and it will spread to other States. The gentleman from New York (Mr. HINCHEY) for special crop disasters in New York and California and other places; the gentleman from Connecticut (Mr. SHAYS) and the gentlewoman from Connecticut (Mr. DELAURO) on lobster fisheries; the gentleman from Michigan (Mr. STUPAK), the gentleman from Michigan (Mr. CAMP), and the gentlewoman from Michigan (Ms. STABENOW) on the spread of bovine tuberculosis in the State of Michigan; and the gentleman from Oregon (Mr. WU) and the gentlewoman from California (Mrs. CAPPS) who just appeared on fisheries on the West Coast.

Vote ''no'' on the rule. Too many of our Members have been excluded.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I would like to, if I could, have the attention of my very good friend from Toledo to explain and clarify.

I understand that she is very concerned about this rule, but I would like to explain it. This is an open rule. We have an open amendment process, which allows any germane amendment to be considered and fully debated, without any time limitation whatsoever. So if my friend would choose to offer a striking amendment, if my friend would choose to offer anything that falls within the rubric of germaneness, she clearly has a right to do that.

Now, she talked about 10 minutes that is allowed for her amendment. The ranking minority member of the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), has the full general debate time, a half an hour, during which that entire time can be expended talking about this issue, if he so wishes.

So I think it is important to note that we have time limits imposed on those which we granted waivers to which are beyond the standard Rules of the House; and what we have done is we have allowed full, no time limits whatsoever on any germane amendment.

That is why I want to urge my colleagues, since this is an open amendment process, and yes, we have provided waivers for 14 additional amendments which have been made in order so that we can have a full debate on a lot of different issues; but the fact of the matter is, for people to come down here and vote against an open rule, I am really concerned about the prospect of that.

So I urge my colleagues to support the rule, and I believe that it is the right thing, and we will have a very full day.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, on a daily basis I hear my colleagues, both Democratic and Republican, lament the fact that Americans

are deployed all around the world, usually without congressional approval.

I asked the Committee on Rules to approve an amendment that would have limited American troop strength in Colombia to 300 personnel. I did that because Article 1, Section 8 of the Constitution says that Congress has the power to declare war and only the Senate can involve this country in mutual defense treaties. I did that so that the $1.8 billion that is going to Colombia would not bring American troops with it.

Mr. Speaker, as we are getting ready to spend our money there, the Colombians have just changed their law so that if one has a high school diploma, one does not get drafted. They have just cut their spending for defense. My hunch is the Colombians think we are going to fight their war for them.

If it is the will of Congress to do so, then I think Congress ought to vote on this. However, far too often, both Republican and Democratic Congresses, by omission and comission, have not done their job and decided where and when young Americans will be called on to fight.

I am going to oppose this rule because, once again, the Committee on Rules has seen to it that we will not make that decision.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his great leadership on human rights throughout this hemisphere and throughout the world.

Mr. Speaker, it is almost impossible to listen to the chairman of the Committee on Rules claim that this is an open rule. Perhaps the word ''open'' to him means open only to Republicans; Democrats need not apply with amendments.

This bill has been called an emergency because we have an emergency in the drug abuse situation in our country. Indeed, we do. Mr. Speaker, 5.5 million people in America are in need of substance abuse treatment, but this rule is closed to any consideration of those people. It allows 10 minutes for an amendment to consider military assistance to Colombia in order to eradicate the coca leaf which flies in the face of all of the research on how we reduce demand in the U.S.

But do not take my word for it.

As the distinguished ranking member referred to earlier, the gentleman from Wisconsin (Mr. OBEY), the Rand report, which was put together, the research was sponsored by the Office of National Drug Control Policy, by the U.S. Army, and the Rand's Drug Policy Research Center, this report says that for every dollar spent on treatment on demand is 23 times more effective than coca leaf eradication in the source country. What that means, Mr. Speaker, is that if one wants to reduce substance abuse in this country 1 percent, one would spend $34 million, $34 million on treatment on demand; and that 1 percent reduction in the source country would be $723 million for the same result.

Yes, we have an emergency in our country. Mr. Speaker, 5.5 million, as I said, Americans are in need of substance abuse treatment. Two million of them are receiving it, and 3.5 million people are in need.

My amendment for $600 million would have addressed the need of 5 percent of those people, 5 percent; and yet this rule closed us down to have these Members on both sides of the aisle recognize the need in our own country for treatment on demand and for prevention. It is a dollar better spent. Everyone agrees to that. It has a result that is documented, and yet we could not even have an amendment.

How can we have a drug bill on this floor that talks about the emergency of substance abuse in our country that does not allow $1 to be spent on prevention and treatment on demand? It simply does not make sense.

Mr. Speaker, I oppose the bill also because of not allowing a fuller debate on the subject of our military assistance to Colombia. Perhaps we should go that route. We do not know, my Republican colleagues do not know, because we have not discussed it.

I urge my colleagues, with no reluctance at all, to vote resoundingly against this closed rule.

Mr. GOSS. Mr. Speaker, I would point out to all Members, as they all know, that an open rule is an open rule under the Rules of the House.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from the Commonwealth of Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, this is an emergency supplemental. Let me cite some emergencies for our colleagues: Hurricane Floyd, Hurricane Andrew, Hurricane Hugo, the wildlands fires in California and in the west States of Oregon and Washington, the Midwestern States. How about the World Trade Center bombing. How about the Murrah Building bombing in Oklahoma City. How about the earthquakes at Loma Prieta and North Ridge. Or how about the recent fire that killed 5 firefighters in Worcester, Massachusetts, or just last night in Fort Worth, Texas where a tornado in downtown Fort Worth killed 4 people.

What is common with all of these emergencies, Mr. Speaker? They were all handled by our domestic defenders, our 1.2 million fire and EMS people who have not received one dime of support from this body in the past.

Today, an amendment will be offered that will, for the first time, provide $100 million for the fire and EMS personnel across America, 85 percent of whom are volunteers, 32,000 departments, on average, 60 to 80 in every congressional district represented in this body. But, Mr. Speaker, we cannot pass that Weldon-Hoyer bipartisan amendment supported by the gentleman from New Jersey (Mr. PASCRELL); supported by the gentleman from New Jersey (Mr. ANDREWS); supported by the gentleman from Pennsylvania (Mr. SHUSTER) unless we pass the rule.

□ 1200

Mr. Speaker, we cannot pass the amendment unless colleagues on both sides of the aisle join in supporting the bipartisan Weldon-Hoyer-Smith-Pascrell-Andrews amendment for the fire service.

Mr. Speaker, we cannot provide the $100 million of short-term funding and access to $4.8 billion of long-term funding unless we pass the supplemental.

Mr. Speaker, I ask my colleagues who have joined in support of the Pascrell bill, over 260 of us, to support the fire service of this country. Today is our chance. Fire fighters across America are going to man the phones. Now is Members' chance to show their support for them with a real vote to help deal with the emergencies of this country.

Mr. GOSS. Mr. Speaker, I yield 1½ minutes to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Mr. Speaker, we have a very critical problem in America today. It is called, training our military on the East Coast. The only place we can really put this thing together happens to be a little island outside of Puerto Rico called Vieques.

There is the final test for the Navy and Marines. That is where they go and do the live fire. That is where they go out prepared to take on any commitment that the United States has.

Now we find ourselves in a position, Mr. Speaker, where trespassers have come in, occupied the ground, gone through the gates, squatted on the ground, and we cannot do it any longer. It just totally amazes me. Our officers have gone to the Attorney General and said, kick these people off. Our Attorney General will not do it.

So we find ourselves in the position, Mr. Speaker, of, what do we do at this point? How important is this training? Let me tell the Members what the Secretary of the Navy says: ''This training wins wars. Many Americans in uniform owe their lives to this crucial training. Many would perish without it.''

The chief of Naval Operations and the Commandant of the Marine Corps have both testified that the combined live fire training at Vieques is the most effective training we can do.

We have an amendment, the Fowler-Hansen amendment, that will be coming up. It does this. I hope people pay attention. One, there can be no trespassers on this live fire area. Like most people in the United States, we all have in every State live fire going on and we do not have trespassers.

It restores the integrity of the range. It tells the Attorney General to get these people off, and live fire would resume before the $40 million goes to them.

I would hope people would support this commonsense amendment.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, if Members want to know why the gentlewoman from Ohio (Ms. KAPTUR) is unhappy, just recognize this: The majority runs this institution. The majority wrote this bill. They used the Budget Act then to fence out amendments.

Out of the 14 amendments being allowed under this bill, two are being offered by Democrats, ten by Republicans, and two have a bipartisan tone. That in my view is not a balanced approach.

I would also urge Members to recognize that we should not spend a lousy 10 minutes debating whether we are going to be at war in Colombia for the next 5 years. I would remind Members of what James Hoagland, the distinguished columnist, asked; that now, in the rush into this quagmire, what is happening:

''What happens when it becomes clear that the considered judgment of U.S. Air Force officers that the Colombia military will not be able to maintain the Black Hawks under the condition in which they will be flying is shown to be correct? Will the United States replace the helicopters that crash or are shot down, at $13 million a copy? Will large numbers of U.S. advisers be provided to maintain the helicopter force?

''Clinton, of course, will not be around to provide answers. The helicopters will not arrive until 6 months after he leaves office. His successor will inherit an open-ended military obligation that can be trimmed back or abandoned only at domestic political cost.''

It says, ''. . . House Republicans have championed supersized aid to Colombia, with an eye to blasting Clinton and GORE if it is not passed. They are the true catalysts for this foreign policy fiasco. They blithely ignore the fact that American demand is at the root of the drug problem more than Columbian supply. They voted down efforts by Representative NANCY PELOSI to add funds for drug treatment at home in the catch-all bill that provides aid to Colombia. They sliced out of that same bill $211 million in debt relief for the world's poorest countries. They will shoot away the problems of the Third World.

''That has been tried elsewhere, with similar fuzzy and contradictory thinking in Washington at the take-off. I can only wonder: Where is the Vietnam Syndrome when we need it?''

Mr. Speaker, I urge a ''no'' vote on this rule.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. KUYKENDALL).

Mr. KUYKENDALL. Mr. Speaker, I am glad today this rule will allow us to debate this Vieques range. The range is the only place on the East Coast where we can do live fire training of all the combined forces. That means Marines ashore, Navy in ships, airmen in aircraft, whether we are shooting or missiles or live fire artillery, and we are doing it in conjunction with our forces. That is training that is invaluable when we have to go fight a war.

For the last decade, nearly every deployment this Nation has had from the East Coast of the United States has sent American military forces directly into combat operations. Whether it is the Persian Gulf War or Kosovo, other Balkan operations, or operations like Operation Desert Fox, where we went immediately into bombing in Iraq as part of the no-fly zone enforcement, or getting inspectors back into the country, live information training is essential.

I as a young artilleryman in the Marine Corps trained at a live fire range in Oklahoma. I was only 3 miles away from U.S. citizens in my training. Here we have at least an 8-mile piece of safe zone. This amendment needs to be approved. Vote for the rule.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I will vote for the previous question and the rule. Our military has been underfunded. We cannot protect America with a neighborhood crime watch. Congress should be bolstering up our defenses.

I will also notify the Congress I will be offering a buy American amendment to this that will say, when you are spending this money, try and buy American-made products, try and buy American services to keep the ball rolling.

I think it is a good rule and it is a good bill. We should support both.

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

Mr. Speaker, my dear friend, my colleague, the gentleman from California, said we should fund the Colombia military because there is peace in El Salvador today. I would remind my colleague that peace in El Salvador did not start until we cut off the military aid to El Salvador. After 12 years of brutal war and 75,000 innocent lives lost, the parties did not come anywhere near the negotiating table until we cut the military aid to El Salvador. As long as we were funding the war, it continued. As long as we fund the Colombian military and as long as we provide them weapons, they will use those weapons and the war will continue.

Mr. Speaker, I would hope the rule does not pass.

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

Mr. GOSS. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, I wanted to quickly point to a few things.

First of all, I am not sure that everybody really understands that the FARC is not just another political opposition group. This is a vicious guerilla band of people that this past weekend killed 26 policemen in Colombia, in one city, in Bahia del Puerto. They beheaded the chief of police and killed four children between the ages of 3 and 7, to say nothing of their mothers and other innocent victims.

This is, unfortunately, routine business. This is the face of a terrorist insurrection against a democratic government.

Secondly, I would like to point out, the much-discussed Rand report talking about how much more we get out of our money for treatment, that is interesting if we are talking about treatment, but we are talking about trying to stop people from becoming victims. We do not want them to become addicts. We do want to treat the addicts, but we want to stop our youth from becoming addicts by making sure there is no supply for them. That is a legitimate part of what we are about.

The third thing is, there are many elements to this bill that were not discussed today: Kosovo burdensharing, a critical bipartisan amendment that I know will get a lot of attention as the day goes on.

The fourth thing, some talk about entanglement. We are not sending an expeditionary force, we are sending training and logistics support.

Fifth, what does this matter to the average American who does not necessarily know where Colombia falls on the map of the world? I will tell Members what it matters, it matters about our kids, our kids who are tempted by the scourge of drugs. We are dealing with our children and our grandchildren and their future.

If Members do not like that, we are dealing with the price of gas, because gas comes from this area, too. Destabilization in this area is just going to keep the price of gas higher longer.

So there are lots of ways Members can bring this personally to themselves and into their lives, to their pocketbook, to their quality of life. But nothing, nothing should take second place to the well-being of our kids and us doing our job to make sure they are properly protected.

This is a good open rule, it is a fair rule. I urge support for the rule.

Mr. SPRATT. Mr. Speaker, early last Friday, the House passed the Republican budget resolution for Fiscal Year 2001 by all of 4 votes. Today, the Republican leadership overrides it. If this rule passes, the House will take up a supplemental appropriations bill that, with likely amendments, is $4 billion above the spending level assumed in the budget resolution the House just passed. Since the extra cost will not be offset, the budget surplus for 200 will drop and so will the surplus for 2001. In fact, by our calculation, this supplemental, along with other actions already taken or likely to be taken, will reduce the on-budget surplus this year from $26.5 billion to $4.9 billion.

Last week, when the House debated the budget resolution, we predicted that over ten years, the Republican budget would spend all

of the non-Social Security surplus and $68 billion of the Social Security surplus. We pointed out how the Republican resolution assumed spending cuts of $117 billion over five years, cuts we doubted Congress would make. And if those unrealistic cuts weren't made, we warned that you would dig even more into the Social Security surplus. We were convinced that this resolution would be overridden by more spending, as were the budget resolutions in 1999 and 1998, but we never thought you would do it in less than a week.

I readily agree that this bill contains funds for national defense and domestic priorities that are important. I am not contesting the validity of most of these items. I am contesting the validity of your budget resolution, for this supplemental shows that your spending levels are a sham.

A few days ago, you were calling for draconian spending cuts. Now you are asking for dramatic increases, $12.5 billion in one year, much more than the President requested.

The President requested $2.2 billion for non-defense programs for the supplemental. The bill reported out of committee takes that request up to $3.2 billion, an increase of almost 50 percent. About $600 million of this $1.0 billion uses fiscal year 2000 funding to buy fiscal year 2001 items: $282 million for domestic electronic surveillance of drug activities, and $318 million for anti-drug efforts in Columbia.

For defense, the President requested a supplemental of $2.3 billion. The bill the committee reported more than doubles that to $5.2 billion. The Spence-Lewis amendment would add $4.0 billion to that. Much of this would use fiscal year 2000 money to buy fiscal year 2001 items, easing the strain on 2001. But many of the defense adds are recurring costs, such as defense health care funding and spare parts and maintenance for weapon systems like Apache helicopters and Navy ships. By making this add, Republicans are disavowing the spending level for defense specified in last week's budget resolution, and not just for 2001. In all probability, Congress will have to continue appropriating these additional sums in future years.

Does anyone here honestly believe that this is a one-time request for Colombia?

This supplemental is a clever way to turn the flank of the resolution passed last week. It's a scheme that allows Congress to pay some fiscal year 2001 costs using fiscal year 2000 money. I understand the need. But if Republicans find the 2001 spending levels too tight, how will you find the spending levels in 2002, when the discretionary spending cuts get deeper? And at the same time the spending cuts get deeper, the tax cuts get larger. What does this portend for Social Security? Will you be forced to tap even more into the Social Security surplus?

This supplemental shows that the Republican budget is not serious. Until Congress has passed a conference report with realistic spending levels and responsible tax cuts, we should hold this supplemental in abeyance.

Ms. WATERS. Mr. Speaker, I urge my colleagues to oppose this rule, which specifically makes in order twelve amendments offered by Republicans and waives all points of order against these amendments. Only two amendments offered by Democrats were made in order by this partisan rule.

I plan to offer an amendment to restore a mere $210 million in funding, which was requested by the President to provide debt relief to Mozambique and other heavily indebted poor countries. This Republican rule does not allow my amendment.

Mozambique—one of the world's poorest countries—has recently experienced its worst flooding in 50 years. There are now hundreds of thousands of displaced people who are in desperate need of food, clean water, medicine, blankets and tents. The government of Mozambique cannot possibly address the needs of these displaced people or repair its damaged infrastructure while continuing to make debt payments to foreign governments. Debt relief has never been more important for Mozambique than it is now.

Debt relief for the world's poorest countries is supported by a worldwide movement of churches, religious groups and non-governmental organizations. This movement, known as Jubilee 2000, was begun by Christians who believe that the year 2000, the two thousandth anniversary of the coming of Christ, is a Jubilee Year. According to the Bible, the Lord instructed the people of Ancient Israel to celebrate a Jubilee—or a Year or the Lord—every 50 years. During a Jubilee Year, debts were forgiven. Debt forgiveness for poor countries is the moral thing to do.

This partisan rule also did not allow consideration of the Pelosi amendment, which would have added funding for drug treatment and prevention programs. This bill contains $1.7 billion for international counter-narcotics programs. We need to focus on demand reduction here in the United States, which fuels the production of drugs abroad.

I urge my colleagues to oppose this unfair and shortsighted rule.

Mr. GOSS. 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. The question is on the resolution.

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

Mr. OBEY. 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 241, nays 182, not voting 12, as follows:

[Roll No. 81]

YEAS—241

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cubin
Cunningham
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ewing
Farr
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reyes
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—182

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan

| | | |
|---|---|---|
| Meek (FL) | Rahall | Stupak |
| Meeks (NY) | Rangel | Tanner |
| Menendez | Rivers | Taylor (MS) |
| Millender-McDonald | Rodriguez | Thompson (CA) |
| Miller, George | Roemer | Thompson (MS) |
| Minge | Rothman | Thurman |
| Mink | Roybal-Allard | Tierney |
| Moakley | Rush | Towns |
| Moore | Sabo | Turner |
| Nadler | Sanchez | Udall (CO) |
| Napolitano | Sanders | Udall (NM) |
| Neal | Sandlin | Velazquez |
| Oberstar | Sawyer | Vento |
| Obey | Schakowsky | Visclosky |
| Olver | Scott | Waters |
| Owens | Serrano | Watt (NC) |
| Pallone | Sherman | Waxman |
| Pascrell | Shows | Weiner |
| Pastor | Slaughter | Wexler |
| Payne | Smith (WA) | Weygand |
| Pelosi | Snyder | Wise |
| Peterson (MN) | Spratt | Woolsey |
| Phelps | Stabenow | Wu |
| Pomeroy | Stark | Wynn |
| Price (NC) | Stenholm | |
| | Strickland | |

NOT VOTING—12

| | | |
|---|---|---|
| Barton | Everett | Kucinich |
| Boucher | Franks (NJ) | McIntosh |
| Conyers | Granger | Quinn |
| Crane | Klink | Salmon |

□ 1231

Ms. SANCHEZ and Ms. CARSON changed their vote from ''yea'' to ''nay.''

Mr. REYES and Mrs. MORELLA changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 450, the resolution just adopted.

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

There was no objection.

## 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 450 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3908.

□ 1232

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

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

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Chairman, I am pleased to bring to the House today the 2000 Emergency Supplemental Appropriations bill.

The Committee on Appropriations ordered this legislation reported by a nearly three to one bipartisan vote. It is reflective of a compilation of input from many sources on a large spectrum of issues. The request was thoroughly reviewed, hearings were held, input from Members outside the committee was received, and our committee painstakingly marked up the bill. The result of all of this is the bill before us.

The bill includes $1.7 billion for counternarcotics activities in the Colombian and Andean region. By and large, the bill provides what the President requested for Colombia. In addition, the bill takes a more regional approach by providing increased help to the anti-drug efforts of Colombia's neighbors. Before any of the funds going to South America can be spent, the Secretary of State is to report on how the money will be used. The bill also funds high priority anti-drug activities in the Departments of Justice and Defense.

Also included in this bill is nearly $5 billion for national security matters. The President's emergency request for $2 billion for operations in Kosovo and East Timor is met. I must remind our colleagues that this money replenishes funds that have already been spent for both of these operations. In fact, the money has been spent and borrowed from the fourth quarter operations and maintenance accounts of all of the military services. So that money has to be repaid, or the training activities in the fourth quarter of the fiscal year for our Nation's military will have to stand down dramatically.

This bill also includes $1.6 billion to help cover increasing fuel costs facing the Defense Department. As we drive up to the gas tanks and fill up our cars, we see a tremendous increase in the cost of fuel. The ships that we drive, the airplanes that we fly, the trucks and the tanks that we drive, all of these things that use fuel are experiencing the same thing. So we do provide the money to make up for the increased fuel costs.

The bill also includes $854.5 million to the financially troubled Defense Health Program, a health program that promises medical care for members of the military, their families, and those retirees who are eligible for military medical care. There are doctors, there are nurses, there are pharmacies, and there are medical people who provide medical care who have provided their services but have not been paid. We are in arrears to at least that amount of money. So we include it in this bill. The President did not request these two items; but they are urgently needed, and we will have to provide the money sooner or later.

In the natural disaster and other emergencies areas, the bill includes $2.2 billion. This includes $400 million for USDA administered agriculture assistance, $250 million for wildland fire management, $600 million for LIHEAP, Low Income Home Energy Assistance, and $600 million for emergency highway reimbursements to States.

Mr. Chairman, the committee tried to clean up all of the loose ends that we had relative to hurricane and flood disasters in the last year, and we believe this bill does complete all our responsibilities and obligations here.

There are many other important issues addressed in the bill. The report provides a very complete description of them. The bill is somewhat difficult and a little controversial in places, and I respect the fact that there are multiple opinions on the bill. But I think the Committee on Appropriations listened to and respected the differing positions on the various provisions in the bill, including the strong support of the President of the United States. However, as usual with an appropriations bill, we could not report a bill that included everyone's position.

Now the bill is before the entire House for consideration. It is important that we move this bill through the House today and we get it to the other body where deliberations can begin. We need to get this off of our schedules today because, Mr. Chairman, we have 13 other appropriations bills that we are trying to bring to this House in regular order and ahead of last year's schedule and certainly the year before's schedule, because this is a busy year for Members of Congress because of our national conventions, home work periods. So we need to get this bill out of here, get it into the negotiation with the other body.

At this point in the RECORD, I would like to insert a table showing the details of this bill, as reported.

[The table follows:]

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908)**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | FY 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL | | | |
| | TITLE I - COUNTERNARCOTICS | | | |
| | CHAPTER 1 | | | |
| | DEPARTMENT OF JUSTICE | | | |
| | Drug Enforcement Administration | | | |
| ..... | Salaries and expenses (emergency appropriations) | ..... | 6,650 | +6,650 |
| ..... | Contingent emergency appropriations | ..... | 293,048 | +293,048 |
| | Total, Chapter 1: | | | |
| | New budget (obligational) authority | ..... | 299,698 | +299,698 |
| | Emergency appropriations | ..... | (6,650) | (+6,650) |
| | Contingent emergency appropriations | ..... | (293,048) | (+293,048) |
| | CHAPTER 2 | | | |
| | DEPARTMENT OF DEFENSE - MILITARY | | | |
| | Other Department of Defense Programs | | | |
| 106-162 | Drug interdiction and counter-drug activities, Defense (emergency appropriations) | 98,400 | 185,800 | +87,400 |
| | CHAPTER 3 | | | |
| | BILATERAL ECONOMIC ASSISTANCE | | | |
| | Department of State | | | |
| 106-162 | Assistance for Plan Colombia and for Andean regional counternarcotics (emergency appropriations) | 818,000 | ..... | -818,000 |
| ..... | Contingent emergency appropriations | ..... | 1,099,000 | +1,099,000 |
| | CHAPTER 4 | | | |
| | DEPARTMENT OF DEFENSE - MILITARY | | | |
| 106-162 | Military construction, Defense-wide (emergency appropriations) | 38,600 | ..... | -38,600 |
| ..... | Contingent emergency appropriations | ..... | 116,523 | +116,523 |
| | Total, title I: | | | |
| | New budget (obligational) authority | 955,000 | 1,701,021 | +746,021 |
| | Emergency appropriations | (955,000) | (192,450) | (-762,550) |
| | Contingent emergency appropriations | ..... | (1,508,571) | (+1,508,571) |
| | TITLE II - PEACEKEEPING OPERATIONS IN KOSOVO AND OTHER NATIONAL SECURITY MATTERS | | | |
| | CHAPTER 1 | | | |
| | DEPARTMENT OF STATE | | | |
| | Administration of Foreign Affairs | | | |
| 106-162 | Diplomatic and consular programs (emergency appropriations) | 24,000 | ..... | -24,000 |
| 106-162 | Educational and cultural exchange programs (emergency appropriations) | 3,622 | ..... | -3,622 |
| 106-162 | Security and maintenance of United States missions (emergency appropriations) | 239,000 | 104,000 | -135,000 |
| | Total, Administration of Foreign Affairs | 266,622 | 104,000 | -162,622 |
| | International Organizations and Conferences | | | |
| 106-162 | Contributions for international peacekeeping activities, current year (emergency appropriations) | 107,000 | ..... | -107,000 |
| | Total, Chapter 1: | | | |
| | New budget (obligational) authority | 373,622 | 104,000 | -269,622 |
| | CHAPTER 2 | | | |
| | DEPARTMENT OF DEFENSE - MILITARY | | | |
| | Operation and Maintenance | | | |
| ..... | Operation and maintenance, Army (emergency appropriations) | ..... | 19,532 | +19,532 |
| ..... | Operation and maintenance, Navy (emergency appropriations) | ..... | 20,565 | +20,565 |
| ..... | Operation and maintenance, Marine Corps (emergency appropriations) | ..... | 37,155 | +37,155 |
| ..... | Operation and maintenance, Air Force (emergency appropriations) | ..... | 30,065 | +30,065 |
| 106-162 | Operation and maintenance, Defense-wide (emergency appropriations) | 27,400 | 40,000 | +12,600 |
| ..... | Operation and maintenance, Army Reserve (emergency appropriations) | ..... | 2,174 | +2,174 |
| ..... | Operation and maintenance, Army National Guard (emergency appropriations) | ..... | 2,851 | +2,851 |
| 106-162 | Overseas contingency operations transfer fund (emergency appropriations) | 2,050,400 | 2,050,400 | ..... |
| | Total, Operation and Maintenance | 2,077,800 | 2,202,742 | +124,942 |
| | Procurement | | | |
| 106-162 | Aircraft procurement, Air Force (emergency appropriations) | 73,000 | 73,000 | ..... |
| | Other Department of Defense Programs | | | |
| ..... | Defense health program (emergency appropriations) | ..... | 3,533 | +3,533 |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | General Provisions | | | |
| ..... | Defense-wide working capital fund (emergency appropriations) (sec. 2202) | ..... | 1,556,200 | +1,556,200 |
| ..... | Aircraft procurement, Air Force (by transfer) (sec. 2203) | ..... | (90,000) | (+90,000) |
| ..... | Procurement of weapons and tracked combat vehicles, Army (by transfer) (sec. 2204) | ..... | (125,000) | (+125,000) |
| ..... | Defense health program (emergency appropriations) (sec. 2205) | ..... | 854,500 | +854,500 |
| | Total, Chapter 2: | | | |
| | New budget (obligational) authority | 2,150,800 | 4,689,975 | +2,539,175 |
| | (By transfer) | ..... | (215,000) | (+215,000) |
| | CHAPTER 3 | | | |
| | BILATERAL ECONOMIC ASSISTANCE | | | |
| | Agency for International Development | | | |
| 106-162 | Operating expenses of the Agency for International Development (emergency appropriations) | 22,000 | 13,000 | -9,000 |
| | Other Bilateral Economic Assistance | | | |
| 106-162 | Assistance for Eastern Europe and the Baltic States (emergency appropriations) | 195,000 | 95,825 | -99,175 |
| | Total, Bilateral Economic Assistance | 217,000 | 108,825 | -108,175 |
| | MILITARY ASSISTANCE | | | |
| 106-162 | International military education and training (emergency appropriations) | 2,875 | 2,875 | ..... |
| | Foreign Military Financing Program: | | | |
| 106-162 | Grants (emergency appropriations) | 31,000 | 31,000 | ..... |
| | Total, Military Assistance | 33,875 | 33,875 | ..... |
| | Total, Chapter 3: | | | |
| | New budget (obligational) authority | 250,875 | 142,700 | -108,175 |
| | CHAPTER 4 | | | |
| | DEPARTMENT OF DEFENSE - MILITARY | | | |
| ..... | Military construction, Army Reserve (contingent emergency appropriations) | ..... | 12,348 | +12,348 |
| ..... | Family housing, Army (contingent emergency appropriations) (sec. 2401) | ..... | 2,000 | +2,000 |
| ..... | Family housing, Navy and Marine Corps (contingent emergency appropriations) (sec. 2401) | ..... | 3,000 | +3,000 |
| ..... | Family housing, Air Force (contingent emergency appropriations) (sec. 2401) | ..... | 1,700 | +1,700 |
| | Total, Chapter 4: | | | |
| | New budget (obligational) authority | ..... | 19,048 | +19,048 |
| | Total, title II: | | | |
| | New budget (obligational) authority | 2,775,297 | 4,955,723 | +2,180,426 |
| | Emergency appropriations | (2,775,297) | (4,936,675) | (+2,161,378) |
| | Contingent emergency appropriations | ..... | (19,048) | (+19,048) |
| | (By transfer) | ..... | (215,000) | (+215,000) |
| | TITLE III - NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS | | | |
| | CHAPTER 1 | | | |
| | DEPARTMENT OF AGRICULTURE | | | |
| ..... | Office of the Inspector General (contingent emergency appropriations) | ..... | 2,000 | +2,000 |
| | Animal and Plant Health Inspection Service | | | |
| ..... | Salaries and expenses (contingent emergency appropriations) | ..... | 7,140 | +7,140 |
| | Farm Service Agency | | | |
| ..... | Salaries and expenses (contingent emergency appropriations) | ..... | 77,560 | +77,560 |
| | Federal Crop Insurance Corporation | | | |
| 106-198 | Federal crop insurance corporation fund (emergency appropriations) | 13,000 | 13,000 | ..... |
| | Commodity Credit Corporation | | | |
| 106-198 | Marketing associations loan forgiveness (emergency appropriations) | 81,000 | 81,000 | ..... |
| | Rural Development | | | |
| ..... | Rural community advancement program (contingent emergency appropriations) | ..... | 43,000 | +43,000 |
| | Rural Housing Service | | | |
| | Rural Housing Insurance Fund Program Account: | | | |
| | Loan authorizations: | | | |
| ..... | Single family (sec. 502) | ..... | (296,000) | (+296,000) |
| ..... | Housing repair (sec. 504) | ..... | (13,000) | (+13,000) |
| 106-198 | Rental housing (sec. 515) | (40,000) | (40,000) | ..... |
| | Total, loan authorizations | (40,000) | (349,000) | (+309,000) |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | Loan subsidy: | | | |
| ..... | Single family (sec. 502) (contingent emergency appropriations) | ..... | 25,000 | +25,000 |
| ..... | Housing repair (sec. 504) (contingent emergency appropriations) | ..... | 4,000 | +4,000 |
| 106-198 | Rental housing (sec. 515) (emergency appropriations) | 15,872 | 15,872 | ..... |
| | Total, loan subsidies | 15,872 | 44,872 | +29,000 |
| 106-198 | Rental assistance program (sec. 521) (emergency appropriations) | 13,600 | 13,600 | ..... |
| | Total, Rural Housing Insurance Fund Program Account | 29,472 | 58,472 | +29,000 |
| ..... | Mutual and self-help housing grants (contingent emergency appropriations) | ..... | 6,000 | +6,000 |
| ..... | Rural housing assistance grants (contingent emergency appropriations) | ..... | 8,000 | +8,000 |
| ..... | Farm labor program account (contingent emergency appropriations) | ..... | 5,000 | +5,000 |
| | Total, Rural Housing Service | 29,472 | 77,472 | +48,000 |
| | Rural Utilities Service | | | |
| | Rural Electrification and Telecommunications Loans Program Account: | | | |
| | Direct loans: Electric 5%: | | | |
| ..... | Loan authorization | ..... | (113,250) | (+113,250) |
| ..... | Loan subsidy (emergency appropriations) | ..... | 1,021 | +1,021 |
| | Foreign Assistance and Related Programs | | | |
| ..... | Foreign Agricultural Service and General Sales Manager (contingent emergency appropriations) | ..... | 2,000 | +2,000 |
| | Total, Department of Agriculture | 123,472 | 304,193 | +180,721 |
| | DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | |
| | Food and Drug Administration | | | |
| ..... | Buildings and facilities (contingent emergency appropriations) | ..... | 20,000 | +20,000 |
| | General Provisions | | | |
| ..... | Conservation technical assistance (contingent emergency appropriations) (sec. 3101) | ..... | 35,000 | +35,000 |
| ..... | Citrus canker (contingent emergency appropriations) (sec. 3103) | ..... | 40,000 | +40,000 |
| | Total, Chapter 1: | | | |
| | New budget (obligational) authority | 123,472 | 399,193 | +275,721 |
| | Emergency appropriations | (123,472) | (124,493) | (+1,021) |
| | Contingent emergency appropriations | ..... | (274,700) | (+274,700) |
| | (Loan authorizations) | (40,000) | (462,250) | (+422,250) |
| | CHAPTER 2 | | | |
| | DEPARTMENT OF COMMERCE | | | |
| | Economic Development Administration | | | |
| 106-198 | | | | |
| 106-162 | Economic development assistance programs (emergency appropriations) | 30,350 | 25,800 | -4,550 |
| 106-198 | Contingent emergency appropriations | 900 | ..... | -900 |
| 106-198 | | | | |
| 106-162 | Salaries and expenses (emergency appropriations) | 1,625 | ..... | -1,625 |
| | Total, Economic Development Administration | 32,875 | 25,800 | -7,075 |
| | National Oceanic and Atmospheric Administration | | | |
| 106-198 | | | | |
| 106-162 | Operations, research, and facilities (emergency appropriations) | 23,900 | 19,400 | -4,500 |
| 106-198 | Contingent emergency appropriations | 5,000 | ..... | -5,000 |
| 106-198 | Fisheries finance program account (emergency appropriations) | 6,240 | ..... | -6,240 |
| 106-198 | Contingent emergency appropriations | 15,000 | ..... | -15,000 |
| | Total, National Oceanic and Atmospheric Administration | 50,140 | 19,400 | -30,740 |
| | Total, Department of Commerce | 83,015 | 45,200 | -37,815 |
| | RELATED AGENCY | | | |
| | Small Business Administration | | | |
| | Disaster Loans Program Account: | | | |
| 106-162 | Direct loans subsidy (contingent emergency appropriations) | 31,000 | 33,300 | +2,300 |
| 106-162 | Administrative expenses (contingent emergency appropriations) | 19,500 | 27,600 | +8,100 |
| | Total, Small Business Adminstration | 50,500 | 60,900 | +10,400 |
| | Total, Chapter 2: | | | |
| | New budget (obligational) authority | 133,515 | 106,100 | -27,415 |
| | Emergency appropriations | (62,115) | (45,200) | (-16,915) |
| | Contingent emergency appropriations | (71,400) | (60,900) | (-10,500) |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | CHAPTER 3 | | | |
| | DEPARTMENT OF DEFENSE - CIVIL | | | |
| | DEPARTMENT OF THE ARMY | | | |
| | Corps of Engineers - Civil | | | |
| 106-198 | | | | |
| 106-162 | General investigations (emergency appropriations) | 8,100 | 1,500 | -6,600 |
| 106-162 | Operation and maintenance, general (emergency appropriations) | 19,175 | 27,925 | +8,750 |
| | Total, Corps of Engineers - Civil | 27,275 | 29,425 | +2,150 |
| | DEPARTMENT OF ENERGY | | | |
| ..... | Uranium enrichment decontamination and decommissioning fund (emergency appropriations) | ..... | 16,000 | +16,000 |
| | Atomic Energy Defense Activities | | | |
| ..... | Other defense activities (emergency appropriations) | ..... | 59,000 | +59,000 |
| ..... | (By transfer) (emergency appropriations) | ..... | (4,000) | (+4,000) |
| | Total, Chapter 3: | | | |
| | New budget (obligational) authority | 27,275 | 104,425 | +77,150 |
| | (By transfer) (emergency appropriations) | ..... | (4,000) | (+4,000) |
| | CHAPTER 4 | | | |
| | DEPARTMENT OF THE INTERIOR | | | |
| | Bureau of Land Management | | | |
| 106-162 | Wildland fire management (contingent emergency appropriations) | 100,000 | 100,000 | ..... |
| | United States Fish and Wildlife Service | | | |
| 106-162 | Construction (emergency appropriations) | 5,000 | 5,000 | ..... |
| | National Park Service | | | |
| 106-162 | Construction (emergency appropriations) | 4,000 | 4,000 | ..... |
| | United States Geological Survey | | | |
| 106-162 | Surveys, investigations, and research (emergency appropriations) | 1,800 | 1,800 | ..... |
| | Total, Department of the Interior | 110,800 | 110,800 | ..... |
| | DEPARTMENT OF AGRICULTURE | | | |
| | Forest Service | | | |
| ..... | Wildland fire management (contingent emergency appropriations) | ..... | 150,000 | +150,000 |
| | Total, Chapter 4: | | | |
| | New budget (obligational) authority | 110,800 | 260,800 | +150,000 |
| | Emergency appropriations | (10,800) | (10,800) | ..... |
| | Contingent emergency appropriations | (100,000) | (250,000) | (+150,000) |
| | CHAPTER 5 | | | |
| | DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | |
| | Administration for Children and Families | | | |
| 106-198 | Low income home energy assistance (contingent emergency appropriations) | 600,000 | 600,000 | ..... |
| | CHAPTER 6 | | | |
| | DEPARTMENT OF TRANSPORTATION | | | |
| | Coast Guard | | | |
| ..... | Operating expenses (emergency appropriations) | ..... | 37,000 | +37,000 |
| | Federal Highway Administration | | | |
| | Federal-aid highways (Highway Trust Fund): | | | |
| ..... | Emergency relief program (emergency appropriations) | ..... | 600,000 | +600,000 |
| | Total, Department of Transportation | ..... | 637,000 | +637,000 |
| | RELATED AGENCIES | | | |
| | National Transportation Safety Board | | | |
| 106-198 | | | | |
| 106-162 | Salaries and expenses (emergency appropriations) | 25,096 | 24,739 | -357 |
| | Total, Chapter 6: | | | |
| | New budget (obligational) authority | 25,096 | 661,739 | +636,643 |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | CHAPTER 7 | | | |
| | DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT | | | |
| | Public and Indian Housing | | | |
| 106-198 | Housing certificate fund (emergency appropriations) | 12,000 | ..... | -12,000 |
| | Community Planning and Development | | | |
| ..... | HOME investment partnerships program (contingent emergency appropriations) | ..... | 36,000 | +36,000 |
| | Total, Housing and Urban Development | 12,000 | 36,000 | +24,000 |
| | INDEPENDENT AGENCIES | | | |
| | National Aeronautics and Space Administration | | | |
| ..... | Human space flight (contingent emergency appropriations) | ..... | 25,800 | +25,800 |
| ..... | Science, aeronautics and technology (contingent emergency appropriations) | ..... | 29,000 | +29,000 |
| ..... | Mission support (contingent emergency appropriations) | ..... | 20,200 | +20,200 |
| | Total, National Aeronautics and Space Administration | ..... | 75,000 | +75,000 |
| | Total, Chapter 7: | | | |
| | New budget (obligational) authority | 12,000 | 111,000 | +99,000 |
| | Emergency appropriations | (12,000) | ..... | (-12,000) |
| | Contingent emergency appropriations | ..... | (111,000) | (+111,000) |
| | Total, title III: | | | |
| | New budget (obligational) authority | 1,032,158 | 2,243,257 | +1,211,099 |
| | Emergency appropriations | (260,758) | (946,657) | (+685,899) |
| | Contingent emergency appropriations | (771,400) | (1,296,600) | (+525,200) |
| | (By transfer) (emergency appropriations) | ..... | (4,000) | (+4,000) |
| | (Loan authorizations) | (40,000) | (462,250) | (+422,250) |
| | TITLE IV - SUPPLEMENTAL APPROPRIATIONS AND OFFSETS | | | |
| | CHAPTER 1-A | | | |
| | DEPARTMENT OF COMMERCE | | | |
| | Economic Development Administration | | | |
| 106-198 | Assistance to Vieques, Puerto Rico | 40,000 | ..... | -40,000 |
| | National Institute of Standards and Technology | | | |
| 106-162 | Scientific and technical research and services | 1,000 | ..... | -1,000 |
| 106-162 | Industrial technology services | 4,000 | ..... | -4,000 |
| 106-162 | NTIS revolving fund (by transfer) | (4,500) | ..... | (-4,500) |
| | Total, National Institute of Standards and Technology | 5,000 | ..... | -5,000 |
| | RELATED AGENCIES | | | |
| | Commission on Civil Rights | | | |
| 106-162 | Salaries and expenses | 800 | ..... | -800 |
| | Federal Maritime Commission | | | |
| 106-162 | Salaries and expenses | 490 | ..... | -490 |
| | Small Business Administration | | | |
| 106-198 | Salaries and expenses (by transfer) | (2,000) | ..... | (-2,000) |
| | Business Loans Program Account: | | | |
| 106-198 | Guaranteed loans subsidy | 1,000 | ..... | -1,000 |
| | Total, Chapter 1-A: | | | |
| | New budget (obligational) authority | 47,290 | ..... | -47,290 |
| | (By transfer) | (6,500) | ..... | (-6,500) |
| | CHAPTER 1 | | | |
| | DEPARTMENT OF ENERGY | | | |
| 106-162 | Uranium enrichment decontamination and decommissioning fund | 16,000 | ..... | -16,000 |
| | Atomic Energy Defense Activities | | | |
| 106-162 | Weapons activities | 55,000 | 55,000 | ..... |
| 106-162 | Other defense activities | 14,000 | ..... | -14,000 |
| 106-162 | (By transfer) | (4,000) | ..... | (-4,000) |
| | Total, Atomic Energy Defense Activities | 69,000 | 55,000 | -14,000 |
| | Total, Chapter 1: | | | |
| | New budget (obligational) authority | 85,000 | 55,000 | -30,000 |
| | (By transfer) | (4,000) | ..... | (-4,000) |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | CHAPTER 2-A | | | |
| | BILATERAL ECONOMIC ASSISTANCE | | | |
| | Department of the Treasury | | | |
| 106-162 | Debt restructuring | 210,000 | ..... | -210,000 |
| | CHAPTER 2 | | | |
| | DEPARTMENT OF AGRICULTURE | | | |
| | Forest Service | | | |
| ..... | State and private forestry (by transfer) | ..... | (500) | (+500) |
| | DEPARTMENT OF ENERGY | | | |
| 106-198 | Energy conservation | 19,000 | ..... | -19,000 |
| ..... | Advance appropriations | ..... | 19,000 | +19,000 |
| | CHAPTER 3 | | | |
| | DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | |
| | Administration for Children and Families | | | |
| 106-162 | Payments to States for foster care and adoption assistance | 35,000 | 35,000 | ..... |
| | CHAPTER 4 | | | |
| | CONGRESSIONAL OPERATIONS | | | |
| | JOINT ITEMS | | | |
| | Capitol Police Board | | | |
| ..... | Security enhancements | ..... | 1,874 | +1,874 |
| | ARCHITECT OF THE CAPITOL | | | |
| | Capitol Buildings and Grounds | | | |
| ..... | Capitol buildings, salaries and expenses | ..... | 7,039 | +7,039 |
| ..... | House office buildings | ..... | 4,213 | +4,213 |
| ..... | Capitol power plant | ..... | 3 | +3 |
| | Total, Architect of the Capitol | ..... | 11,255 | +11,255 |
| | Total, Congressional Operations | ..... | 13,129 | +13,129 |
| | OTHER AGENCIES | | | |
| | BOTANIC GARDENS | | | |
| ..... | Salaries and expenses | ..... | 26 | +26 |
| | ARCHITECT OF THE CAPITOL | | | |
| | Library Buildings and Grounds | | | |
| ..... | Structural and mechanical care | ..... | 3,885 | +3,885 |
| | Total, Chapter 4: New budget (obligational) authority | ..... | 17,040 | +17,040 |
| | CHAPTER 5-A | | | |
| | DEPARTMENT OF TRANSPORTATION | | | |
| | Coast Guard | | | |
| 106-162 | Operating expenses (by transfer) | (18,000) | ..... | (-18,000) |
| | Federal Aviation Administration | | | |
| 106-162 | Grants-in-aid for airports (Airport and Airway Trust Fund): (Obligation limitation reduction) | (-50,000) | ..... | (+50,000) |
| | CHAPTER 5 | | | |
| | DEPARTMENT OF THE TREASURY | | | |
| | Internal Revenue Service | | | |
| 106-162 | Processing, assistance and management | 19,796 | ..... | -19,796 |
| 106-162 | Tax law enforcement | 6,807 | ..... | -6,807 |
| 106-162 | Information systems | 13,180 | ..... | -13,180 |
| | Total, Internal Revenue Service | 39,783 | ..... | -39,783 |
| | INDEPENDENT AGENCIES | | | |
| 106-162 | Committee for the Purchase from People Who Are Blind or Severely Disabled | 687 | ..... | -687 |
| 106-162 | General Services Administration: Policy and operations | 2,000 | ..... | -2,000 |
| 106-162 | Office of Personnel Management: Salaries and expenses | 1,000 | ..... | -1,000 |
| | Total, Chapter 5: New budget (obligational) authority | 43,470 | ..... | -43,470 |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | CHAPTER 6 | | | |
| | DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT | | | |
| | Federal Housing Administration | | | |
| | FHA - General and special risk program account: | | | |
| 106-162 | Administrative expenses | 49,000 | 49,000 | ..... |
| | Management and Administration | | | |
| 106-198 | | | | |
| 106-162 | Office of Inspector General (reappropriation) | -6,000 | -6,000 | ..... |
| | INDEPENDENT AGENCIES | | | |
| | National Aeronautics and Space Administration | | | |
| 106-162 | Mission support (by transfer) | (20,200) | ..... | (-20,200) |
| | National Science Foundation | | | |
| 106-162 | Education and human resources | 1,000 | ..... | -1,000 |
| | Total, Chapter 6: | | | |
| | New budget (obligational) authority | 44,000 | 43,000 | -1,000 |
| | (By transfer) | (20,200) | ..... | (-20,200) |
| | CHAPTER 7 | | | |
| | DEPARTMENT OF AGRICULTURE | | | |
| ..... | Fund for Rural America (offset) (sec. 4701) | ..... | -6,000 | -6,000 |
| ..... | Initiative for Future Agriculture and Food Systems (offset) (sec. 4702) | ..... | -100,000 | -100,000 |
| | DEPARTMENT OF COMMERCE | | | |
| | Economic Development Administration | | | |
| 106-198 | Emergency oil and gas guarantee loan program account (offset) (emergency appropriations) | -20,000 | ..... | +20,000 |
| | DEPARTMENT OF ENERGY | | | |
| | Atomic Energy Defense Activities | | | |
| 106-194 | Defense environmental restoration and waste management (rescission) | -13,000 | -13,000 | ..... |
| ..... | Other defense activities (rescission of emergency appropriations) | ..... | -40,000 | -40,000 |
| | DEPARTMENT OF THE INTERIOR | | | |
| | National Park Service | | | |
| 106-198 | Construction (rescission) | -5,000 | ..... | +5,000 |
| | DEPARTMENT OF ENERGY | | | |
| 106-194 | SPR petroleum account (rescission) | -12,000 | ..... | +12,000 |
| | DEPARTMENT OF TRANSPORTATION | | | |
| ..... | Information technology systems and related expenses (offset) (emergency appropriations) | ..... | -26,600 | -26,600 |
| | EXECUTIVE OFFICE OF THE PRESIDENT | | | |
| | Unanticipated Needs | | | |
| 106-198 | Information technology systems and related expenses (offset) (emergency appropriations) | -235,000 | -235,000 | ..... |
| | DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT | | | |
| | Public and Indian Housing | | | |
| 106-198 | | | | |
| 106-194 | Housing certificate fund (rescission) | -128,000 | ..... | +128,000 |
| | Total, Chapter 7: | | | |
| | Rescissions | (-158,000) | (-13,000) | (+145,000) |
| | Offsets | ..... | (-106,000) | (-106,000) |
| | Rescission of emergency appropriations | ..... | (-40,000) | (-40,000) |
| | Offsets (emergency appropriations) | (-255,000) | (-261,600) | (-6,600) |
| | Total, title IV: | | | |
| | New budget (obligational) authority | 70,760 | -251,560 | -322,320 |
| | Appropriations | (483,760) | (150,040) | (-333,720) |
| | Rescissions | (-158,000) | (-13,000) | (+145,000) |
| | Offsets | ..... | (-106,000) | (-106,000) |
| | Advance appropriations | ..... | (19,000) | (+19,000) |
| | Rescission of emergency appropriations | ..... | (-40,000) | (-40,000) |
| | Offsets (emergency appropriations) | (-255,000) | (-261,600) | (-6,600) |
| | (By transfer) | (48,700) | (500) | (-48,200) |

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, 2000 (H.R. 3908) — continued**
**(Amounts in thousands)**

| Doc No. | | Budget Request | Recommended in the bill | Bill compared with request |
|---|---|---|---|---|
| | Grand total, all titles: | | | |
| | New budget (obligational) authority | 4,833,215 | 8,648,441 | +3,815,226 |
| | Appropriations | (483,760) | (150,040) | (-333,720) |
| | Rescissions | (-158,000) | (-13,000) | (+145,000) |
| | Offsets | | (-106,000) | (-106,000) |
| | Advance appropriations | | (19,000) | (+19,000) |
| | Emergency appropriations | (3,991,055) | (6,075,782) | (+2,084,727) |
| | Contingent emergency appropriations | (771,400) | (2,824,219) | (+2,052,819) |
| | Rescission of emergency appropriations | | (-40,000) | (-40,000) |
| | Offsets (emergency appropriations) | (-255,000) | (-261,600) | (-6,600) |
| | (By transfer) | (48,700) | (215,500) | (+166,800) |
| | (By transfer) (emergency appropriations) | | (4,000) | (+4,000) |
| | (Loan authorizations) | (40,000) | (462,250) | (+422,250) |

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

Mr. OBEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, at the end of last year, the President had asked for $568 billion in appropriated spending, and Congress had approved $578 billion. In this supplemental as it now comes before us, the President has asked for additional funds which would take his total request for the year to $573 billion. The supplemental has been added to by the committee so that, if this bill passes as it is now before us, we will wind up spending $587 billion over this existing fiscal year, which is $13 billion more than the President asked.

In addition, the amendment that will be offered today and which will be supported by the Republican leadership will add yet another $4 billion to this package in the DoD arena. That will take total spending for this fiscal year to $591 billion, some $17 billion above the President's request.

That additional $4 billion which is being asked for by the House leadership is there for a very simple reason. There is nothing wrong with what that money is actually being spent for. But the fact is it is being spent on routine items for one simple purpose, and that is to get around the very budget resolution that was passed just 5 days ago on this floor. Because by moving that $4 billion in expenditures into this existing fiscal year, my colleagues make room in the next fiscal year for $4 billion for Members' projects and Members' pork. Nice game if they can get away with it.

I suggest Senator MCCAIN get out his pencil. He better get ready, because a lot of stuff is going to come over there he is probably not going to like. This is one major reason to vote against this bill before us today.

But there is another, in my view, even more serious reason. We are being asked by the President and the Speaker of the House to support $1.3 billion for Colombia. In my view, that is the camel's nose under the tent for a massive long-term commitment to a military operation in Colombia that has as much to do with the domestic situation in Colombia as it has to do with our drug problems here at home.

General Wilhelm from SouthCom has indicated that this is the first year of a 5-year commitment, in his judgment. It seems to me if a can-do Marine like General Wilhelm is predicting that this is going to be a 5-year operation, that it is likely to last a lot longer, because things have a way of getting more complicated than Congress originally expects.

As I said in the Committee on Rules, I detest Vietnam analyses under most circumstances, but I believe that, in this case, there is a very real parallel. In fact, there are two. When the Gulf of Tonkin resolution was debated in 1964, it took 2 days in the Senate. It took 40 minutes on the floor of this House. This Congress has rued the day ever since that it did not give more time to consider that proposition.

Today, when my amendment comes before us to eliminate the most dangerous parts of that Colombian package, we will have exactly 20 minutes to discuss it, 10 minutes for those of us who are opposed to undertaking that involvement at this time.

Let me tell my colleagues what I think the unanswered questions are that we ought to be asking. In my view, this Congress has no real knowledge of what it is we are about to embark upon. I do not see any real plan by the administration. I see a plan to have a plan, but I do not see a real plan. There is no specific authorization for this proposition. Before we slide into this operation, I think we ought to ask some questions.

First of all, is this really an anti-drug campaign, or is it a political campaign, a pacification in Colombia? Will this really produce a reduction in drug availability in the United States?

The House, in the rule it just adopted, has eliminated its ability to vote on the Pelosi amendment. The Pelosi amendment was an attempt to add additional money to fight drugs here at home by expanding our drug treatment and prevention program.

I would point out that the Rand Corporation, in a study financed in part by the U.S. Army, indicated that a dollar spent to eliminate drug use here at home is 23 times more effective than a dollar spent to try to interdict or to reduce supply in some foreign land. Yet we are being prevented from voting on the most effective way to deal with drugs in this country.

I also think we need to be aware of the fact that in Colombia itself there is substantial doubt about whether that society is ready to take this issue on. If they are not, we cannot do it for them.

I do not know, for instance, how many Americans understand that if we take a look at the ruling elite in Colombia, their sons do not serve in combat. Because if one is a high school graduate, one is exempted from having to serve in combat in the Colombian armed forces.

□ 1245

Do my colleagues really think we are going to be able to sustain a 5- or 10-year military operation with that kind of divided duty in that society? I doubt it.

What happens if the battalions that we are now training do not succeed? We are training a few thousand men so they can try to root out the narcos in 40,000 square miles of jungle. Let us say we succeed, which I think is highly unlikely. What is to prevent them from simply moving into the other 150,000 square miles of jungle in that country? I do not think very much.

I think this is ill conceived and ill thought out. If this does not work, what is the next step? Will we then cut and run, or will we then deepen our involvement? I do not think, given our past experience in Vietnam, that we are likely to just say, ''Oh, well, we gave it the good old college try, so now we are going to yank the plug.'' I do not think whoever is the future president is going to be able to make that decision. That means a long-haul problem.

What I am going to be asking this House to do, eventually, is to allow the money for police training to flow, to allow their helicopters to go down to Colombia, but I am going to be asking my colleagues to delay until July the vote on the over $500 million in additional funding that is meant to expand our basic military commitment in Colombia until the Committee on Armed Services, the Committee on International Relations, and the Permanent Select Committee on Intelligence can hold more hearings on this so that Congress knows what it is doing before it acts. And my amendment will provide expedited procedures to assure that we would be able to vote on it in July.

We are being told that lots of very bright professional people have put this package together so we need have no fear. Well, I respect Secretary Albright, I respect General McCaffery, I respect Mr. Pickering in the State Department, I respect the Speaker of the House, the gentleman from Illinois (Mr. HASTERT). But with all due respect to them, every individual Member of this House has a constitutional duty to exercise his or her own judgment on an issue of this gravity, and I do not think we are able to do that under this truncated arrangement.

So I would urge, for those and other reasons, that my colleagues oppose this bill today. I have no illusions that my amendment will pass. I think it is incredible we could not even vote on the Pelosi amendment, but I would urge Members not to make the same mistake that was made on this House floor in the Gulf of Tonkin. This may not be the same as Vietnam. There are undoubtedly major differences. But there are some very disturbing similarities, and I would urge my colleagues to take those similarities into consideration and delay consideration of this crucial vote until the Congress knows a whole lot more than it does today about what the proper course of action ought to be.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. HAYES).

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

Mr. HAYES. Mr. Chairman, I thank the gentleman from Florida for his great efforts in providing us with an excellent bill. I rise today to voice my enthusiastic support for his efforts, particularly as it relates to North Carolina.

This supplemental calls for $94 million in unobligated balances for the emergency conservation program to be

used to repair damage done by Hurricane Floyd to buildings and farm equipment; provides $13 million in Federal crop insurance assistance; provides $81 million in relief for marketing loans for farmers in North Carolina; provides $43 million in rural water projects; $29 million for rural housing; $5 billion for peacekeeping in Kosovo, $2.2 billion more than the President's request. This supplemental fills in a lot of holes that have been created by this administration.

Additional funding is appropriated to stop the administration's practice of asking our soldiers to do more with less. And if the Spence amendment is accepted, and I certainly hope that it is, and support it, the supplemental will include an additional $4 billion in emergency, badly needed defense funding. This funding includes $750 million in military health care for active duty and veterans, $230 million to reduce out-of-pocket housing expenses, $600 million to address recruiting shortfalls, $1.2 billion to meet funding requirements for our forward deployed forces, and $1.2 billion to meet critical shortfalls in equipment maintenance.

Mr. Chairman, I again want to thank the gentleman from Florida (Mr. YOUNG) and rise in enthusiastic support. I would respectfully urge our friends in the Senate to move forward on this bill with all dispatch.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

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

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

Just recently, Mr. Chairman, we heard our colleague from Wisconsin talking about the message that the President of the United States brought to this House of Representatives requesting that we bust the budget. I might remind the gentleman that the President was not for the balanced budget anyway, so we are not surprised he is sending us this message asking us to bust the budget.

What we did in this process, with respect to that area of jurisdiction that we on the Subcommittee on Foreign Operations, Export Financing and Related Programs have, is reduce the President's request for foreign aid by $37 million. Simply put, the President of the United States, the man that the people of this country has placed in charge of our national security, has hired one of the most professional people in this country with respect to the ability to do something about the drug problem we have, Mr. McCaffery. And Mr. McCaffery and the President of the United States have come to us and said, give us the money to implement this policy. Who are we to second-guess the Commander-in-Chief and Mr. McCaffery, the drug czar?

I am sorry that the minority Members do not have the confidence in the President of the United States to make a decision that is a responsible decision, but we must be responsible Members of the House of Representatives. The President has come to us, the Commander-in-Chief, and he tells us we have a very, very serious problem with drugs. And the President is absolutely right. He says we have a problem in Kosovo, and he is absolutely right. The President and I disagree on what the problem is in Kosovo, but, nevertheless, we have reduced his request for assistance to Kosovo for reconstruction. There is nothing in here to that effect.

So the bottom line is the Commander-in-Chief of the Armed Services and the drug czar have come to us and said, after due diligent research, they have decided that this is the number one way that we can fight drug use here in the United States. I know that there appears to be an extreme lack of confidence in the ability of the President of the United States to make these decisions; but, nevertheless, he is the President of the United States and this Congress must decide whether or not we want to fight drugs based upon the suggested remedy that the President of the United States has sent to us or whether we want to play rhetoric and play demagoguery and delay this and let this drug situation develop even further.

In addition to the President's request for Colombia, we found glaring holes in it in the committee process. For example, we found that there was not a sufficient amount of money for the surrounding countries of Colombia, and we increased the President's request. We did not decrease his drug effort request; we increased it to provide for the surrounding countries of Colombia to have an ability to also fight the drug situation.

So here we are, a body that is destined to make a decision today based upon the request of the President of the United States.

Mr. Chairman, I rise in support of this Emergency Supplemental Appropriations bill. I commend Chairman YOUNG for his leadership on this measure, especially his efforts to support our Armed Forces who are under so much strain in the face of repeated deployments overseas.

For Foreign Operations, this Emergency Supplemental includes a total of $1 billion and 241.7 million including $1 billion and 99 million for programs to fight America's international War on Drugs and $142.7 million for Kosovo and Southeast Europe. We did not provide an additional $210 million for debt relief at this time, but this is a subject we hope to be able to address when the proper conditions have been agreed to by the Secretary of the Treasury. In all, the Appropriations Committee recommendation reduces president's request for foreign aid by more than $37 million.

Let me highlight the small but significant changes to the President's request made by the Committee. First, the Committee recommendation does not simply shift drug production and trafficking away from Colombia, and into other countries in the region, we have increased the President's request for Colombia's neighbors, including: $57 million for Bolivia; $42 million for Peru; $20 million for Ecuador; and $18 million for Panama, Venezuela, Costa Rica, and Brazil.

Second, this bill will strengthen Human Rights and Judicial Reform in Colombia. The Appropriations Committee has recommended $98.5 million—$5 million more that the President's request—for human rights and judicial programs. As Chairman of the Foreign Operations Subcommittee, I expect these funds are to be subject to the existing ''Leahy Law'' which restricts U.S. assistance for foreign security forces involved in gross human rights abuses. In addition, the Committee adopted 2 important amendments offered by Mr. FARR that strengthen the human rights requirements of this assistance.

Mr. Chairman, for Kosovo and Southeastern Europe, the President has requested $250.9 million in emergency funds. This bill provides $142.7 million.

Congress made clear last year that the U.S. should not play a major role in rebuilding Kosovo. From FY 2000 funds previously appropriated, more than $150 million is already available. Therefore, except for the Administration's request for $12.4 million for American officers in the international police force, the Committee does not recommend additional funding for Kosovo. The exception for the police force is due to an urgent need. Ethnic violence continues, and this violence endangers civilians and U.S. troops. Police, not the U.S. military, should maintain public security.

This bill fully funds the President's request for $34 million in assistance for Montenegro, $35.7 million in assistance for Croatia, and $13.7 million in assistance for democratic opposition in Serbia. Also, this bill fully funds the President's request for a modest investment of $33.9 million to improve the military readiness of our allies in southeast Europe. The region remains volatile, and NATO needs to be in a position to operate cooperatively with these nations in case of another crisis.

Finally, Mr. Chairman, this bill ensures continued Congressional oversight of these appropriations. None of the ''Plan Colombia'' funds can be spent until the Secretary of State notifies Congress regarding the exact uses of the funds. Further, all of the protections included in General Provisions from the Fiscal Year 2000 Foreign Operations bill apply to these funds, also.

Mr. Chairman, the Foreign Operations spending in this bill is truly Emergency spending that benefits Americans. I know that many Members are uncomfortable supporting Supplemental funds for foreign aid. But every penny of foreign aid in this bill is designed to benefit Americans. This assistance will help stop illegal narcotics from entering the United States and it will help American soldiers complete their work in Kosovo more rapidly. I urge Members to vote ''aye''.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

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

Ms. KILPATRICK. Mr. Chairman, the supplemental before us, and there has been much debate on it, really does not

address the total problem that we have.

As a member of the Subcommittee on Foreign Operations, Export Financing and Related Programs, and we just heard the distinguished chairman, the gentleman from Alabama (Mr. CALLAHAN), I want to thank him for his leadership in helping us to solve the problem in Zimbabwe; and my thanks to the full chairman, the gentleman from Florida (Mr. YOUNG), for also supporting our efforts to address the crisis in Zimbabwe.

As many of my colleagues know, South Africa, Zimbabwe, as well as the tragedy in Mozambique, is of insurmountable proportions. The country has been devastated. There is money in our foreign assistance accounts today to address that problem. This supplemental, though it did not accept the amendment I had for $60 million that would put $20 million in child survival, $20 million in development assistance, and $20 million in disaster relief to replenish the account so that Mozambique today can get the assistance they need, the dollars are there; and I urge the President to request the money today to address those problems.

It is unfortunate that we have not moved yet on this tragedy. It has been over 3 weeks now. This has been in the media and some assistance has been sent. The helicopters, some food, and the personnel are on the ground in Mozambique. But over a million people are homeless today. Over 50,000 children are orphaned and cannot find their parents. We are the leaders in the world community. We have the resources and the disaster assistance account there for that purpose.

Both the gentleman from Florida (Mr. YOUNG) as well as the gentleman from Alabama (Mr. CALLAHAN) have agreed with me and adopted my amendment in the Committee on Appropriations, and we have report language that says when the assessment is made, and I understand it is to be made this Friday, that we will send the money forward. Let us not slow down our progress.

Mozambique is growing. It is one of the best countries on the continent. After years of struggle, they have put their house in order, but the cyclone has totally devastated them. Their housing, their hospitals, their food, their ability to grow their food has been devastated.

I urge this Congress to adopt the language in the bill and to send the financial resources to Mozambique.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2½ minutes to the gentleman from Indiana (Mr. BUYER), chairman of the Subcommittee on Military Personnel of the Committee on Armed Services.

Mr. BUYER. Mr. Chairman, let me also thank the gentleman from Florida (Mr. YOUNG) for his hard work on this bill.

I could not help but think, as I was listening to the comments of the gentleman from Wisconsin (Mr. OBEY), who brought up a chart up here saying that the Republicans are busting the budget, that a few years ago he was standing here on the floor saying we were trying to starve children and put our grandmothers out on the streets. So when Republicans step forward and we fund particular programs, I am finding out that some of my colleagues enjoy the role of just playing the critic rather than being constructive and involving themselves in programs that help not only our people but our country be good neighbors in the world.

I rise in strong support of this bill. A critical element of this bill is called ''Plan Colombia,'' which is the funding of a concerted effort aimed at reducing the supply of narcotics to the United States from this region in South America.

Illicit drugs pose a clear and present threat to the well-being of American society as well as our entire hemisphere. In 1999, drugs killed 52,000 Americans, approximately, and caused more than $10 billion in damage to our country. The number of drug arrests and percentage of teens using drugs has steadily risen since President Clinton took office in 1993. The streets of America are literally awash in drugs, and this supplemental sends an unambiguous signal that we are finally getting serious about addressing this issue.

Unlike the Bosnia and Kosovo debates we have had on in floor, the United States has a vital national interest that is threatened by the influx of drugs across our borders. These drugs find their way on to every street corner of America. Over 80 percent of the cocaine and heroin that makes its way to the United States comes from this region in South America.

In December of 1999, I traveled to Colombia and Venezuela. I went into the jungles and Tres Esquinas where they were actually training the police battalions and, in my opinion, the democratically-elected government of Colombia is serious today about fighting the war on drugs.

Now, I will acknowledge the comments of the gentleman from Wisconsin (Mr. OBEY) about the individuals who are drafted, young men not participating in the war, in armed combat.

□ 1300

We recognize that. But what we are training up is this narcotics police battalion. They are very serious in their efforts.

The core plan of Colombia, in training these battalions, is very serious. The transportation of the them for the helicopters is necessary. I believe that Congress needs to step up to the plate. The President has acknowledged the commitment of the president of Colombia. We need the comprehensive strategy to fight this war, and this is the initial first step.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Chairman, the issue is not whether we should fight drugs. We should. The issue is what is the most effective way to do that. The issue is not whether we like the president of Colombia. I do. The question is whether his country, his society, and his military are reliable reeds to lean on when we are talking about starting a 5-year or more commitment of military involvement.

I would like to once again read some of the comments made by James Hoagland, who I think everyone knows to be an objective, middle-of-the-road, and very sage reporter on international issues. This is some of what he said on March 19:

''In Colombia, the United States pursues unattainable goals largely for domestic political reasons with inappropriate tools.''

Mr. Chairman, I will insert the full text in the RECORD when we are in the full House, but I am quoting portions now.

He goes on to say, ''Questions not being asked, much less answered, now in the rush into quagmire include the following: What happens when it becomes clear of the considered judgment of the U.S. Air Force officers that the Colombian military will not be able to maintain the Blackhawks under the conditions in which they will be flying is shown to be correct? Will the United States replace the helicopters that crash or are shot down at 13 million a copy? Will large numbers of U.S. advisors be provided to maintain the helicopter force? If cocaine exports from South America continue unabated, will 30 more or 300 more Blackhawks be furnished to expand the war?

''Clinton, of course, will not be around to provide the answers. Colombia's first Blackhawks will not arrive until 6 months after he leaves office. His successor will inherent an open-ended military obligation that can be trimmed back or abandoned only at domestic political cost.

''Sound familiar? Do the names Kennedy and Johnson come to mind?''

He then goes on to say, ''House Republicans have championed super-sized aid to Colombia with an eye to blasting Clinton and Gore if it is not passed. They are the true catalysts for this foreign policy fiasco. The Clintonites merely show the courage of their cynicism jumping aboard a train they hope will be derailed in the Senate.

''The House Republicans blithely ignore the fact that American demand is at the root of the drug problem more than Colombian supply. They vote down efforts by Representative NANCY PELOSI to add funds for drug treatment at home in the catch-all bill that provides aid to Colombia. They slice out of that same bill $211 million in debt relief for the world's poorest countries. They will shoot away the problems of the Third World.

''That has been tried elsewhere with similar fuzzy and contradictory thinking in Washington at the takeoff. I can

only wonder: Where is the Vietnam Syndrome when we really need it?''

I agree with those statements.

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 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 thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to this bill. We have already appropriated $1.7 trillion for this year's budget. We do not need to appropriate another $9 billion.

It is said that we need to appropriate this money to fight the drug war in Colombia. We have been fighting the drug war for 25 years. We have spent $250 billion on the drug war. Some day we will have to wake up and decide that the way we are fighting the drug war is wrong.

As a physician, I can tell my colleagues, it is a serious problem. There are a lot of people suffering from drug usage in this country. But if something does not work, why are we so determined to pursue a process that does not work?

Quite frankly, I am not sure the real reason why we are in Colombia has anything to do with drugs. I do concede a lot of individuals will be voting for this bill because of the belief that it might help. But it will not help. So we should reconsider it and think about the real reasons why we might be there.

I had an amendment that was not approved. But what I would have done, if I had had the chance, I would have taken all the money from the overseas spending, Kosovo, Bosnia, East Timor, and the funds now for this new adventure down in Colombia, and put it into building up our military defense. That is what we need. We need better salaries, better medical care, and we need better housing for our military personnel. But here we go spreading ourselves thinly again around the world by taking on a new adventure, which will surely lead to trouble and a lot of expense.

Members have referenced the 65 helicopters that will be sent to Colombia. There is one, I guess, cynical hope about what might happen with our involvement in Colombia. Usually when we get involved its only going to be for a short period of time. We were going to go into Bosnia for 6 months. We have been there 5 years. We were going to go to Kosovo for a short period of time. It is open-ended. We are in East Timor for who knows how long. And we will soon be in Colombia.

But there was one time where we backed away, we literally surrendered and ran with our tail between our legs because we went in with helicopters, and that had to do with Somalia. We sent our Blackhawk helicopters in there. We had two of them shot down in Mogadishu. We had two others that crash landed when they returned to the base. Within a couple weeks, we were out of there.

We did not send our Blackhawk helicopters into Kosovo because they would be shot down. Lets face it, it is not a good weapon. It will only lead to further involvement.

Who is going to fly the Blackhawk helicopters? Do my colleagues think the Colombians are going to fly them? You can bet our bottom dollar we are going to have American pilots down there very much involved in training and getting in much deeper than we ever should be.

So I think that, unfortunately, this could end up in a real mess. Maybe then we would have enough sense to leave. But we, in the Congress, ought to have enough sense not to go down there. This money can be better spent on national defense. We should be concerned about national security.

When we get ourselves involved, whether it is the Persian Gulf or Bosnia or wherever, all we do is build up our enemies and expose ourselves more to terrorist attacks because we are not doing it in the name of security and resentment toward America builds.

Under the Constitution, we should have a strong national defense, and we should provide for national security. Going into Colombia has nothing to do with national security and serves to undermine national defense.

Even those who build helicopters are pretty blunt. One lobbyist said, ''It is business for us, and we are as aggressive as anybody. I am just trying to sell helicopters.''

What about the oil companies who support this war; which several oil companies do? Yes, they want investment security, so they want the military industrial complex to come down there and protect their oil interests. The oil interests are very supportive of this war, as well as the helicopter companies.

But the American people, if they were asked, they would decline. A recent poll by Zogby showed that, essentially, 70 percent of the American people answered no to this particular question: ''Should the U.S. help defend militarily such-and-such country even though it could cost American soldiers their lives?'' It varied depending on which country. But, basically, 65 to 75 percent of the American people said no. The American people want us to mind our own business and not be the policeman of the world.

Can any Member come to this floor and absolutely assure us that we are not going to lose American lives in Colombia? We are certainly committing ourselves to huge numbers of dollars, dollars that we do not have, dollars that if we wanted to could come out of the current $1.7 trillion budget we already have.

So I would suggest to my colleagues, let us reassess this. It is not really a war on drugs.

The war on drugs, by trying to reduce interdiction does not work. It has not worked. It is not going to work. It is only an excuse. It is an excuse for promoting military intervention in Colombia to satisfy those who are anxious to drill for oil there and for the military industrial complex to sell weapons.

It's amazing to me to see an administration who strongly opposes law abiding American citizens from owning guns for self defense to be such a promoter of the big guns of war throughout the world.

I ask for a ''no'' vote.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, I want to change the focus of the debate a little bit.

Last year the President, in 1999, sent to the Congress his State of the Union message and budget in which he said we were going to save 60 percent of Social Security. The Congress, led by the Republicans of Congress, said, no, Mr. President we are going to save 100 percent of Social Security. And we did just that. We stopped the raid on Social Security. It is time it look at the other program under which we are stealing money, and that is Medicare.

The CBO announced in March that the estimated budget surplus of this country for fiscal 2000 will be $27 billion. It is interesting if we look to see where that money comes from. $23 billion of that made up of excess, Medicare, Part A Trust Fund payments and the interest thereon, is from Medicare.

So what we are really saying is this surplus that we have, the vast majority of it, is Medicare Part A Trust Fund, and we are about to spend most of it. Let me outline for my colleagues for a minute where it is going to go: $26 billion surplus, $6.9 billion we have already spent by reversing through the budget that was passed by this House. There is going to be $2.2 billion in new supplemental outlays from this bill. There will be another $6 billion that we are going to use for agricultural emergency support payments. There is $4.2 billion in gimmicks in the budget from 601 to 596. And then there is $4 billion that I suspect we are going to pass on the House floor today to retire debt.

That leaves us with $2.7 billion left. What that really says is we are going to spend $20 billion this year of Medicare Part A Trust Fund money.

How should we do it? The only things that are emergencies are the things that should be in an emergency supplemental. That is number one. Number two is, it should be accompanied by a rescission bill that finds the excesses or trims other areas of government if, in fact, these are true emergencies.

I would ask my colleagues to consider if they really want to take money from a program that is going to be bankrupt in 2014 and fund the vast array of items that are in this bill? I think not, on further reflection.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Chairman, I thank the gentleman from Florida (Chairman YOUNG) for yielding me the time. He is a true gentleman. And so I sadly rise in opposition to this emergency supplemental appropriations bill because it funds too many nonemergency programs.

For example, this bill includes $20 million for a new FDA laboratory in Los Angeles. Did somebody just all of a sudden find out that the current lab is in dangerous disrepair? We should take care of this in the HHS appropriations bill.

This so-called emergency supplemental also includes $96 million in economic assistance for countries in Eastern Europe and the Balkans, $104 million for an embassy in Sarajevo, $49 million for our weapons labs, $75 million for staffing at NASA; $55 million for atomic energy plant personnel and infrastructure improvements; $35 million for foster care and adoption assistance; $20 million for abstinence programs; $19 million for weatherization grants.

Mr. Chairman, many of these programs are valuable and I think should be funded, but they should be funded through a normal appropriations process, not an emergency bill.

And let us not forget the really big ticket items. This bill includes $2.1 billion for operations in Kosovo and East Timor. How long will we continue to support the extended deployment of our troops? An amendment is to be offered today to add $4 billion to address our military readiness problems. The reason our military is stretched is because we have sent too many of our soldiers on too many missions to too many countries.

And that leads us to Colombia. Should we send more than $1.7 billion to Colombia in the form of emergency funding? I do not think so. We do have a serious drug problem. We should spend that money on drug treatment and increased border patrol. Our involvement in Colombia is just too important a decision to be made in limited debate in a supplemental spending bill.

I support provisions in this bill to help victims of natural disasters, but we should not fund normal programs in an emergency bill.

And so, Mr. Chairman, let us clean up this bill and help get those true emergency funds to those who need it. I urge a ''no'' vote on this supplemental.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished ranking member for yielding me the time and for his leadership on this important issue.

Mr. Chairman, I wish that we could have the time to have a full debate on the military assistance package to Colombia. I commend the gentleman for his attempt with his amendment to have a reasonable, as I said, full debate on that subject. But that will not be allowed under these rules.

□ 1315

I want to focus my attention on two areas in the bill. First let us stipulate that there are many fine projects in this bill. We all agree to that. That is why many people will be voting for it, because of issues that are of concern to their regions, and I respect that.

I just want to say why, and even in light of the fact that I would normally support some of the provisions in the bill, that I find it impossible to do so because of the manner in which this bill has been brought to the floor. Are the American people not entitled to something better than a debate on military assistance to Colombia than having it as one provision in a multifaceted emergency supplemental bill?

Why can we not have a debate on a very important foreign policy issue, and a vote that stands on its own? Is the Republican majority afraid of a debate in the House of Representatives? Are they afraid that their arguments are too weak, that they could not stand the scrutiny of the American people in a full debate on this issue?

Let us stipulate that the President of Colombia is a brave and courageous man. President Pastrana has a very, very difficult task ahead of him. He deserves our support. What form that support should take is a matter that this House should debate, hear comment on, hold hearings on, in other words, the regular order. But the regular order is being cast aside for 20 minutes of debate, 10 minutes on each side, to debate whether we are going to commit all of this military assistance and all that goes with it, including putting our young people in harm's way, which we have already done, without a vote of this Congress.

I am also very concerned that this military approach does not really get to the heart of the matter. This bill, this assistance to Colombia, is called an emergency because we have an emergency drug problem in our country and indeed we do. As we heard on this floor earlier today, 5½ million Americans need substance abuse treatment. Two million of them are getting it. We have a 3.5-million-person treatment gap in our country.

If we want to reduce substance abuse in the United States, we must do that by reducing demand in the United States. Cutting off supply in Colombia is more costly and less certain. Let me tell my colleagues how much more costly. According to the Rand Corporation report, for every dollar spent to reduce demand in the U.S., you would have to spend $23 in the country of origin in coca leaf eradication. That means if you spend $34 million in the U.S. to reduce dependence on drugs by 1 percent, that same effect of reduction of 1 percent costs $723 million by taking the approach of the eradication of the coca leaf in the country of origin, in this case Colombia.

But say that has to be part of a comprehensive drug problem. How can we bring an emergency supplemental bill to the floor of the House of Representatives whose emergency status in this area in terms of reducing substance abuse in the United States is dependent on reducing demand in the United States without one dollar in the bill, without one dollar in the bill being used for reduction in demand in the U.S., a formula that is 23 times more effective, according to the Rand Report which was done in conjunction with the Department of Defense and the Office of Drug Control Policy? So do not take my word for it. Twenty-three times more effective.

On the subject of again Plan Colombia, of which this is a part, we were told that Plan Colombia was an over $7 billion proposal. Colombia would put up $4 billion, we would put up $1.7 billion, the EU would put up $900 million, and then IMF and the Multilateral Development Bank would put up money. This is the only money on the table, the military money. So when we are told this is the military part but there is a big humanitarian part, we have not seen that yet. That is why I am voting no on this bill and respectful of my colleagues' decision for their own part.

Mr. YOUNG of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. I would do anything, Mr. Chairman, but to tell the gentlewoman from California that she is all wet on some of her assumptions, but I rise primarily, Mr. Chairman, to inform the House that the gentlewoman from California's birthday is being celebrated this week, and we take this opportunity to wish the gentlewoman from California a very happy birthday.

Ms. PELOSI. I thank the gentleman. If the gentleman will yield, I am pleased on my birthday to present the gentleman with the Rand Report which documents the assumptions that I presented.

Mr. CALLAHAN. I hope they wrapped it nicely.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations.

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

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

Mr. Chairman, I compliment the gentleman from Illinois (Mr. HASTERT), the gentleman from Florida (Mr. YOUNG), the gentleman from Alabama (Mr. CALLAHAN), and all those who worked so hard to bring this emergency antidrug aid package to the floor today. Passage of this bill affects every school, hospital, courtroom, neighborhood, all of our communities throughout America.

This bill will provide sorely needed assistance to our allies in Colombia who are all on the front lines in the war against illegal drugs. The numbers have been shocking. Eighty percent of the cocaine, 75 percent of the heroin consumed in our Nation comes from Colombia. Illegal drugs have been costing our society more than $100 billion per year, costing also 15,000 young American lives each year.

As a result of inattention from the administration, the civil war in Colombia is going badly for that government. This weekend alone, 26 antidrug police were killed by the narcoterrorists in Colombia. The specter of a consolidated narcostate only 3 hours by plane from Miami has made it patently clear that our Nation's vital security interests are at stake.

As the sun begins to set on his administration, President Clinton is finally facing the reality of the Colombian drug-fueled crisis with this emergency supplemental request. As former Supreme Court Justice Felix Frankfurter eloquently noted, and I quote, ''wisdom too often never comes, and so one ought not to reject it merely because it comes late.''

Heroes like Colombia's antidrug leader General Jose Serrano want our Nation to stand with them in their fight against the drug lords, including the right-wing paramilitaries. This legislation provides more assistance where it can do the most good with the Colombian antidrug police. Colombia is not asking for nor should we offer American troops in that war. Investing American aid dollars now in Colombia to stem the hundredfold cost to our society only makes common sense. It is a proper role for our government. We at the Federal level have the responsibility to help eradicate those drugs at their source.

Accordingly, I am urging our colleagues to support this package. Colombia's survival as a democracy and our own national security interests are at stake here. The stakes could not be more clear and more critical.

With regard to the comments of the gentlewoman from California (Ms. PELOSI), demand reduction composes 32.7 percent of the government's total spending on antidrug efforts while the amount spent on reducing overseas supply currently consists of only 3 percent of those expenditures. I again urge our Members to fully support this very important antidrug measure.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. I thank the gentleman from Wisconsin for yielding me this time.

Mr. Chairman, I am really troubled about what we are doing here today, and I cannot believe we are doing it without much more debate. This looks to me very much like something from my younger years when we got involved in Vietnam.

Let us understand this Colombia situation is a civil war. It is a civil war that has been going on for a long time. We have decided all of a sudden that it is a war on drugs. That is our excuse or it is some folks in our administration's excuse for getting involved in a civil war.

And then the mistake we are making here which I brought out in committee and in subcommittee and other places is the fact that we are referring to the insurgent group in Colombia as narcoterrorists. The minute in this country you call somebody a terrorist, you close the door, and rightfully so, on ever negotiating with them. So by saying that we are going into Colombia to help the military, number one, which is wrong, fight the narcoterrorists, we just said that we are never going to negotiate with one side in a civil war.

Now, I suspect that people in Washington are beginning to look at Latin America and beginning to get this feeling which was a bad feeling and a wrong feeling in the 1950s, 1960s and 1970s. They see a progressive President in Venezuela, Chavez; they see a new so-called socialist President in Chile and they say, ''Oh, my God, we've got to do something,'' so where do we set our anchor? In Colombia.

And then to suggest that in Colombia only one side may be involved with drug money is to suggest we are reinventing that country. There is a major problem with drugs in Colombia, and it plays a role in everything that is done in that country. I wish that today we had the courage to look at this issue for what it is. We are getting involved in a civil war which we are going to pay for a price, a big price in the future.

Secondly, we are closing off any opportunity to speak to one side. How do you bring peace to a country if that is what you want to do by shutting the door on one side?

And, thirdly, we are thinking about Colombia as we thought about South America in the 1960s. We are looking at it in the year 2000 in the same way. We made mistakes then; we are going to make them again, and for what? So that some helicopter company somewhere can sell a few helicopters? It is not worth it. I wish we would reconsider this and vote as I will against this bill.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Mrs. FOWLER).

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Chairman, I rise in strong support of the supplemental and in strong support of the Lewis-Spence-Murtha-Skelton amendment to the bill which would provide an additional $4 billion for our severely underfunded Defense Department.

In addition, later today, I will offer an amendment with the gentleman from Utah (Mr. HANSEN) regarding the $40 million contained in this bill to implement the President's directive on the Navy's training range on the Puerto Rican island of Vieques. The bill would provide these funds to Puerto Rico as part of a deal to resume Navy and Marine Corps training on Vieques which has been suspended because of trespassers seeking to end our training operations there.

The money would be used for economic development and to hold a binding referendum on Vieques on whether live-fire training should be resumed. The Fowler-Hansen amendment would essentially do two things: First, it would strike language that would permit any of the $40 million to be used for the referendum. It does not stop the referendum. As the San Juan Star accurately reported today, the referendum can still be held, just not underwritten by the U.S. government.

Operations on a vital military training range should not be subjected to a public referendum. This is terrible public policy and will set a very dangerous precedent for other critical military activities.

Second, it would require that before the $40 million is released to Puerto Rico, the President must certify to the Congress that live-fire training operations have been resumed. The amendment would also allow part of this $40 million to be spent on a health study on the island of Vieques immediately upon enactment without condition. I want to quote specifically referring to the live-fire training on Vieques from the Secretary of the Navy Richard Danzig.

He has stated, and I quote,

> This training wins wars. Many Americans in uniform owe their lives to this crucial training. Many would perish without it.

This is critical to the well-being of our young Marines and sailors. I urge my colleagues to support the Fowler-Hansen amendment which will be on the floor later this afternoon.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Georgia (Ms. MCKINNEY).

□ 1330

Ms. MCKINNEY. Mr. Chairman, if this bill were not so serious, I would think it is a joke. Once again, the United States is proposing a huge military alliance with the foreign military known for its human rights abuses.

Now, you think we would have learned our lesson by now. How long ago was it that Bill Clinton went to Guatemala and apologized for fueling that country's generation-long slide into chaos? But just a year later you can say here we go again.

No one seriously denies the link of paramilitary groups to the Colombian government, and here we are going to turn over to known human rights abusers the means by which they can perfect their trade.

As we stand here on the floor today, 3,000 union leaders, students, parents,

shopkeepers and others are standing before 3,000 armed Colombian soldiers, forming a human shield to protect the peaceful U'wa people that the Colombian government wants to move off their ancestral land to make way for Occidental Petroleum's oil rigs. We should be standing with the people, not giving aid and encouragement to Colombia's brutal military.

We should have learned our lessons well about going in with the military where only diplomacy should be allowed to tread. Unfortunately, it appears that we have not. Because in addition to Plan Colombia, this bill also provides an additional $5 billion to keep us in Kosovo, another failed military blunder that diplomacy should have resolved.

After our military gambit in Kosovo, we have left 31,000 rounds of depleted uranium rounds and 50 percent unemployment, in some areas rising to 85 percent. The crumbling infrastructure is yet to be rebuilt, and our European allies have not lived up to the commitments they made at the beginning of that adventure.

Time and time again, this Congress commits our troops to military adventures without a plan to bring them home. Last year, U.S. aircraft flew over 1,000 sorties in Iraq, nearly a decade after that war was supposedly over. In Kosovo, our limited military engagement has turned into a permanent occupation. Now we are being asked to fund the Vietnamization of Barry McCaffrey's war without an exit strategy or end game.

Mr. Chairman, I urge my colleagues to reject this so-called emergency amendment.

Mr. YOUNG of Florida. Mr. Chairman, I have only one speaker to close, and I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Wisconsin (Ms. BALDWIN).

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

Ms. BALDWIN. Mr. Chairman, on October 24, 1999, more than 10 million Colombians took to the streets of every major city in Colombia to rally for peace. These 10 million Colombians wanted to send a message that they were sick of war. They were terrorized by the kidnappings. They were exhausted with paramilitary violence and disgusted with drug trade. No mas, they said. No more.

Peace is what Colombia needs. Peace will allow democracy to flourish. Peace will permit law enforcement officials to combat the flow of illicit drugs, and peace will create the conditions to address the income inequalities, the problems of displaced persons and economic development issues that will truly improve the lives of the Colombian people.

Unfortunately, the aid package we are considering today will not help the peace process. In fact, it fails to address the underlying issues that are needed to promote peace in Colombia.

I traveled to Colombia in 1993 to see the situation first hand. It was clear, then, that U.S. military aid and equipment that was intended to be used to stem the flow of illegal drugs was being misused, misused to suppress citizens in Colombia, including labor activists, community leaders, peace activists, human rights activists and collective farmers.

The United States is properly concerned about the abuse of illegal drugs by our citizens. Interdiction and source reductions should be a part of a comprehensive drug control policy. This proposal does not reflect such a policy. The proposal we have before us today will do little or nothing to address the fundamental problems in Colombia; namely, economic inequality, civil war, lack of economic development, and judicial impunity. Unfortunately, we seem to be playing a game of public relations when we should be pursuing peace in the region.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 1½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, last week, the majority party in this House posed for political holy pictures and promised spending discipline and bragged about how much spending they were going to cut.

This week they have brought to the floor this bill which adds $4 billion to the spending requests that the President has made for a supplemental. And then on top of that, it intends in an amendment that they will shortly offer to add yet another $4 billion in spending. And the reason they are going to do that in the DOD account is simply so they move $4 billion in spending from next year to this year, because that frees up $4 billion for them to add for Members' projects in the coming year.

It is very simply a $4 billion end run around the spending ceilings which they bragged about imposing just 5 days ago. They must think that people are not watching. Well, I suspect they are.

The net result is that they come in for this entire fiscal year spending $17 billion more than the President asks for. That to me is an indication of just how false those promises have been that we would see straight bookkeeping and fiscal discipline under their budget. That alone, I think, is a reason to defeat this proposition.

I have already indicated my concern about the Colombian war effort, but I think this is yet another reason to vote against this budget hocus pocus.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 5½ minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, first I would like to compliment all of our colleagues for the very high level and professional approach to this debate. There have been strong differences, and I indicated in my opening comments that there would be, because this bill covers a lot of issues. But when this bill was presented to us from the administration, the Plan Colombia presentation to the Committee on Appropriations dealt with drug abuse and eliminating the source of those drugs.

No one suggested that we were talking about getting involved in a civil war, and no one suggested that this was going to be a major military operation. They were talking to us strictly about eliminating drugs at their source.

This is important. We have great law enforcement. Our Customs agents, our law enforcement officers, the United States Coast Guard do a really great job of interdicting the flow of these drugs from Colombia and other countries before they reach the United States. The problem is they are overwhelmed. They do not have the assets that are necessary to stop all of the narcotraffic. The drug people have unlimited sums of money. They have high technology. They have fast boats. They have unlimited numbers of airplanes, and they do not have to go by any rules.

Mr. Chairman, we have good assets, but we are limited in how many assets we have; and we have to go by a lot of rules. So it is very difficult. How great it would be to eliminate these drugs at their source, and that is what Plan Colombia is all about. It is to help the Colombian government elected by the people to eliminate the source of these drugs.

Now, we spend billions and billions of dollars here at home in programs trying to get people to stop using the drugs. But as long as the drugs are available, people still continue to use those drugs.

Mr. Chairman, how many more hundreds or thousands of our kids are going to get hooked on drugs or die from overdoses, or get shot up in a raid or a drug bust that went bad before we eliminate this terrible, terrible problem? It is essential to the future of this Nation that we eliminate the scourge that is illegal drugs and the trafficking of illegal drugs in the United States. We need to wipe out the source of these terrible drugs and we need to eliminate those killing fields where the drugs are grown.

Now about Kosovo. A previous speaker mentioned that this bill would include $5 billion to keep our troops in Kosovo. That is not accurate. The money that we provide in this bill for Kosovo has already been spent. When this administration sent American military to Kosovo, the money was committed; and the longer they are there, the more money is spent. Now, where that money came from was not from an appropriations for Kosovo, but it was money that was appropriated for operations and maintenance of our own military. So in order to pay for the Kosovo deployments, they reached into

the fourth quarter O&M accounts of all of the services.

Now, if we do not replace that money, and I join with those who believe that the Kosovo experience is not going to be a positive one for the United States, and I wish we were not there; but if we do not replace this money, what happens is that our own military will have to stand down its operations, much of its training operations during the last quarter of this fiscal year, and that is rapidly approaching.

So it is important that we move this legislation through the House today and that we get it to the other body so that we can begin the negotiations in finalizing what this supplemental is really going to be. We have tried to work with and be cooperative with the administration, with the President, and with the leadership in the Congress; and I think the bill that we deliver today has done that.

Mr. Chairman, this is important. The fiscal year is running out. Half the fiscal year is basically gone. We have 13 regular appropriations bills to get to. We need to complete this bill, get it to the other body, get to conference and clear the way so that we can get about our business of the 13 regular appropriations bills.

With that, Mr. Chairman, I expect we will have some lively debate on the amendments that will be offered here very shortly. I hope that the Members will pay close attention because some of the debate will be rather critical.

Mr. LAFALCE. Mr. Chairman, I rise to speak on an important provision contained in the supplemental appropriations bill—the emergency funding for at-risk disabled, mentally ill, veterans, and other vulnerable families who would otherwise face the very real risk of eviction if we don't act to provide one-year renewals for expiring Shelter Plus Care and SHP permanent housing grants.

In this regard, I would like to thank VA, HUD Appropriations Chairman WALSH and Ranking Member MOLLOHAN for agreeing to add this provision to the bill. I would also like to acknowledge the original co-sponsors of H.R. 3613, Representatives WELLER, QUINN, and VENTO, for their hard work in getting this provision inserted into the bill. I also appreciate the support of Catholic Charities, the National Alliance to End Homelessness, and the National Alliance for the Mentally Ill, all of which have written in support of this bill.

The issue here is simple. Through a combination of policy inaction, limited homeless prevention funding, and vigorous competition for homeless funds, forty requests for renewal of homeless rental assistance grants were not approved as part of last December's McKinney Act homeless awards. The result is that communities that run these contracts will run out of money this year—and will be faced with the option of either evicting families or robbing funds from other critical programs.

To address this looming crisis, we recently introduced H.R. 3613 to authorize HUD to use existing Section 8 reserves to renew all of these expiring but unfunded grants for a period of one year. This would not require any additional budget authority, but would merely shift $6 million in already approved Section 8 funds for this purpose. In committee, that bill was added to the supplemental.

This approach, of renewing expiring homeless rental assistance grants through the Section 8 account, is consistent with the fiscal year 2001 budget recently submitted by HUD. Moreover, it just makes sense. All other HUD rental assistance contracts are routinely renewed through Section 8 funds; only homeless program rental assistance contracts for the very poorest Americans are subject to a funding competition, with the all too real possibility of non-renewal.

I believe there is bi-partisan support for permanent authorization of renewal of all expiring Shelter Plus Care and SHP permanent housing grants through the Section 8 account, and I hope Congress will do this later this year.

But, I would point out that the action we are taking today does not pre-judge that policy decision, but merely protects vulnerable families in the interim, for a one-year period. This gives Congress time to debate permanent authorization, and gives grantees a chance to apply for renewal in the next round of funding.

So, I applaud inclusion of this measure in the bill, and urge the Senate to do likewise.

Ms. STABENOW. Mr. Chairman, I rise today to express my strong dismay that the Stupak-Stabenow-Camp amendment offered to H.R. 3908, the 2000 Emergency Supplemental Appropriations Act, was not made in order under the modified rule for consideration of the bill. The amendment authored by Congressmen BART STUPAK and DAVE CAMP and myself would have provided critical, emergency funding to address Bovine Tuberculosis (Bovine TB) in the State of Michigan.

At my request, report language is included in H.R. 3908 that urges the Department of Agriculture to address the problem of Bovine TB immediately. The report language urges the Secretary of Agriculture to ''promptly notify the [Appropriations] Committee of any additional funding requirement, accompanied by official requests for additional funds. The Secretary is directed to report to the [Appropriations] Committee by May 1, 2000 on his plan of action.'' Clearly, by including this language in the committee report, the Appropriations Committee has recognized the urgency of the Bovine TB problem in Michigan.

Until recently, Bovine TB has only been identified in cattle. For the first time, this threatening disease has been identified in a non-captive deer herd in Michigan. Michigan is the only State in the Nation that has found Bovine TB in a wild animal population. With the presence of this disease in Michigan's free-roaming deer population, Bovine TB is quickly being transferred to captive cattle herds throughout the State and the disease is spreading southward, endangering cattle herds in other States.

The State of Michigan is on the verge of losing its ''TB-free'' (Accredited-free) status, granted by the Department of Agriculture. For a period of time, the presence of Bovine TB in both deer and cattle was isolated to the northeast portion of Michigan's lower peninsula. To date, Michigan has had an unusual split status, in which the unaffected regions are deemed ''TB-free.'' Expanded testing, however, has identified the presence of the disease outside the northeast quadrant and USDA officials are now seriously considering granting the entire State a ''Non-modified accredited'' status, the lowest possible Bovine TB status. This reduced status will severely impact Michigan's dairy and cattle industry, require increased testing, and merits increased federal investment in research and support to eradicate the disease.

The Stupak-Stabenow-Camp amendment would have appropriated $7.5 million in emergency funding to conduct a cooperative program with the State of Michigan to combat Bovine TB. It is very disappointing that the Rules Committee did not make this amendment in order, resulting in a delay in bringing critical federal dollars to Michigan to eradicate this agricultural and public health crisis. I will continue to work with my colleagues, Representatives STUPAK and CAMP and the members of the Appropriations Committee, to ensure that adequate federal resources are directed toward combating Bovine TB.

Mr. BLUMENAUER. Mr. Chairman, this is the first major appropriations action of the year, and already we're starting off on the wrong foot. This bill spends too much on the wrong things and does not devote enough attention to priorities that we desperately need to focus on.

I have major concerns about the money being spent on additional defense projects in this bill. Billions of dollars are provided for such spending, including military construction projects, new jet engines and tanks, a demonstration project for an air force base in Texas, and a military training range in Puerto Rico. Other members have offered amendments to add billions more in defense spending. I do not believe the supplemental appropriations bill should be a vehicle to ratchet up military spending.

I also have concerns about the money being put forward to help combat drug trafficking in Colombia. Although I am very interested in seeing the drug problem confronted throughout the hemisphere, I am skeptical that sending more military equipment into an already unstable region will be successful. Rather, the problem will most likely be pushed into other regions as a result.

This bill should be limited to true emergency spending, not for additional pork projects in places that don't need it. I urge my colleagues to vote no on this bill.

Mr. POMEROY. Mr. Chairman, the Administration, as part of its fiscal year 2001 budget request, submitted a supplemental request for $6.6 million to begin planning, engineering, and design as well as an environmental review of an emergency outlet for Devils Lake, North Dakota. I am deeply disappointed that the bill before us today fails to provide this critical funding.

During consideration of the supplemental by the House Appropriations Committee on March 9, 2000, Congressman VISCLOSKY offered an amendment to include $6.6 million for the Devils Lake emergency outlet. Unfortunately, the amendment failed on a straight party line vote of 24–30.

To date, the federal government has spent $300 million in the Devils Lake region, including $80 million to raise roads and $21 million to relocate 505 homes. Currently, eight miles of threatened roads in the basin are in need of significant structural reinforcement so that they can serve as dikes to hold back the encroaching lake from homes and other property. The Corps' preliminary estimate is that approximately $30–50 million will be needed to address just these 8 miles of road.

If the lake continues to rise as projected, federal, state and local governments can expect to spend over $500 million more on flood response in the absence of an outlet and other mitigation measures. It is clear that the amount that has been invested in the lake region, combined with the potential costs to reduce damage as this lake rises, make the case that the benefits of an outlet far outweigh the cost. However, what the numbers cannot show is the suffering and personal loss this disaster has brought upon the people of the lake region. It is often said that while the Grand Forks flood of 1997 was a heart attack, the Devils Lake flood is more of a cancer that grows year after year.

An outlet is a critical part of the overall strategy to respond to the continuous flooding that has plagued this region for far too long. Further, it is an approach supported by North Dakota's congressional delegation, Governor Ed Schafer and the state elected leadership of North Dakota. Without an outlet, Devils Lake will overflow naturally causing a devastating impact to communities downstream. Action must be taken now to provide relief to this region, and the outlet is the best means to address this crisis.

Even though the bill fails to provide funding for this project, the bill does meet our commitment to peace operations in Kosovo and provides critical funding to address the current backlog at the Federal Highway Administration for highway repair funds. For these reasons, I will be supporting the measure.

I am hopeful that funding for the Devils Lake outlet will be included in the Senate and I look forward to working with my colleagues to insure this funding will be provided in the final version of this supplemental appropriations bill. We simply cannot wait any longer.

Mr. LARSON. Mr. Chairman, I rise today to speak on behalf of the young people in this Nation and more specifically those living in the First Congressional District of Connecticut. While this bill addresses many important issues, I am disappointed that this measure does not contain $500 million for the Workforce Investment Act in H.R. 3908, the 2000 Emergency Supplemental Appropriations Bill. I am also disappointed that the rule did not make in order the Blagojevich Amendment that would have provided this funding.

I understand that the President has submitted a separate supplemental appropriations request for $40 million for this program. However, this request is far too small and may never be acted upon by Congress. Therefore, I believe that it is imperative that we should include this critical $500 million in the bill we are acting on today.

The Summer Youth Employment Program, under the Workforce Investment Act, is critical to our Nation's youth. For the City of Hartford, a City plagued with job loss and in dire need of revitalization, this program gives those at-risk youths a chance to thrive and make a contribution to their community. Now, without this funding, we have to deny these children this chance.

Last year in Hartford, approximately 2,000 young people were employed though the Summer Youth Employment Program, with a waiting list of approximately 600 young people who requested services. Without additional funding for Summer 2000, Hartford may only be able to serve 1,000 young people, with more than 1,000 needing services. In fact, interested youth have been calling the Mayor's office about summer employment opportunities and have not been able to obtain an answer. We need to provide a positive answer to the inquiries.

On the National level, according to the U.S. Conference of Mayors, average reductions of almost 50 percent in the number of youth that will be served this summer as compared to last are expected. Some cities are even facing up to 80 percent of reductions in the number of youth they will be able to serve.

For a program that has worked so well in the past, why then should we halt its growth and the good it provides not only for our communities but also most importantly for the children? If we are in fact dedicated to making a difference in the lives of our young people, we must make our investment today. I urge my colleagues to address this important issue in Conference.

Mr. UNDERWOOD. Mr. Chairman, I rise in reluctant favor of this bill, which makes emergency appropriations for fiscal year 2000. Notwithstanding my support for the $2 billion package for the costs of the U.S. peacekeepers in Kosovo or the paltry, yet sorely needed $854 million for the Pentagon's embattled health-insurance system, I have serious concerns over the Colombia supplemental package.

The $1.7 billion package of counter-narcotics and development assistance for the Andean region, principally Colombia may be spending too much money in the wrong places. Let's briefly list what this package includes:

Assistance for Colombian Army Counter-narcotics Battalions [''Push into Southern Colombia'' program]. This includes 33 Huey helicopters and 28 UH–60 (Blackhawk) helicopters, along with training, operations and maintenance and related equipment.

Assistance for Colombian National Police—2 UH–60 helicopters; a spray aircraft; base construction; upgrade of existing aircraft; and provision of intelligence.

Narcotic interdiction assistance for Colombia and neighbors in the region.

Some economic development including crop substitution, employment, and resettlement.

A modicum of human rights protection, democratic governance, judicial reform and the peace process.

Mr. Chairman, as a member of the House Armed Services Committee, I have been privy to many briefings regarding the grave situation in Colombia. And while I believe the U.S. has a responsibility to assist the Colombian government there needs to be a full and unfettered debate on the extent of American assistance.

For example, we have been told by U.S. military chiefs and Pentagon officials that U.S. forces which currently number around 250 personnel, do not and will not engage in combat operations with the Colombian military against the leftist guerrillas. We are told that U.S. personnel are there in Colombia solely to ''advise and train.'' This sound bite is what has many members and security analysts making comparisons to Vietnam. Looking at this bill, we see vast portions of the funding slated for counter-narcotics interdiction efforts. Yet no one can explain to me (or any member for that matter)—operationally, where does narcotics-interdiction end, and counter-insurgency begin?

Another potential pitfall that troubles me is the right-wing paramilitary groups that have sprung up in Colombia. These armed militias, which are tacitly accepted by the Colombian military, are reticent of the Central-American ''Death Squads'' that killed thousands there in the 1980s. I don't believe this bill contains enough protections to condition this military aid on a ''human rights'' certification basis.

Finally, I am deeply disappointed that Congresswoman PELOSI's amendment to mandate funds for domestic treatment programs aimed at reducing demand. Representative PELOSI's proposed amendment would have added $1.3 billion for this purpose. If you are going to effectively attack a problem, you need to do so on every front. With the Republican's shutting off this wise proposal, I can not take seriously their claims to be ''doing this for the children of America.''

Mr. Chairman, I am disappointed that there were not significant funds in this bill for a more comprehensive aid package on alternative economic development; increased protection of human rights workers; humanitarian aid to the internally displaced; and the peace process between the Colombian government and the leftist insurgents.

As I noted at the outset, I do support this measure but reluctantly. Whereas I have briefly outlined my personal reservations, I recognize that there are many aspects of this bill that will do a lot of good. In any case, I hope that this body will have a future opportunity to fully examine the U.S. military's involvement in Colombia. Our military experts are setting us up for at least a 5 year commitment. My greatest fear is that years from now our troops will have become embroiled in this civil quagmire in Colombia—a war that has been on going for 40 years. True, the civil/political/military situation in Colombia is very different from Vietnam, but I ask, does it not also look very much the same?

Mr. ACKERMAN. Mr. Chairman, I rise in reluctant support of H.R. 3908. With this bill, we are today embarking on a new course in our involvement in the counter-narcotics effort in Colombia. I support the bill because I believe we have an obligation to support democracies when they are threatened. Colombia is the oldest democracy in Latin America and is clearly under siege.

But Colombia is not fighting a traditional insurgency whose followers claim some ideological justification for violence. It was once that way, but it isn't anymore. The guerrilla movements in Colombia have abandoned their ideology and instead provide protection to the narcotics traffickers who poison our children. The guerrillas also resort to kidnaping and extortion. From both these activities, the guerrillas generate substantial income making them the best funded insurgency probably in the history of the world. So the first point I would make to my colleagues is that we should be clear about the real purpose of this bill. It is not only to support a counter-narcotics strategy, it also supports a counter-insurgency strategy. It is designed to punish the guerrillas and their drug-trafficking allies in order to drive the guerrillas to the negotiating table and, with luck, arrest the traffickers.

We also need to consider who we are providing our assistance to. The Colombia national police have an outstanding human rights record. They are an organization we should be proud to assist. But the bulk of this package

will go to the Colombian military, which has one of the worst human rights records in the hemisphere. On top of that, there are credible allegations of ongoing cooperation between elements of the Colombian military and the paramilitary organizations. The good news is that our assistance will be provided to battalions that have been vetted and trained by us. In addition, it appears to me that the leadership of the Colombian military genuinely wants to address human rights issues. We should demand that our assistance be contingent on genuine efforts to arrest and prosecute abusers of human rights.

Lastly, I am concerned about the direction of our counter-narcotics strategy. As we have seen in Bolivia and Peru, when there is success with eradication and interdiction in one area the traffic merely moves to another area. In a very real sense, much of the turmoil in Colombia is our fault. Our citizens consume the drugs grown and produced in Colombia, and unless we intensify our efforts to reduce demand here, a supply-side strategy is doomed to failure.

In a larger sense, we are faced with a choice all of us would prefer not to make. None of us wants to become more deeply involved in another civil conflict in Latin America, yet doing nothing imperils not only Colombia but her immediate neighbors as well.

On balance, I believe we should support the assistance package to Colombia as the best of the options available but we should understand the obligations this policy places on us and we should be aware that we will be involved in Colombia for a very long time.

Mr. VENTO. Mr. Chairman, I rise in opposition to this Emergency Supplemental Appropriation bill. While I support the necessary emergency funding needs in this supplemental request, I have found numerous reasons to vote against it.

H.R. 3908 provides over $9 billion in so called emergency funds for this year. In fact, $3.8 billion, or 73% more than originally requested by the President. This bill provides $5 billion for ongoing operations in Kosovo, $2.2 billion for natural disaster assistance, $2 billion additional funds for the Defense Department, $1.7 billion in Colombian assistance and various other initiatives.

This funding runs the risk of repeating past mistakes in Latin America. The supplemental funds will not achieve our objectives of combating drug trafficking and political violence or enhancing peace efforts in Colombia. $1.1 billion or 65% of the total request for Colombia will go to their abusive military regime. Training Colombian army battalions for counter narcotics efforts and to strengthen democratic institutions is contradictory. In fact, aid to the Colombian army will without doubt worsen the human rights situation and will drag the United States further into a long-term counterinsurgency commitment.

The Colombian military continues to maintain close regional and local links with the primary agents of violence and disorder in this region—paramilitary groups. According to the Washington Office on Latin America, the paramilitary groups are well known to be involved in the drug trade and responsible for over 70% of human rights violations. The paramilitaries continues to thwart and attack government investigators, reformist politicians and human rights monitors. Punctuating this, the Washington Post reports today that paramilitary rebels killed at least 24 policeman and soldiers in a small village outside of Bogota in a series of attacks since this past weekend.

With such a relationship documented it makes no sense to factor in U.S. dollars into this equation. Rather, we must focus upon alternatives to military aid such as economic assistance, micro-credit loans, social services programs, judicial reform, drug prevention education and humanitarian relief for the approximately one million Colombians displaced by violence in the last five years.

The roughly $1.6 billion allotted for the military to pay for rising fuel costs, $855 million for military health care and the $134 million for repairing damages to military facilities caused by recent hurricanes, floods and other natural disasters is understandable. These are truly unforeseen costs for the most part. However, an amendment being proposed by Chairman YOUNG and Chairman SPENCE, would give the Pentagon an additional $4 billion for special interest projects. This is not only bad policy, but drains resources away from human needs and people programs. Such initiatives and decisions should be part of the regular 2000 appropriation process rather than trying to slip under the past and current year DOD spending agreements. This bill would already reduce the non-Social Security budget surplus for this year by about 35%. So much for the Congressional pledges to pay down the debt.

Too often under this GOP leadership, the term ''emergency'' is misunderstood and misused. This Emergency Supplemental request is not an opportunity to beef up the Pentagon with rancid pork projects for special interests. Nor is it the vehicle to load down with extraneous riders in effort to avoid the regular appropriation cycle. H.R. 3908 could have provided real help to those in need. Sadly, the Majority is failing this simple task.

I urge all Members to join me in voting no against this measure. As much as we need the fuel and energy assistance and other emergency help, the Congress and the American people should not be forced fed and blackmailed into spending billions on lousy policy and unneeded, unreviewed policy from the Administration or the congressional power brokers. Let's say no.

Mr. BALLENGER. Mr. Chairman, today, we have before us the very important Emergency Supplemental Appropriations Act. I say it is important because it would provide desperately needed disaster relief funds for those in my home state of North Carolina and others who have suffered the ravages of Hurricane Floyd. It also contains the Colombian aid package which will serve as a critical component in winning the war on drugs.

As you may recall, Mr. Chairman, Congress approved some disaster relief funding last fall to help eastern North Carolina recover from the disaster left by Hurricane Floyd. But, if you also remember, that funding did not cover all of the outstanding needs. The FY 2000 Emergency Supplemental Appropriations Act addresses some of the shortfalls by providing over $1 billion in emergency disaster assistance to areas ravaged by Hurricane Floyd, especially eastern North Carolina. For example, the emergency supplemental contains $81 million for the Commodity Credit Corporation, funding which was removed from last year's disaster bill despite the efforts of the North Carolina delegation to include it. The measure also would provide $77 million for the Farm Service Agency, $13 million for the Federal Crop Insurance Corporation, $37 million for the Coast Guard and $600 million for the Administration for Children and Families. While the measure will not cover all of the disaster relief needs, it will address some of the most pressing ones. So, I urge its passage.

H.R. 3908 also contains $1.1 billion in aid to Colombia and other Andean countries, to stem the tide of illegal narcotics coming into this country. These funds would be used, among other things, purchase utility helicopters for the Colombian Army and the Colombian National Police and to help train two more anti-narcotic battalions for the Colombian Army. Other funds contained in the package will be used to establish alternative crops programs and other non-military drug reduction programs.

Since Colombia is a hemispheric neighbor, what happens there can profoundly affect the way we live here. Let me share some statistics. Each year an estimated 14 metric tons of heroin and 357 metric tons of cocaine enter the United States. Of these amounts, 90% of the cocaine and 75% of the heroin originate in Colombia.

Let's face it, illegal drugs are killing our kids at an alarming rate. Every year, we lose 52,000 young lives to drugs, nearly equal to the number of Americans killed in Vietnam over ten years. That means every day 143 of our young people will die from drug-related causes. In the time it takes us to debate this bill, 12 or more children will perish due to drug addiction. According to the U.S. Drug Czar, one of every two Americans kids will try illegal drugs by the time they reach the 12th grade. Many will become habitual users, leading to a life of crime or worse, a miserable, lonely death. This problem, Mr. Chairman, is staggering.

In 1998, five million young people in this country required treatment for drug addiction, and nearly 600,000 required an emergency room visit. In the United States, there are 1.6 million drug-related arrests annually, and over half of our prison population committed drug-related crimes. Even more disturbing, while the average age for marijuana users is increasing, heroin abusers are getting younger. The cost of drug abuse to our society is estimated to be $110 billion per year, but it is much higher if measured in countless lives lost and young dreams broken.

With our strong support and the financial assistance contained in this bill, Colombia can be successful in slowing the flow of drugs from their country to our school and communities. Failing to provide this important aid now may result in the loss of Colombia to the drug cartels, leaving them free to turn the once prosperous and democratic nation into a large narcotics nursery, laboratory and distribution center. Without this help, we will leave generations of Americans vulnerable to the hopelessness of drug addiction.

We have worked hard to stop genocide in other countries Mr. Chairman, we now must stop this senseless slaughter of a generation of Americans. If we love our children, we must ensure that Colombia receives the help it needs. This bill will provide that help, and I strongly its passage.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

Before consideration of any other amendment, it shall be in order to consider the amendments printed in Part A of House Report 106–549. Each amendment printed in Part A may be considered only in the order printed in the report.

Amendments printed in Part B of the report may be offered only at the appropriate point in the reading of the bill.

Amendments printed in the report may be offered only by a Member designated in the report, shall be considered read, 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 division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

The CHAIRMAN. It is now in order to consider Amendment No. 1 printed in Part A of House report 106–549.

AMENDMENT NO. 1 OFFERED BY MR. SANFORD

Mr. SANFORD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A Amendment No. 1 offered by Mr. Sanford:

Page 2, strike lines 3 through 21 (and redesignate the subsequent chapters and sections accordingly).

Page 3, line 8, after the dollar amount, insert the following: ''(reduced by $87,400,000)''.

Page 5, line 17, after the dollar amount, insert the following: ''(reduced by $281,000,000)''.

Page 8, lines 18 and 25, after each dollar amount, insert the following: ''(reduced by $77,923,000)''.

Page 11, strike line 8 and all that follows through page 13, line 21.

Page 44, strike line 19 and all that follows through page 46, line 3.

Page 46, strike lines 5 through 22 (and redesignate the subsequent sections accordingly).

Page 49, line 25, after the dollar amount, insert the following: ''(reduced by $8,100,000)''.

Page 52, strike lines 7 through 17.

Page 52, line 22, after the dollar amount, insert the following: ''(reduced by $59,000,000)''.

Page 56, strike line 14 and all that follows through page 57, line 15.

Page 62, strike line 11 and all that follows through page 64, line 6.

Page 79, strike lines 9 through 14 and insert the following:

SEC. 5104. (a) INAPPLICABILITY OF EMERGENCY DESIGNATIONS.—A proviso in this Act shall not have effect if the proviso—

(1) designates an amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985; or

(2) makes the availability of an amount contingent on such a designation by the President.

(b) EXEMPTION OF DEFENSE FUNDS FROM SEQUESTRATION.—Accounts for which amounts are made available in title III of this Act, and accounts previously within the defense category of discretionary appropriations under the Balanced Budget and Emergency Deficit Control Act of 1985, shall be exempt from any sequestration that is required under section 251(a)(6) of such Act to eliminate any fiscal year 2000 breach caused by the appropriations or other provisions of this Act.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from South Carolina (Mr. SANFORD) and a Member opposed each will control 5 minutes.

Does the gentleman from Florida (Mr. YOUNG) seek to control the time in opposition?

Mr. YOUNG of Florida. Mr. Chairman, that is exactly correct.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) will control 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from South Carolina (Mr. SANFORD).

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

I offer this amendment along with the gentlewoman from Charlotte, North Carolina. I think it is a very simple amendment. All it does is it trims and focuses what this supplemental is all about. I think that given my experience here in Congress, what typically happens with emergency supplementals is that they grow like weeds. That has certainly been the case with this bill. So what this does is attempts to bring it back to basically closer to the size and scope of what was originally proposed.

It trims the supplemental by $1.6 billion, and it does so in two ways. First of all, it takes out nonemergency spending. I have a long list here which I will not bore my colleagues with but, for instance: $20 million to replace an FDA building in Los Angeles, California, is probably not an emergency, and $8.1 million to put SBA funding back into the Small Business Administration is probably not an emergency.

□ 1345

I could continue with the list, but there is a simple point here. That is that we have gotten into this dangerous habit of classifying things that are not emergency as emergency. This strips a number of those out. What it does as well is it keeps 2000 spending in 2000 and 2001 spending in 2001.

What had happened with this bill was that some 2001 spending basically came into calendar year 2000. We keep those two years separate.

What this bill does as well, in addition to trimming and focusing, is that it simply asks that what we spend, we pay for. It strikes all references to emergency designation, making this spending subject to budget caps, and making it recorded as spending. There is a certain lunacy that goes with the notion that emergency spending is not spending as it relates to the budget.

It also enacts cuts in other areas of government to pay for what we propose spending here. I think that this is really important because, in essence, this is preventive medicine. If we do not prescribe to ourselves preventive medicine, I think we will be performing emergency surgery come September in adhering to budgets.

In fact, if we look at the budget that we passed just last Thursday, if we do not pass this amendment, we will end up $4 billion above what we call for in our own budget.

So I think it is a simple step toward fiscal sanity. I think it helps us to hold the line on what Greenspan himself had urged, and that is, extra money going toward debt reduction, as opposed to other things.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MCCOLLUM).

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

Mr. MCCOLLUM. Mr. Chairman, I have to oppose this amendment, as well-intended as I know it is, offered by the gentleman from South Carolina, because he is trying to get at budget constraints. I understand that.

But two provisions in this bill that he cuts out by this amendment are very specific. One of them is $282 million for the Communications Assistance Law Enforcement Act. This is a critical provision in order to fund that which we have debated for a long time in the criminal law area, and in helping protect us from terrorism and so forth; to allow an understanding and agreement between the Justice Department and a lot of the private industry groups to allow us to have the technical know-how to go in with certain electronic surveillance abroad, as well as here, and be able to do the type of wiretapping and surveillance for criminal behavior that we are now accustomed to being able to do.

In the modern age of technology, there are all kinds of impediments to that that have come about because of what has occurred in the developments in that industry. This is a purely technical arena, but we do not have the funding for it anywhere else, and it is very critical to what we are doing in Latin America, as well.

Plus there is $10 million for DEA intelligence programs in Colombia and seven more in Bolivia and Peru that are cut out. I think that is really wrong.

Mr. SANFORD. Mr. Chairman, I yield 2½ minutes to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, every year when we do these emergency supplemental bills I have the same concerns. They are grave concerns, because we really do not deal with true emergencies. Emergencies happen all over the country, they do not just happen in North Carolina.

Right now we are referring to one that is in North Carolina, Hurricane Floyd, which tremendously devastated our State. There are still thousands and thousands of people who are not in their homes or do not have homes because of this hurricane. It is really disturbing to me, because when we do emergency supplemental bills, we end up with a lot put in there that is not emergency. This bill is no different.

Disasters happen all over the country. There was a tornado yesterday in downtown Fort Worth. It is another example of it does not matter what State one is from, one is probably going to face the same situation. It is time we set up some type of emergency rainy day fund or insurance fund, or something that is going to get us out of this box of continually coming to the floor with emergency spending bills, with three-fourths of the spending in the bill not being emergency.

I am very disturbed by this one, as well. I will end up voting for the bill because I do not have any choice. I cannot vote against the money for the people who do not even have a home to live in. That is not a choice in my situation. But I am very disturbed by the fact that there are a lot of other things in here that are not emergencies.

The amendment offered by the gentleman from South Carolina (Mr. SANFORD) also does not touch defense spending. It is not cutting defense spending. I believe that is very important, and we have some dramatic needs there, too, that are critical right now.

My concern is that the monies that come forward for emergency bills do go toward emergencies. In this case, of course, the emergency is the Hurricane Floyd money. I would hope my colleagues would join me in that, and really look toward a positive solution to this so we can come up with a way that we do not end up in this box all the time, and come back and say, well, everything is in there but the kitchen sink.

I really do not like it. There are a lot of people here who do not like being put in that position. I would hope my colleagues would support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Chairman, I rise in opposition to this amendment, the Sanford-Myrick amendment, which eliminates some of the spending authorized in this bill, including the $40 million downpayment for Puerto Rico in exchange for the resumption of the military maneuvers in Vieques.

One of the things in the arguments that have been before this forum has been that the Navy will not be able to carry out its training for the personnel that go into harm's way.

That is not correct. The Navy itself has written a letter to the chairman of the committee where they say that the fulfillment of the agreement entered into by the President of the United States, the Governor of Puerto Rico, the U.S. Navy, is essential to the resumption of the military exercises; that without fulfilling this agreement, they will have no hope of having the cooperation necessary for resumption of these maneuvers.

So all of the arguments that have been brought here to do away with this $40 million appropriation for Puerto Rico in lieu of payments of taxes for many, many, many years are not correct.

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

I just want to again remind folks that this is simply an amendment that does not touch defense, it does not touch emergency spending, for instance, in North Carolina, but it does get at fiscal restraint that is needed, because the budget we passed last week would be broken to the tune of $4 billion if we do not pass this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I rise reluctantly in opposition to the Sanford amendment. I must rise in opposition to it. The comment has been made now twice by two speakers that it does not touch defense. That is not accurate.

Part of this amendment strikes the emergency designations in the bill. That means that we would have to find at least $2 billion in offsets to provide, just to replace the money for Kosovo. We would have to provide another $1.6 billion in offsets just to make up the additional fuel costs that this bill provides for for our national defense.

So Mr. Chairman, this amendment does touch national defense. That is a major reason why we ought not to support this amendment.

It also cuts a large amount from the counter-narcotics program. I was wondering, how much is a life worth? If we can eliminate just one acre of a terrible drug, how much is that worth to a kid that might or might not have the opportunity to get on that drug and to possibly get addicted, possibly die from an overdose?

It does cut money from the emergency appropriations related to Hurricanes Floyd, Dennis, and other natural disasters. It cuts money from the United States Coast Guard, that is already so far behind in its operating expenses that I am amazed that they can do anything in search and rescue, let alone drug interdiction.

This amendment would actually knock out money for aircraft spare parts that are so much in demand for the United States Coast Guard. The drug pushers, those who ship drugs from Colombia to the United States, they do not have any spare parts problem. They have plenty of money, plenty of spare parts. If the boat does not work, they throw it away and get a different one. If the airplanes do not work, they throw them away and get a different one. They do not have the limitations that we have.

Yes, this amendment knocks out the money for the Coast Guard's operating expenses, aircraft, spare parts.

Mr. Chairman, as much as I understand the importance of this amendment to its sponsors, I just do not believe this House can accept this amendment. We might just as well strike the enacting clause, or take a vote on the bill now and send it back to committee, because that is what the effect of this amendment is. It kills the bill.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SANFORD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 315, not voting 11, as follows:

[Roll No. 82]

AYES—108

| | | |
|---|---|---|
| Archer | Gutknecht | Paul |
| Barr | Hall (TX) | Pease |
| Bartlett | Hayworth | Peterson (MN) |
| Bereuter | Hefley | Peterson (PA) |
| Berry | Herger | Petri |
| Bilbray | Hill (IN) | Pickering |
| Blunt | Hill (MT) | Pitts |
| Brady (TX) | Hoekstra | Pombo |
| Campbell | Horn | Portman |
| Cannon | Hostettler | Pryce (OH) |
| Castle | Hulshof | Radanovich |
| Chabot | Inslee | Ramstad |
| Chambliss | Johnson, Sam | Rivers |
| Chenoweth-Hage | Kasich | Roemer |
| Coburn | Kingston | Rohrabacher |
| Collins | LaHood | Roukema |
| Cook | Largent | Royce |
| Cox | Lazio | Ryan (WI) |
| Cubin | LoBiondo | Ryun (KS) |
| Deal | Luther | Sanford |
| DeMint | Manzullo | Scarborough |
| Deutsch | McInnis | Schaffer |
| Doggett | McIntosh | Sensenbrenner |
| Duncan | McKinney | Sessions |
| Ehrlich | Meehan | Shadegg |
| Ewing | Metcalf | Shays |
| Forbes | Miller, Gary | Sherman |
| Fossella | Miller, George | Shimkus |
| Ganske | Minge | Shows |
| Gibbons | Moran (KS) | Smith (MI) |
| Goode | Myrick | Stearns |
| Goodlatte | Nethercutt | Stenholm |
| Graham | Norwood | Sununu |
| Green (WI) | Nussle | Tancredo |

Tanner
Taylor (MS)
Terry
Thurman
Toomey
Upton

NOES—315

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
Lampson
Lantos
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Sherwood
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Strickland
Stump
Stupak
Sweeney
Talent
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Barton
Crane
Everett
Franks (NJ)
Granger
Jones (OH)
Klink
Kucinich
Larson
Quinn
Salmon

□ 1417

Mrs. KELLY, Ms. JACKSON-LEE of Texas, and Messrs. DREIER, PASTOR, and CAPUANO changed their vote from ''aye'' to ''no.''

Ms. PRYCE of Ohio, Mrs. ROUKEMA, and Messrs. FORBES, SMITH of Michigan, PICKERING, GOODLATTE, and INSLEE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote is announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in part A of House Report 106–549.

AMENDMENT NO. 2 OFFERED BY MR. TOOMEY

Mr. TOOMEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment:

The text of the amendment is as follows:

Part A Amendment No. 2 offered by Mr. TOOMEY:

Page 58, after line 17, insert the following new chapter:

CHAPTER 7

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $4,000,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Pennsylvania (Mr. TOOMEY) and the gentleman from Wisconsin (Mr. OBEY) each will control 15 minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. TOOMEY).

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

Mr. Chairman, today we are debating a supplemental appropriations bill, but this debate is really all about what Congress should do with the on-budget surplus for fiscal year 2000.

Let me explain what this surplus is because there is, understandably, a lot of confusion about budget surpluses. Last year, Congress, for the first time in 30 years, stopped the raid on Social Security surpluses, and that was a terrific step.

This year, after saving and setting aside the entire Social Security surplus, the Federal Government is still taking in more tax revenue than it is spending for the rest of its programs. We call this the on-budget surplus or sometimes the non-Social Security surplus.

Now, despite increasing discretionary spending in fiscal year 2000 by about 5 percent over fiscal year 1999's levels last fall through the regular appropriations bills, the economy is so strong, and tax revenues were so high that this on-budget surplus that we are talking about is about $26 billion for fiscal year 2000. Let us keep in mind that this fiscal year is about half over, so this amount is quite certain at this point. So today's debate is really over what to do with this $26 billion on-budget surplus.

This is a historic debate. We have not had a surplus like this in over 30 years, and even then only briefly and very small. But today we have a real live, honest-to-goodness, not-just-projected, but already-here non-Social Security surplus.

More importantly, we stand at the threshold of an era in which we could be debating surpluses for many years to come, provided that we do one thing, Mr. Chairman, provided we do not spend it all.

Mr. Chairman, prior to the amendments that we are voting on and considering today, this emergency supplemental appropriations bill already spends roughly $9 billion of the $26 billion surplus. Now, we will likely add to that price tag today, and some are already working on future later bills which eventually, if we do not do something about it today, will surely spend all of this real live surplus, the first one in 30 years.

I think it will be a terrible mistake to spend all of that money. Let me cite four reasons. First of all, I think the American people want to see less government and more freedom, surely not expanding Federal spending at a breathtaking pace.

Second, this is not just about fiscal year 2000 spending because, as we all know, each year we spend more money than we did in the previous year. That is what we do in Washington.

My point is that this debate is not about just the fiscal year 2000 surplus, because if we spend all this money, it will find its way into the baseline, and all future budgets will end up spending more money as a result if we spend all of this fiscal year 2000 surplus.

If we do that, we diminish future surpluses, and that means there is less money available in the future for tax relief, to make the changes we need in Medicare, to make structural reform for Social Security, a number of very important priorities.

Thirdly, it would be a terrible precedent. This again, as I said, is our first

real live, honest-to-goodness Social Security surplus in 30 years. Do we really want to tell the American people that, for Congress, the purpose of the surplus is to spend it as fast as it arrives?

Finally, let us remember that every dollar the Federal Government spends is a dollar being spent by politicians through a political process rather than by free men and women who have earned that money and could be spending it as they see fit.

That is why I am offering this amendment, to prevent us from spending all of this money by taking some of it off the spending table.

What my amendment does is very simple. It specifically appropriates $4 billion of the $26 billion fiscal year 2000 on-budget surplus to reduce the publicly held debt. If we pass this amendment, first of all, we will pay down some more debt. I think that is a worthwhile goal.

But, in addition, it would be the first time in the history of the modern Congress that we will have an explicit appropriation for debt reduction and an explicit voluntary act of this body to take some of that money and pay down debt. It will show that we have got the discipline to resist spending some of this money.

I want to thank the Republican leadership for their support on this. I want to thank the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, for his support on this amendment.

I want to remind my colleagues this first surplus is a unique opportunity. I want to urge my colleagues to do the right thing and set the right precedent. Vote yes on my amendment and make this a better bill.

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

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the former governor of Texas, Ann Richards, observed once that you can dress up a pig, and you can put lipstick on a pig, but it is still a pig. I think that is sort of the case that we are faced with here this afternoon. This amendment is a transparent attempt to put lipstick on a pretty sad bill that underlies this whole debate.

Let me simply explain what this amendment really does. This amendment is Washington at its ''finest'', pretending to do something when, in fact, it does nothing.

Now, what this bill does or what this amendment does is to take $4 billion, which right now sits in the Treasury and is scheduled for deficit reduction, and it diverts it for, guess what, deficit reduction. Here is the way it works. Under normal budget processes, dollars that are not appropriated at the end of the year stay in the Treasury, and they are used to reduce the national debt. That is what happened to many billions of dollars last year when the majority party gave up on its misguided efforts to pass huge tax cuts rather than using those dollars for debt reduction.

This amendment, in my view, pretends to add to deficit reduction by appropriating $4 billion, which is right now sitting in the Treasury, and it pretends that it appropriates it for a purpose for which it is already scheduled to be used, debt reduction.

It then further requires that that amount, in order to be considered for debt reduction, has to be designated as an emergency pursuant to section 251(b)(2)(a) of the Budget and Emergency Deficit Control Act of 1985.

So, in other words, there is an emergency to make certain that this money is going to be used for the purpose for which it is going to be used. Only in Washington would that be considered a major event. Only in Washington would this transaction be considered real.

Then this provision goes further, and it says that the amount of money in this bill for deficit reduction shall be available for that purpose only to the extent that an official budget request that includes designation of an entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is submitted by the President to the Congress. So we are requiring three steps to do what we would normally do in one step.

It does not matter, Mr. Chairman, whether my colleagues vote for this amendment or not. If this amendment was never born, the $4 billion under discussion would be used for debt reduction. With the amendment being passed, we have two more steps that we have to go through in order to accomplish debt reduction. If it makes the gentleman happy to substitute motion for movement, be my guest, but it does not do anything real.

I find it ironic that we are being given 30 minutes to debate this nonissue when we have only been given 20 minutes to debate whether or not we are going to get sucked into a 5-year war in Colombia. That says something, I guess, about this House. What it says I cannot quite figure out.

So let me congratulate the gentleman for making something out of nothing.

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

□ 1430

Mr. TOOMEY. Mr. Chairman, I yield myself 30 seconds to respond.

First of all, as my colleague, I would think, would be aware, the budget rules of this House simply require the emergency designation in order for this to take place. There is no avoiding that, given those rules.

And I am really amazed at the suggestion that if it were not for this suggestion this money would be used to retire debt, because the best I can see, for the last 30 years anyway, there has never been any money that has been allowed to sit in the Treasury account for the purpose of retiring the debt. It always gets spent. That is why this amendment is very necessary to prevent that from happening.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to rise in support of the Toomey amendment. I agree with some of the things the gentleman from Wisconsin (Mr. OBEY) said; that we are transferring from the Treasury to the Treasury. But as the gentleman from Pennsylvania (Mr. TOOMEY) points out, if we do not do something like that, that $4 billion is liable to be spent somewhere. When there is money on the table, it is easy to try to find a way to spend it.

The problem that we have is not so much the discretionary spending, in order to balance these budgets, in order to bring down the debt. For 1998 we had a $51 billion paydown in the debt; in 1999 we had an $88.6 billion paydown; and in the year 2000 we estimate to have $157 billion paydown of the public debt. That is good. And that all happened without a lot of fanfare. But what the Toomey amendment says is that we are going to do it. It is a symbolic statement. It tells the American taxpayer that we intend to continue to pay down the debt.

As I said, balancing the budget, having a surplus, is what makes it possible for us to pay down the debt. But let me tell my colleagues where the problem comes from in spending. It is not discretionary. Since 1995, mandatory spending, something that the Committee on Appropriations has no jurisdiction over whatsoever, mandatory spending has increased nearly $214 billion; Social Security increased $70 billion. That is a mandatory entitlement. Medicare increased $42.6 billion. Medicaid increased $27 billion. Agriculture programs increased $21 billion. Deposit insurance increased $16.5 billion. Federal employment retirement programs increased $11.8 billion. Supplemental security income increased $7 billion. Veterans benefits and services increased by $6.4 billion. Since enactment of TEA–21, funding for highways and transit programs will increase by $37.1 billion through fiscal year 2002. Aviation programs will increase $10 billion over the next three years. These last two are now, in effect, treated as mandatory programs.

These are mandatory programs. And every time that Congress creates an additional mandatory spending program, we take away the ability of the Appropriations Committee to get a handle on the spending. Our committee has a very small part of the government spending programs. We have only the discretionary programs, but we need to pay a lot more attention to mandatory spending.

So I want to compliment my friend, the gentleman from Pennsylvania (Mr. TOOMEY). If it does not do anything else, as the gentleman from Wisconsin (Mr. OBEY) has suggested, this says to the American taxpayer that we intend

to pay down the national debt in a time of prosperity.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Let me observe that the gentleman says that if this money is not appropriated it will be used somewhere else. Well, I do not know who is going to use it. Maybe this chart again gives us a good guideline, because it shows that when we are done with this bill today that the majority will have voted to spend $591 billion for this existing fiscal year as opposed to the $573 billion requested by the President.

I am not voting for this turkey. They may be planning to.

I would also say that what I really think this amendment is about is this. There is an amendment coming later today which will take $4 billion in regular appropriations for the Department of Defense for routine items that normally would be handled next year. Instead, that money is going to be moved into this existing fiscal year. That is $4 billion more that will be spent this year that the President is not asking for.

The effect of that is to give us a $4 billion hole in next year's budget which can then be filled up with congressional pork projects in the Defense Department. That is the intent. The result: $4 billion in added spending.

So now this amendment conveniently comes along and gives people a political fig leaf. The rhetoric over there is made quite clear. This amendment is not real. It is symbolic. It is not substantive. All this amendment does is take $4 billion, which is in the Treasury, and appropriate it back to the Treasury. Now, my colleagues on the other side may be impressed with that. I am sorry, I am not.

Mr. TOOMEY. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. TOOMEY) and the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG).

I am in total agreement with this legislation and somewhat in disagreement with what the gentleman from Wisconsin is saying. I, first of all, applaud the gentleman from Pennsylvania (Mr. TOOMEY) for what he has done here. He has made us focus on this, not as something which happens if we do not appropriate the money but as an overt action by which we are segregating that money and saying we are now going to retire debt of the United States of America. My judgment is this is something that should have happened a long time ago.

Unfortunately, I am not as enthusiastic about the underlying bill, which I think has some problems with it, including the President not making his case to the Congress on parts of it, and parts of it, in my judgment, not being an emergency process and probably better going through the normal appropriations process. But be that as it may, the Toomey effort is perhaps the most important aspect of this overall legislation.

By reducing debt we limit our expenditures. Because that money cannot be brought back in some later supplemental appropriations bill to be spent if we reduce that debt now. That is why I think it is important to actually do this, and disagree with the gentleman from Wisconsin with respect to that. And that is what it does.

Let us just remember that we are still spending, I think it is about 15 cents per dollar on the interest of the debt of the United States of America. Every time we reduce this debt, we slowly start to reduce that amount of our budget which is spent on interest each year because we had to borrow money. That is a very significant impact in being able to do the spending that we need to do later to help our military, to help those in need, and to help with other programs across the United States of America.

For all these reasons the step we are taking here, which I consider to be a precedent, is an extraordinarily important precedent for steps that we can take in the future. And perhaps in the future, when we budget, when we appropriate, when we deal with issues involving finances of the United States of America, we can start by saying how much of the debt can we retire, and then figure out what it is that we have to expend.

So for all these reasons I think this is a very beneficial, very precedent-setting piece of legislation. Again, I congratulate the sponsor of it, the gentleman from Pennsylvania (Mr. TOOMEY), and I hope he is the sponsor of 20 more of these in the next few years so we can continue to retire the debt of the country.

Mr. OBEY. Mr. Chairman, I understand that I have the right to close.

The CHAIRMAN. The gentleman is correct.

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

The CHAIRMAN. The gentleman reserves 8½ minutes.

Mr. TOOMEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. TOOMEY) has 6 minutes remaining.

Mr. TOOMEY. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise in very strong support of this amendment, and I would encourage not only all of my colleagues on my side of the aisle to vote for it but as well my colleagues on the other side of the aisle.

If we oppose this amendment and believe that if we just leave the money there in the Treasury that the debt will still be reduced, we are assuming that as we go through the whole process of negotiating within the House and then with the Senate on conferences, and then as we sit down and negotiate with the President and go through all 13 appropriations bills, that this money will somehow still be there in the end and, therefore, we do not need to pass this amendment. I really question that.

And I have to respectfully disagree with the gentleman on the other side of the aisle. I think this is an extremely important amendment. We had $26 billion extra come into the Treasury, and the debate before us today is, yes, we are going to be spending quite a bit of it shoring up our national defenses, something I consider to be extremely important; and, yes, we have other very important priorities; but, yes, when we vote for this amendment and approve this amendment in the House, we are saying that we recognize the tax burden to pay the interest on the debt is too high; that the responsibility of saddling our kids with ever-increasing amounts of debt is wrong, and that we are going to take some of this money and retire some of the public debt with it.

My only regret is that we are not giving another $4 billion back to the hard-working taxpayers, who essentially have been overcharged and that is why we have this money. But I think this amendment of the gentleman from Pennsylvania is an extremely important amendment. I agree with the gentleman from Delaware (Mr. CASTLE) that we need to be doing this some more as we go through the appropriations process and setting more of the money aside for debt reduction.

Mr. TOOMEY. Mr. Chairman, I yield myself the balance of my time, and I would just close by pointing out that this Congress has never taken on-budget funds, money in this case that is coming from the overcharged taxpayers, and allowed that to sit around and to be used to retire debt. The Congress has never done that. And I think to think that that would happen this year is naive at best.

By explicitly appropriating this money for debt reduction, we assure that will happen, we pay down more of the publicly held debt, and we eliminate the possibility that next week or next month or sometime in the near future there will be another bill that will attempt to spend it. So I would urge my colleagues to vote ''yes'' on this amendment and make this supplemental a better bill.

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

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

I do not care how Members vote on this amendment. This amendment is a big nothing. It does not do anything for anybody, does not do anything to anybody. It simply takes money which is in the Treasury and puts it in the Treasury. That is all it does. So Members should vote however they want.

I would simply observe that last year $124 billion was devoted to debt reduction without benefit of this amendment, and this year we will see a lot

more than that devoted to deficit reduction, with or without the benefit of this amendment.

I think the problem is that debate has been so trivialized in this House on budget issues, and the budget process itself has become so trivialized that we see immense amounts of time spent by many people in this chamber simply trying to invent procedural gimmicks so that they have a rollcall to take home to taxpayers who are too busy to make a living to understand the intricacies of the budget process. I think that does not serve this institution well. It certainly does not serve our own taxpayers well.

I would simply say this. If colleagues want to take a real action as opposed to an ethereal action, if colleagues want to take a real action that will save money today, they should vote against this entire bill and have it come back in a stripped-down version, the way it ought to come back.

I would also urge Members to vote against the amendment that will be coming up shortly, which, as I said five times earlier, will simply move $4 billion in defense spending out of next year's budget into this year's budget so that we free up $4 billion more spending room for next year. If we want to save the same $4 billion that the gentleman from Pennsylvania (Mr. TOOMEY) alleges to save in his amendment, we will take that action and we will save it for real.

I would also urge Members to again consider voting against this bill because the net result of this bill, as it stands here before us today, with the amendment that is going to be added on the DOD side, will mean that this bill has raised the amount of spending above what the President has asked for by about $8 billion, and it will mean that for the entire fiscal year this Congress will be spending $17 billion more, as represented by this red bar, than the President asked for, as represented by the blue bar.

Now, if Members want to save real money as opposed to monopoly money, they will vote against the bill and vote against that amendment. It does not mean bean bag how we vote on this amendment.

□ 1445

It just does not do anything to anybody.

Mr. Chairman, I yield back the balance of my time, and will undoubtedly be amused by the results.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. TOOMEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. TOOMEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 0, answered ''present'' 3, not voting 12, as follows:

[Roll No. 83]

AYES—420

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

ANSWERED ''PRESENT''—3

Frank (MA)
Obey
Schakowsky

NOT VOTING—12

Barton
Bono
Clyburn
Crane
Everett
Franks (NJ)
Granger
Klink
Kucinich
Martinez
Quinn
Salmon

□ 1507

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

**TITLE I**

**COUNTERNARCOTICS**

CHAPTER 1

DEPARTMENT OF JUSTICE

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $299,698,000, to remain available until expended, of which $282,500,000 shall be deposited in the Telecommunications Carrier Compliance Fund: *Provided*, That of such amount, $293,048,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $185,800,000, to remain available for obligation until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; the Defense Health Program; and working capital funds: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1201. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated in this Act for the Department of Defense, not to exceed $50,000,000 shall be available for the provision of support for counter-drug activities of the Government of Colombia. The support provided under this section shall be in addition to support provided for counter-drug activities of the Government of Colombia under any other provision of law.

(b) TYPES OF SUPPORT.—The support that may be provided using this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1882). In addition, using unobligated balances from the Department of Defense Appropriations Act, 1999 (Public Law 106–79), the Secretary of Defense may transfer one light observation aircraft to Colombia for counter-drug activities.

(c) CONDITIONS ON PROVISION OF SUPPORT.—(1) The Secretary of Defense may not obligate or expend funds appropriated in this Act to provide support under this section for counter-drug activities of the Government of Colombia until the end of the 15-day period beginning on the date on which the Secretary submits the written certification for fiscal year 2000 pursuant to section 1033(f)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1882).

(2) The elements of the written certification submitted for fiscal year 2000 described in section 1033(g) of that Act shall apply to, and the written certification shall address, the support provided under this section for counter-drug activities of the Government of Colombia.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEPARTMENT OF STATE

ASSISTANCE FOR PLAN COLOMBIA AND FOR ANDEAN REGIONAL COUNTERNARCOTICS ACTIVITIES

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support Plan Colombia and for Andean regional counternarcotics activities, $1,099,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, not less than $57,000,000 shall be made available for assistance for Bolivia, of which not less than $49,000,000 shall be made available for alternative economic development activities: *Provided further*, That of the funds appropriated under this heading, not less than $20,000,000 shall be made available for assistance for Ecuador, of which not less than $8,000,000 shall be made available for alternative economic development and similar activities: *Provided further*, That of the funds appropriated under this heading, up to $42,000,000 shall be made available for assistance for Peru: *Provided further*, That of the funds appropriated under this heading, not less than $18,000,000 shall be made available for assistance for other countries in South and Central America and the Caribbean which are cooperating with United States counternarcotics objectives: *Provided further*, That funds under this heading shall be in addition to amounts otherwise available for such purposes: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That for purposes of supporting Plan Colombia and for Andean regional counternarcotics activities, any agency of the United States Government to which funds are transferred or allocated under any authority of the Foreign Assistance Act of 1961 may utilize, in addition to any authorities available for carrying out section 481, any authorities available to that agency for carrying out related activities, including utilization of such funds for administrative expenses: *Provided further*, That funds appropriated under this heading shall be utilized for the procurement of and support for two UH–60 Blackhawk helicopters for use by the Colombian National Police which shall be utilized only for counternarcotics operations in southern Colombia: *Provided further*, That procurement of UH–60 Blackhawk helicopters from funds made available under this heading shall be managed by the United States Defense Security Cooperation Agency: *Provided further*, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of an illegal self-defense group or security cooperative, then such helicopter shall be immediately returned to the United States: *Provided further*, That funds obligated after February 6, 2000, and prior to the date of enactment of this Act for administrative expenses in support of Plan Colombia and for Andean regional counternarcotics activities may be finally charged to funds made available for such purposes by this Act: *Provided further*, That the Secretary of State, in consultation with the Secretary of Defense and the Administrator of the U.S. Agency for International Development, shall provide to the Speaker of the House of Representatives and the Committees on Appropriations not later than 30 days after the date of enactment of this Act and prior to the initial obligation of any funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project or activity: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount provided shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 4

MILITARY CONSTRUCTION, DEFENSE-WIDE

Not withstanding any other provision of law, for an additional amount for ''Military Construction, Defense-Wide,'' $116,523,000, to remain available until September 30, 2004: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for $116,523,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 9, line 4, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 5 offered by Mr. OBEY:

Page 3, line 8, after the dollar amount, insert the following: ''(reduced by $51,000,000)''.

Page 5, line 17, after the dollar amount, insert the following: ''(reduced by $501,000,000)''.

Page 8, after line 13, insert the following:

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. (a) EXPEDITED PROCEDURES FOR HOUSE CONSIDERATION OF APPROPRIATIONS FOR PUSH INTO SOUTHERN COLOMBIA.—If, by July 15, 2000, the House of Representatives has not considered an appropriation bill that includes funds to support the Push into Southern Colombia, then it shall be in order at any time after such date (but before July 31) to move that the House resolve itself into the Committee of the Whole on the state of the Union for the consideration of such a bill.

(b) EXERCISE OF RULEMAKING POWER OF HOUSE.—This section is enacted—

(1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a bill described in this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the House to change the rules at any time, in the same manner and to the same extent as in the case of any other rule of the House.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Missouri (Mr. SKELTON), the ranking Democrat on the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I speak in favor of this amendment. No one will take a back seat to me when it comes to drug eradication or no one can take a back seat to me in fighting drugs. I use this opportunity to explain that there is a better alternative, a better way of doing things in fighting drugs in the country of Colombia. As the strategy is now explained to us, it is called ''Push Into Southern Colombia.'' It is a 6-year plan. It is one that is aimed at the guerillas and not one that is aimed primarily at eradicating the drug traffic.

For example, this package appears to be focused on guerilla-controlled coca-growing areas to the exclusion of areas controlled by the paramilitaries and other narcotraffickers. The paramilitary groups linked to the drug trade will continue to operate with impunity until the last 2 years of this 6-year plan.

This cannot be the case. We must do a better job in strategic thought on how to fight these drugs and the drug trafficking. What we must do is to follow the strategy that was successful in the country of Peru. There is an alternative to the so-called Push Into Southern Colombia strategy that needs to be considered and it is the experience of reducing the coca cultivation by the country of Peru by doing three things.

Number one, an aggressive air interdiction of drug traffickers. In other words, if you fly, you die. Number two, a comprehensive AID alternative crop development program. And, number three, crop eradication.

The Colombian government has not yet matched the Peruvian government's demonstrated willingness to interdict the drug traffickers' aircraft. The Colombian government should be encouraged to match that commitment. When combined with a successful effort to interdict the air bridge, a strong ground interdiction strategy at the three main points that drugs must have to cross the Andes Mountains, the road to Pasto, the road through Florencia and the road through Villavicencio, ground interdiction focus must be kept on those three areas. We cannot do this by piecemeal.

I think that those military thinkers, whether they be Colombian or whether they be American who make suggestions can do a much better job. We must interdict the drugs in the air, force them through the three Andes passes, and stop them and eradicate them there. That is the only sound way of getting at the drug trafficking.

This other way, the strategy that I think is an erroneous one, is one that will last some 6 years and might cause us well to find ourselves involved in a guerilla warfare; and the last thing in the world we want to do is to have American young men and young women involved in that. I doubt the American people would support a counterinsurgency campaign, and yet that is where we are headed.

The administration's continued insistence that the package is entirely counternarcotic, however, has made impossible any debate on the merits of counterinsurgency. Let us get this strategy right; let us think it out; let us interdict it by air and through the three passes as opposed to the manner in which they suggest. I therefore will vote for and urge my colleagues to vote for this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Alabama (Mr. CALLAHAN).

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

□ 1515

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding.

The Obey amendment would strike from this bill the U.S. aid to the Colombian army while still allowing the Human Rights, Justice and Alternative Development System to go forward. In return, he proposes that the House be allowed expedited consideration of the appropriations for the money later this year.

But let me tell my colleagues the fallacy. While I am sure that the gentleman from Wisconsin (Mr. OBEY) is sincere in his belief that we should delay this, and certainly he comes forth with some good justification, let us put the scenario where it is.

President Pastrana has gone to the international community, as well as his own country, and developed collectively a package of about $7.5 billion to participate in this Colombia plan. Our share, according to the President's request, will be $1.3 billion. If, indeed, we today indicate to the guerillas in Colombia that we are not sufficiently interested to vote on this issue today and to send the message that we are going to participate, it is going to disable the ability of President Pastrana to go to the European Community and to the Japanese community and the others who have also pledged assistance. It is also going to cause him consternation in his own country, because it is going to be a political defeat for his plan.

Here we have a President in Colombia who has said he wants to cooperate with the United States of America to assist us in our efforts to stop the importation of drugs that originate in his country.

Mr. Chairman, if we delay this today, it is a wrong message; and the gentleman from Wisconsin I think would agree with that. If, indeed, the President is wrong and we do not have the confidence in our President to go along with what he considers the number one priority in this country today and thus, he says, is the reason for this emergency declaration.

So if one disagrees with the President, that is certainly one's prerogative. I disagree with him on a lot of things. I disagreed with him when he ran for the presidency of the United States and voted for Bob Dole and before that, for George Bush. That is not the issue. The issue is the commander in chief has said this is what we should do today, not in July, not in August, not in September, not get it involved in the appropriations process, which is probably going to be October or November before we finish.

So I urge my colleagues today to vote against the Obey amendment. Let us make the declaration. Do we support the President of the United States? Do we want to fight drugs in this manner, or do we want to procrastinate and send a message to the guerillas in Colombia that we are really not as concerned as the president of Colombia is and send the message to the European Community and the other communities that have agreed to supplement our $1.3 billion with an additional $1.7 billion, plus the $4 billion that Colombia itself is contributing?

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

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

Mr. GILMAN. Mr. Chairman, I rise in opposition to the Obey amendment which cuts out all of the military aid to Colombia.

There is an explosion of coca cultivation taking place in southern Colombia, a region where the Colombian National Police does not have the ability to conduct eradication and interdiction operations without the support of the Colombian military. The Colombian National Narcotics Police requires Colombian military support to establish an acceptable level of security around their counterdrug objectives, prior to initiating eradication and interdiction operations. Colombian military participation is essential, essential for successful counterdrug efforts in Colombia; and Defense Department programs are the primary means to ensure the successful integration into ongoing counterdrug efforts.

The counterdrug support that our government supplies to the Colombian military is part of a balanced and a comprehensive plan to provide security, stability, and ongoing government control over southern Colombia. Without effective government control or stability in that part of the country, social programs such as alternative development have no chance of any long-term success. The support of the Colombian armed forces is needed to provide the kind of security for law enforcement operations of the Colombian National Police and to allow the Colombian government to provide basic services to the Colombian people in southern Colombia.

The counternarcotics police, the CNP, does the eradication, but they need military support to eradicate the drug crops in guerrilla-controlled territories. Accordingly, I urge my colleagues to oppose the Obey amendment which guts the antidrug strategy that we have in Colombia.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1½ minutes to the distinguished gentlewoman from Florida (Mrs. FOWLER).

Mrs. FOWLER. Mr. Chairman, I rise in strong opposition to the Obey amendment which would gut the effort we are making here today to fight the drug war in Colombia. I have been to Colombia, and I have seen the crisis that exists there today.

To the extent that Congress determines that emergency funding is necessary to stem this crisis, military assistance must be a part of that effort. The Obey amendment would strike all military assistance from the emergency funding. Should his amendment pass, there would be no funding for the 45 helicopters needed to ferret out the narcoguerrillas that enforce the state of lawlessness there, and there would be no funding for training, equipping and deploying the Colombian army's counternarcotics battalions.

The Obey amendment would retain the funding for economic and agricultural assistance, but would take away the military aid that is needed to create an environment in which such assistance could function. This is the equivalent of sending social workers into a crack house unarmed and without police accompaniment.

I urge my colleagues to vote ''no'' on the Obey amendment.

Mr. YOUNG of Florida. Mr. Chairman, might I inquire as to the time remaining for both sides.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 4 minutes remaining; the gentleman from Wisconsin (Mr. OBEY) has 6 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I reserve the balance of my time, and I reserve the right to close.

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

I start by reminding the House that there is no authorization for the action that we are about to take. This bill contains $1.3 billion as a downpayment on what will be at least a 5-year war in Colombia. Some say it is a drug war; some say it is a civil war. I think it is both.

I hate drugs. They destroy lives, and they destroy communities. But this amendment does not in any way limit funds to help the Colombian police, it does not limit funds for their helicopters, it does not limit funds for their intelligence operations or for the radar that we are supplying. I favor air interdiction.

All this amendment does is delay until after July 15 the $522 million downpayment on what will be at least a 5-year expanded military commitment which will involve ourselves unquestionably in a civil war. This delay simply gives the Committee on Armed Services, the Committee on International Relations, and the Select Committee on Intelligence time to ask questions that this institution has an obligation to ask before we vote these funds.

Now, I understand our Speaker will close debate. I would ask him and I would ask my colleagues the following questions: Do we know what the 5-year full cost will be? We are told $1.3 billion for the first year. Do we know what we are going to have to spend over the entire 5 or 6 years?

Second, if U.S. advisors are kidnapped, what are our plans then? My colleagues ought to ask the administration, do they have a plan? If these few troops that we will train cannot control the 150,000 square miles of jungle in Colombia, what will we do next? Will we just quit? I doubt it. I do not know if the administration has an answer to that, and I do not know if the Speaker does. What can we do to make certain that we know what we are doing?

I would suggest one thing we ought to ask is why is it that we have not been allowed, through an amendment today, to offer drug treatment to more than 37 percent of Americans who need it? We have been denied that opportunity today. This may or may not be similar to Vietnam, but I do see one difference. The Gulf of Tonkin was debated for all of 40 minutes on this floor. This amendment will be debated for all of 20 minutes. That is the major distinction, I fear.

Mr. Chairman, there has been no real debate. We have not had a chance to get into it.

The gentleman from New York (Mr. GILMAN) said this bill cuts money for Colombia. It does not cut one dime. It simply delays $522 million until his committee and the gentleman from Missouri's (Mr. SKELTON) committee can hold the hearings that ought to be held. We ought to have this authorized before we move ahead.

Mr. Chairman, I know the President of the United States is for this, and I know the Speaker of this House is for this, and I have had so many of my colleagues say to me, ''Oh, I think you are right, we probably ought to delay this; but after all, you know the Speaker wants it.'' I respect that. I would just remind my colleagues of one thing. On this issue, on all issues affecting our involvement in war, we are not to be the agents of the President; we are not to be the agents of the Speaker. We owe it to ourselves and our constituents in this body to exercise our own judgment on a crucial, crucial matter; and I beg my colleagues to do that this afternoon.

All my amendment does is to delay our decision until we know more about it than we know today. I do not think, given our history, that that is too much to ask.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield the remaining 4 minutes of our time to the distinguished gentleman from Illinois (Mr. HASTERT), the Speaker of the House.

Mr. HASTERT. Mr. Chairman, I rise today in respectful opposition to the amendment of the gentleman from Wisconsin. I want to speak in favor of U.S. assistance to the government of Colombia to fight the war on drugs.

I do not take this well in a frivolous way. First of all, the supplemental that we are considering today is about our children and whether we want our children to grow up in a society free from the scourge of drugs. Now, does that mean that we can do this just by doing something in Colombia? No, and I want to pursue that.

The gentleman from Missouri (Mr. SKELTON), my good friend, talked about Peru. I have been to Peru several times, more times than I want to count. But when President Fujimori came in there on the Shining Path and controlled the drug trade in the Upper Huallaga Valley, and they did bring the shoot-down policies because they were moving drugs from Peru to Colombia, he was successful. He was successful because he was able to address the problem of the narcoguerillas in Peru and the transportation of drugs from where it was grown to where it was being remanufactured in Colombia.

Then the new president of Bolivia came in, and I have been to Bolivia more times than I want to count, and he was able to do the drug suppression there where drugs were going into Brazil and Argentina by crop substitution, but also by being able to stop the drug trade from moving from Bolivia to Colombia. I say to my colleagues, the problem is, all of the drugs that we stopped from Peru and Bolivia are now grown in Colombia. How do we address that?

□ 1530

The Colombian police officers have been fairly successful. They have a great human rights record. They have been able to do a credible job. But the police force in Colombia does not have the manpower, it does not have the ability to get into southern Colombia, an area the size of Switzerland, to be able to stop drug trade and drug growing and drug transportation and drug manufacturing.

The Colombians need help. But I want to focus for a few minutes about why. Colombia is the source of 90 percent of the cocaine that comes into this country. Colombia is the source of 65 percent of the heroin that reaches our neighborhoods, our schools, and our children.

Over 52,000 Americans die every year, every year from illegal drug use, and others from gang- and drug-related violence, thousands, and tens of thousands of lives are ruined. I could tell Members stories from my own experience.

Thousands of families are destroyed because of what Colombian drugs and others, but mainly Colombian drugs, are doing in this country.

They are our real casualties of a quiet, deadly battle that is waged on the streets of our cities, our towns, our rural areas, our neighborhoods, and our schools.

Some of my colleagues have said that this package is not the answer. They are correct, stopping drugs in Colombia is not the only answer. We have a responsibility to stop drugs in Colombia, to stop them in transit, to stop them at our border, to stop them in our streets and in our schools.

We also have a responsibility to teach our children to say no, and to educate them as to the dangers of drugs, and keep them from trying drugs in the first place.

Finally, we have the responsibility to provide meaningful and effective treatment to those who are addicted to drugs. I know the gentleman before me talked about that. This year alone we will spend close to $6 billion, or one-third of our drug control budget, on treatment and prevention.

I am personally committed to working with this Congress, the gentleman from Wisconsin, the President of the United States, to implement an effective and balanced strategy to win the war on drugs.

My friend, the gentleman from Wisconsin, asked, he said, have we ever had this debate? Since I have been in this Congress, especially the last 6 years, we have debated this every year. We have had hearings. We know what the problems in Colombia are. We know of the ineffectiveness of the previous administration in Colombia fighting drugs.

We were somewhat askance when the President opened up the territory in southern Colombia, but now our administration and the administration of Colombia are in concert. Our administration has listened to what this Congress has said for 5 or 6 years: that we need to do something about it, that we cannot put our head in the sand; that we cannot say, well, we cannot do anything about it, so we ignore it.

Mr. Chairman, I say to my colleagues, and I speak to Members today as my colleagues, we cannot ignore this issue. We cannot ignore it in this Congress, we cannot ignore it on our street corners, and we cannot ignore it from the place that this stuff comes from.

I ask Members today, and again, respectfully, because I have a great deal of respect for the gentleman from Wisconsin, and I understand that we do not want to get in a prolonged war. But we helped Peru and we did not get in a prolonged war because we did not have our troops down there. We are not going to do this here. We helped Colombia, and they were able to stop it. We did things, and if we are constant and vigilant in this Congress, we can do a great deal. We can do a great deal together.

I ask the gentleman from Wisconsin, I am willing to reach out my hand and work with the gentleman. I do not want to see us escalate. A lot of this is for the beginning helicopters, so they can get into the territories, they can get into the places where they grow the drugs; that they can stop the transit, the riverine problems that they have.

But Mr. Chairman, we have to solve this problem. We cannot solve the problem by ignoring it.

I ask Members again respectfully to reject this amendment. Let us get on with this job, and let us do it right.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 239, not voting 10, as follows:

[Roll No. 84]

AYES—186

Abercrombie
Ackerman
Allen
Andrews
Archer
Bachus
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Bereuter
Berry
Blagojevich
Blumenauer
Bonior
Boucher
Boyd
Brady (TX)
Brown (OH)
Camp
Campbell
Capps
Capuano
Carson
Castle
Chabot
Clayton
Coburn
Collins
Combest
Conyers
Cook
Costello
Cox
Coyne
Crowley
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Duncan
Ehlers
Engel
Eshoo
Evans
Farr
Filner
Fossella
Frost
Ganske
Gephardt
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hefley
Hill (MT)
Hilleary
Hilliard
Hinchey
Hoekstra
Holt
Hooley
Horn
Hoyer
Hulshof
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
LaFalce
Largent
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Manzullo
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moran (KS)
Morella
Nadler
Neal
Nethercutt
Oberstar
Obey
Olver
Owens
Pastor
Paul
Payne
Pelosi
Petri
Phelps
Pitts
Porter
Price (NC)
Ramstad
Rivers
Rodriguez
Roemer
Rohrabacher
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sanford
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Sherman
Skelton
Slaughter
Smith (MI)
Spratt
Stark
Stearns
Stenholm
Stupak
Tancredo
Taylor (MS)
Thompson (CA)
Thornberry
Tiahrt
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Wicker
Woolsey
Wu
Wynn

NOES—239

Aderholt
Armey
Baca
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Brady (PA)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Cardin
Chambliss
Chenoweth-Hage
Clay
Clement
Coble
Condit
Cooksey
Cramer
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
DeLauro
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Ewing
Fattah
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Gallegly
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinojosa
Hobson
Hoeffel
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Jefferson
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Martinez
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (VA)
Murtha
Myrick
Napolitano
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Portman
Pryce (OH)
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Ryun (KS)
Sandlin
Sawyer
Saxton
Scarborough
Sessions
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Strickland
Stump
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thune
Thurman
Traficant
Turner
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weller
Weygand
Whitfield
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Barton
Clyburn
Crane
Everett
Franks (NJ)
Granger
Klink
Kucinich
Quinn
Salmon

□ 1557

Mr. LAZIO and Mr. LAMPSON changed their vote from ''aye'' to ''no.''

Messrs. BACHUS, RYAN of Wisconsin, ROYCE, and METCALF and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Ms. PELOSI:

Page 3, line 8, after the dollar amount, insert the following: (reduced by $51,000,000)''.

Ms. PELOSI. Mr. Chairman, my colleagues, the amendment at the desk that I have cuts $51 million of the $185 million in the funds in the DOD account in this supplemental bill. The $51 million cut represents all the money provided for the push into Southern Colombia.

Primarily these funds were to pay for training, equipping and deploying the counternarcotics battalions into Southern Colombia. I offer this amendment, once again, to emphasize that our emphasis is wrong.

We have an emergency supplemental before us today, because we have an emergency in our country; and that is the issue of substance abuse.

As I said earlier and earlier today in the debate on the rule and in general debate, we have an emergency supplemental bill before us today, because, indeed, there is an emergency in our country, and that is the dependence on substance abuse by so many people; indeed, 5½ million people in the United States.

I introduced the amendment to emphasize that in this bill with that emergency in our country, we do not have $1 of emergency spending for reducing substance abuse in our country for treatment on demand and for prevention.

In the Rand report, which I quoted earlier, it says that for every dollar spent on treatment or demand in the U.S., we get 23 times more value than on money spent in the country of origin in the coca leaf eradication program, 23 times more effective.

This report says that if we want to reduce demand in the United States by 1 percent, if 1 percent would cost $34 million if we spent it on treatment on demand programs. To get that same 1 percent reduction, by the approach taken in the chamber today, coca leaf eradication, you would have to spend 23 times that, or $723 million.

We can spend $34 million on treatment in demand in the U.S., or we can spend $723 million in the country of origin, that being Colombia what the discussion is about today.

Every indicator in this Rand report that was done in conjunction with the Department of Defense and the office of National Drug Control Policy points to the value of treatment on demand. Even in an OPED in 1998 General McCaffrey wrote, it is a sad time when the number of incarcerated Americans exceeds the active duty strength of the Armed Forces.

□ 1600

''A Rand Corporation,'' this is still General McCaffrey's quote, ''a Rand Corporation study in 1994 found that increasing drug treatment was the single most effective way to reduce domestic drug consumption.''

So how can we have a bill that addresses an emergency in our country where we have 23 times more effectiveness by addressing demand in our country has all of its emphasis on eradication of the coca leaf in another country. Maybe it is important for us to go that route, too.

But we have so much uncertainty about the success of the $1.7 billion that we are allocating to Plan Colombia, and so much certainty about the effectiveness of treatment on demand that it is hard to understand this legislation.

Let me say that we have a treatment gap in this country, and that is part of the emergency. There are 5½ million substance abusers in the United States. Of that, 2 million receive treatment; 3½ million do not.

In an amendment that I wanted to offer that I offered in committee for $1.3 billion to be used for prevention, for treatment on demand, for prevention program geared to our youth, we would have been able to meet the needs of 303 substance abusers in this country, 303, only one-tenth of the problem. I was defeated in committee.

Trying a more modest approach in the Committee on Rules, I put forth a $600 million treatment-on-demand amendment and was not given the opportunity to bring that amendment to the floor.

So I offer this modest cut of $51 million from the funding for the push into southern Colombia and to emphasize, as I say, the improper emphasis of this bill.

We all agree that President Pastrana is a great and courageous person and deserves our help. I want to make that point. But I think this is the wrong way to go.

In closing, Mr. Chairman, I want to associate myself with the remarks of the gentleman from Indiana (Mr. ROEMER), which will come later, about some other issues in the bill.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise reluctantly to oppose the amendment by the gentlewoman from California (Ms. PELOSI), who is the ranking member of the subcommittee.

It is my privilege to serve on the subcommittee with the gentleman from Alabama (Chairman CALLAHAN) and the gentlewoman from California (Ms. PELOSI), and I very much admire their work and the total responsibility we have for foreign operations.

Unfortunately, I could not disagree more with the position that the gentlewoman from California (Ms. PELOSI) has on this specific item that her amendment addresses itself to. I could not disagree more strongly.

She would strike that money that allows us to provide for the training of those Colombian troops who will be putting forth the effort to cut off this flow of coca leaves to the United States. I cannot really understand why she would even consider such an action.

In the final analysis, this amendment is little more than a mini-amendment of the Obey amendment that was before us a short time ago. The gentleman from Alabama (Chairman CALLAHAN), as well as the Speaker, expressed themselves eloquently and touched every point that needs to be made here.

The government of Colombia is doing their very best to put together a package that essentially would stop the production of coca leaves in Colombia that eventually comes into the United States. That flow provides 90 percent of the coca available in the United States. To not be willing to cooperate with that effort on the part of the government of Colombia is sort of a bit of insanity.

I cannot understand why the gentlewoman from California (Ms. PELOSI) in this case, for some reason, chooses to eliminate the money for the training itself. It is a fundamental pillar of that effort. It is the essence of the American effort. Because of that, I would ask that the House consider this last vote and repeat it on the final question regarding the Pelosi amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not need any reminders from anyone about what illicit drugs do to people in this country. My wife has been a speech therapist. She has been a social worker. She has dealt with people in Saint Elizabeth's and at Georgetown Hospital. She has seen crack babies close up. Once one has seen that, one does not need any lectures about what stupid use of drugs will do in this society. The issue is how we deal with that problem.

What I think the gentlewoman from California (Ms. PELOSI) is simply saying to my colleagues is that we think that they are putting all of their eggs in one basket and that the evidence shows it is the wrong basket.

We have 3½ million people in this country who are in severe need of drug treatment and yet cannot get it because of inadequate programs to provide that treatment. We are currently able to provide only 37 percent of the estimated 5.7 million Americans who need treatment with the treatment that they need.

Yet, if we look at an evaluation done by the Substance Abuse and Mental Health Administration, and it is cited on page 97 of the committee report, we see ''A five-year evaluation of SAMHSA substance abuse treatment

services found treatment has significant and lasting benefits. Patients receiving treatment reported 50 percent decrease in drug and alcohol use 1 year after completing treatment, 53 percent decrease in alcohol/drug related medical visits, 43 percent decrease in criminal activity, 56 percent decrease in sexual encounters for money or drugs, 51 percent decrease in sexual encounters with an injection drug user, 43 percent decrease in homelessness, and a 19 percent increase in employment.''

That is what the evidence shows one can get if one puts money in drug treatment. Yet the leadership of this House and the Committee on Rules, which is its agent, denied the gentlewoman from California (Ms. PELOSI) the opportunity to offer an amendment to put one dime of additional money into drug treatment and drug prevention.

Then my colleagues have got the gall to come here and ask her why she offers this amendment. I will tell them why she offers this amendment. It is the only way she can get a discussion of the issue on the floor. We tried not to eliminate a dime for Colombia.

All we asked our colleagues to do is to delay $522 million that we thought was going to get us in a war that we did not know how to get out of, and recognize the Rand study, which says that we get 34 more times bang for the buck if we put the money where she wanted to put it as opposed to where the House decided to put it.

So if my colleagues want to know why this amendment is here, it is because it is the only way that the gentlewoman from California (Ms. PELOSI) can get an opportunity to ask them again and again why, if they are willing to fight the drug war a thousand miles from here, why are they not willing to fight it in their own backyard by increasing drug treatment. That is where the money ought to go.

Mr. CALLAHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me start off by explaining the amendment cuts a heart off the entire push, in my opinion, into Colombia.

The CHAIRMAN. The gentleman from Alabama will suspend. The gentleman's microphone has not been working.

Mr. CALLAHAN. Mr. Chairman, maybe I will try the other one on the Democratic side.

Mr. Chairman, I rise in support of the gentlewoman's amendment. Seriously, this amendment.

Mr. OBEY. Point of order, Mr. Chairman. The microphone of the gentleman from Alabama is on.

Mr. CALLAHAN. Mr. Chairman, the amendment really cuts the heart out of the entire program of Plan Colombia because it would prohibit the money to train the counternarcotics pavilion. I think the gentlewoman from California (Ms. PELOSI) recognizes that. Without this training money, there is no reason for the rest of the package. I think the gentlewoman recognizes that.

But the primary reason I rise, other than in nonsupport of the gentlewoman's amendment, is to correct some perception that may have come from her remarks and the remarks of the gentleman from Wisconsin (Mr. OBEY) about our concern about drug prevention and abuse programs in this country.

Let me remind my colleagues that we have appropriated more than $10 billion towards this program. The President of the United States has come to us and said, in addition to that money, there is an emergency problem in interdiction. He has said, in effect, that we have appropriated a sufficient amount of money for drug prevention and abuse programs in this country.

So let us not create a perception that this Congress, both sides of the aisle included, is ignoring the internal problem that we have, the domestic problem we have here in the United States.

The gentlewoman from California (Ms. PELOSI) is absolutely correct in her assessment that the real problem of all of this lies in our own solving of our own programs here in the United States. But let me remind her and all of my colleagues that it is not because of a lack of financial resources, because since 1996, we have increased the programs by 35 percent. The President of the United States also runs our domestic programs. If he needs more money, all he has to do is ask, and we will fulfill his request for additional domestic concerns here in this country.

So let us do not get this thing construed to the point that there is an indication that this Congress has not been willing to support our own domestic programs, because the fact remains we have increased it in the last 4 years more than 35 percent. It now exceeds more than $10 billion per year.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, with great respect to the gentleman from Alabama (Mr. CALLAHAN), our distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, and with appreciation that we were able to work together to get the $10 billion into this account; however, I would just like to remind my colleagues that, although we have made progress in investing in this account, 37 percent, only 37 percent of the estimated 5.7 million Americans in severe need of substance abuse treatment are taken care of, 37 percent.

□ 1615

Thirty-seven percent. So I just want to commend my colleague, the gentlewoman from California (Ms. PELOSI), for bringing attention to this critical need in our country.

It is very disappointing that she was not allowed to offer her amendment as she offered it into the committee, because I do believe that we need an aggressive drug control strategy. We all know that substance abuse is a critical and persistent problem facing every community in our Nation. It has an incredibly difficult impact, as we know, on our families, public safety, employment, productivity. And while we know treatment works, let us remember again that there are 3.6 million people in severe need of substance abuse treatment that cannot get access to it. I see it all over the district. We must have better systems if we are to help those who need help today and as we reach out to millions of today's youth reaching a vulnerable age.

I want to repeat it again, although the gentlewoman from California referred to the Rand Corporation study, which found that funds spent on domestic drug treatment were 23 times, 23 times, more effective than source country control, 11 times more effective than interdiction, and 7 times more effective than law enforcement in reducing cocaine consumption. So the strategy that the gentlewoman from California (Ms. PELOSI) is talking about works. It is common sense and it is long overdue.

I commend my colleagues on both sides of the aisle for supporting the $10 billion, but we have not done nearly enough, and I would hope that we can support the gentlewoman from California (Ms. PELOSI) and direct these additional dollars to substance abuse control.

Mr. SHAW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think we need to focus on what we are talking about right now. We have heard a lot of good speeches, most of which we can all agree on, and that is the need for treatment, the need for rehabilitation, the need to do these sorts of things in the community. That is not what this amendment is about. This amendment is a straight cut.

My friend from Wisconsin spoke about the problem not being taken care of in our back yard. We are talking about what is going on in the streets in front of the homes of thousands of Americans, millions of Americans, where these drug deals are going down. The supply needs to be cut. We need to go with both the supply side and the demand side.

And now we have ourselves in a situation where a country is in trouble, the country is reaching out to the United States, Colombia is the oldest democracy, I think, in South America; and they are reaching out to the United States for assistance. They are going to accept our training; they are going to accept our resources and our assets; and this is very important.

We go over and we bomb these other countries, Libya and all these places, because they are making weapons of mass destruction that might some day hurt Americans; they may some day be used on our friends. At the same time, we are turning our heads and our backs on what is really going on, and that is

this poison that is being created in Colombia and other countries in our hemisphere which is coming in and poisoning our kids and destroying their future.

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

Mr. SHAW. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the gentleman said that everyone agreed with us on the need for more drug treatment. Then I would ask why did the gentleman vote for a rule that prevented us from being able to provide this drug treatment?

Mr. SHAW. Reclaiming my time, Mr. Chairman, I would say that I did not say that we agreed for the need for more. We agree that the arguments that have been made is that we do need to concentrate in this area. That is very important. And perhaps when we get to the regular type of appropriation bills, this would come about.

But what we have right now is an emergency in Colombia that we need to address. This qualifies for an emergency in every way possible. And I can tell the gentleman, this particular bill came in with an open rule that opens it up to all of the areas that are before the House today, and I think that the minority was certainly handled very fairly in this regard.

But now, let us get serious on the war against drugs in this country. Let us get serious. And this is a wonderful first step. Let us not show a diminution of our resolve by starting to cut in with all these amendments that are going to be put before the House this afternoon and tonight. Let us not fall into that trap. Let us examine each one exactly the way they are. If it is a cutting amendment, that cuts down on our war against drugs, let us just call it that. It is not moving this money someplace else.

Whether my colleagues like the rule or they do not like the rule, the question is right before us very squarely, and that is are we going to cut the aid that we desperately need in order to continue the war against drugs as an ally of the Colombian government? It is as simple as that. Vote down this amendment.

Ms. KILPATRICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is about the drugs in America that have devastated America, its families, its children, and its communities. If we have a supplemental before us, the first of the 21st century, and we do, that is funded by $1.7 billion tax dollars to give to Colombia, the country that sends 90 percent of the cocaine to this country, that sends over 60 percent of the heroin to this country, we are all saying, yes, we must do something with that supply, we must decrease that supply, but what we are also saying is that all those tons of cocaine and heroin that are in the American communities now, that we must in this supplemental, the first of the 21st century, allow money for treatment. Treatment on demand.

Everyone who is addicted to drugs is not ready for treatment; but those who are ready for treatment on demand, we must make it available to them. In my district there is a 6-month waiting list for an addicted person who wants treatment today, not 6 months from now, when their families are more deteriorated, when the community is more deteriorated. Today, on demand.

So what we asked in committee with the Pelosi amendment, and what we are asking today, a small drop in the bucket, $57 million out of a $1.7 billion appropriation to Colombia, is to allow money for treatment so that those Americans can take care of their families and become citizens again of this society and pay taxes and raise their children. Is that too much to ask? I think not, Mr. Chairman.

How can the gentleman on one hand we talk about a ''Plan Colombia'' that talks about supply and not do anything to eradicate the demand? It is not fair. It is not right. As leaders of this country, of the free world, the greatest country in the world, we need to stand up to what we believe in. Many of our constituents across this country, across all ethnic, racial, and gender lines are addicted. Does the gentleman not want them treated on demand when they finally decide in their life they have had enough?

The Pelosi amendment is a small piece of what we need. We ought to be putting $1.7 billion into treatment, but the amendment before us only asks for $57 million. How can the gentleman be against $57 million. My colleagues have heard the figures already. I am not going to repeat them again. We all know people who are addicted, we know families and children that have been devastated by the drugs from Colombia. Let us do the right thing, Mr. Chairman.

I strongly support the Pelosi amendment. We need to begin to provide funding for treatment for those people who have finally decided in their life that they have had enough.

It was said earlier that we will have to attack drugs on all bases, and we do. On the supply side, I agree totally, let us give them that money, but it is unconscionable that we will not at the same time in this bill, when we have a surplus in our government, supply money for treatment. It is the right thing to do, and I hope my colleagues will stand up and do the right thing.

Ms. KILPATRICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is about the drugs in America that have devastated this country, its families, its children, and its communities. We have a supplemental before us, the first of the 21st century, and we propose to fund $1.7 billion in tax dollars in economic aid to Colombia. Columbia sends 90 percent of the cocaine to this country; it sends over 60 percent of the heroin to this country. We all agree, we must do something to decrease that supply. It is imperative that we decrease that supply, but we must also agree, as we consider this supplemental appropriation bill, the first in the 21st century, to reinforce our commitment to drug treatment and prevention. We exist in a culture that makes drugs available on demand. We must provide the funds to give treatment on demand.

Everyone who is addicted to drugs is not ready for treatment; but those who are ready for treatment on demand must have access to treatment programs. In my district there is a 6-month waiting list for an addicted person who wants treatment today—not 6 months from now—when their families have deteriorated, when their community has deteriorated. They need access now, today, on demand.

What we asked in committee with the Pelosi amendment, and what we are asking today, is a small drop in the bucket, $57 million out of a $1.7 billion appropriation to Colombia, to allow money for treatment so troubled Americans can take care of their families and become citizens again of this society, pay taxes and raise their children. Is that too much to ask? I think not, Mr. Chairman.

How can the gentleman talk about a ''Plan Colombia'' that talks about supply and not do anything to eradicate the demand? It is not fair. It is not right. As leaders of this country, of the free world, the greatest country in the world, we need to stand up for what we believe in. Many of our constituents across this country, across all ethnic, racial, and gender lines are addicted. Does the gentleman not want them treated on demand when they finally decide in their life they have had enough?

The Pelosi amendment is a small piece of what we need. We ought to be putting $1.7 billion into treatment, but the amendment before us only asks for $57 million. How can the gentleman be against $57 million? My colleagues have heard the figures already. I am not going to repeat them again. We all know people who are addicted. We know families and children that have been devastated by the drugs from Colombia. Let us do the right thing, Mr. Chairman.

I strongly support the Pelosi amendment. We need to begin to provide funding for treatment for those people who have finally decided in their life that they are sick and tired of being sick and tired.

It was said earlier that we will have to attack drugs on all bases, and we must. On the supply side, I agree totally. Let us give them that money, but it is unconscionable that we will not at the same time in this bill, when we have a budget surplus in our government, provide more money for treatment. It is the right thing to do, and I hope my colleagues will stand up and do the right thing.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to address my colleagues on a personal note. Drugs have hurt many of us, our own families, including my own, including my own son.

I have two beautiful daughters. My youngest scored 1600 on her SATs. She is a National Merit Scholar. And my oldest one helped to start a club of some 35 high school kids that do not drink; they do not smoke; they do not do drugs, and it is a marvelous group to watch. But it is called family. I have

a son who is 30 years old who got involved using drugs in his early years, and he went through drug treatment. On a lieutenant's pay, it was not easy to put him through that treatment, so I understand where the gentlewoman is coming from.

But then later on in life, when he was 30, he got caught selling marijuana that came across from Mexico. So we individually have a lot of pain with drugs. It has been devastating to our family having my son in the situation he is in, knowing that he could have had much better in life.

So to my colleague I would say, is there enough money in drug treatment? No. I do not disagree with the gentlewoman. But it is a series of a war. We have not really had a war on drugs in this country, with Republicans or Democrats, because if we did, we would stop them at the border. The Noriegas of the world, we would not only throw in jail but we would stand them up in exhibition to the world to let the world know we are not going to stand for those drugs coming in. Our border patrols would stop the money that is coming in from China on our cargo ships. And then on the streets, if someone gets caught selling drugs, that person needs to know they are going to go to jail, and they are going to go to jail for a long time, including my own son, who I love very much.

And then if someone does get hooked on drugs, and thousands of our children have, and we heard the Speaker say that 52,000 people die every year in our country from drugs, then, yes, we treat that. I think we do not have an adequate amount, but we do have it, and we need to spread out the money on all of these endeavors. I would rather have my son or my daughters, if I knew they were going to get the mumps or the measles, I would rather prevent them from getting the mumps or the measles in the first place, as I would like to stop our children from getting drugs. So we need to spread out the money across the gambit. I think it is difficult to do that when we say, well, we need more money here, we need more money there. I agree we need more money everywhere on this to really have a war on drugs.

The gentleman from Wisconsin (Mr. OBEY) is not wrong. I had a very difficult time voting against his amendment. Actually, in the committee, I voted for it, because I do not know in my own mind, having not supported Haiti, and I know that we put $2.4 billion in there and I look at Haiti today, and I look at Somalia, so I do not know if Colombia has the infrastructure to handle the money that we give them or if it will end up in Las Vegas, and so I struggle with that very much.

But I would ask my colleagues not to berate saying, well, one side or the other does not want to give money for treatment. I think when we lay out the whole plan and the whole war, it is very, very important for us to come together on this.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise on this occasion to oppose the amendment introduced by the gentlewoman from Florida (Mrs. FOWLER), which calls for the resumption of live fire at the range in Vieques. The earlier amendment by the gentleman from South Carolina (Mr. SANFORD) aimed to eliminate the $40 million appropriation for economic initiatives.

The Fowler amendment is an attempt to derail the agreement reached by the Secretary of the Navy, the administration, and the Governor of Puerto Rico this past January 31 that was approved by the Secretary of Defense, the Deputy Chief of Naval Operations and the National Security Council, among others. The agreement has also been endorsed by the Puerto Rico legislature, the Mayor of Vieques and by myself, the only elected representative of the nearly 4 million disenfranchised American citizens in Puerto Rico.

I urge my colleagues to oppose this shortsighted amendment that aims to undo the agreement and will actually prevent the use of the range, thus undermining military readiness. Both the Navy and the Marine Corps have indicated that the resumption of bombing with inert ordnance for the next 3 years is an acceptable solution to their training needs.

□ 1630

They also assert that this process provides the best opportunity to correct past inequities in their relations with the 9,300 citizens in the island municipality.

There is a letter from the Department of Navy dated March 29 directed to the gentleman from Florida (Mr. YOUNG), the chairman of the committee, where the Department of the Navy says, ''We have been engaged in a multi-agency effort to resolve the Vieques situation since April 18, 1999. The proposed amendment makes two significant changes to the Administration's proposed statutory language, either one of which will likely worsen the situation on Vieques.''

The Secretary of the Navy goes further on to say, ''To eliminate either of them would seriously undercut the essence of the agreement. In that event, the Governor and the citizens of Puerto Rico could consider this to be an abrogation of the President's agreement. The cooperation of the Government of Puerto Rico is crucial to resuming the safe operational use of the range. Without safe access to the range, the Navy and Marine Corps will have to continue to conduct training, which falls short of the Navy's needs, at other sites, a requirement that the President intended to remedy with his Directives.''

As we meet in this Chamber today, I am reminded of the powerlessness of Puerto Rico's political situation and my lack of vote in matters and decisions that impacts our daily lives. I will not be able to vote on this amendment today.

I am firmly convinced that the situation that we faced on April 19, 1999, was underscored by the tragic death of David Sanes Rodriguez that would not have happened anywhere else in the United States.

The agreement that was reached by the President, the Department of Defense, and the government of Puerto Rico is the best opportunity to achieve peace and justice for the American citizens in Vieques. The presidential directive calls for a referendum, a process that enables the people who are directly impacted by the bombing and who are disenfranchised American citizens the only opportunity to express their opinion through the democratic process.

I believe that the controversy over Vieques has been a test of our Nation's resolve to assure democratic rights for all Americans. The agreement ensures the national security and the military readiness requirements are balanced with the rights, the health, the safety, and welfare of American citizens, while taking into account their substantial contributions to the defense.

I want to highlight the fact that both candidates for President support the agreement. Governor Bush of Texas has made it clear that he will implement this agreement if elected. I have a copy of his statement which he made in Virginia. Vice President GORE has also announced that he will also enforce the President's directives.

I urge all of my colleagues to reject any effort to bar a fair solution that is in the best interest of the American citizens in Vieques and in the best interest of the naval defense and the national defense of this country.

Mr. Chairman, I include for the RECORD the above-mentioned letter:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
*Washington, DC, 29 March 2000.*

Hon. C.W. BILL YOUNG,
*Chairman, Committee on Appropriations,*
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to express the grave concern of the Department of the Navy with the proposed amendment to H.R. 3908 concerning the economic assistance program on the Island of Vieques, Puerto Rico.

We have been engaged in a multi agency effort to resolve the Vieques situation since April 19, 1999. The proposed amendment makes two significant changes to the Administration's proposed statutory language, either one of which will likely worsen the situation on Vieques. Those changes are (1) deletion of the ability to spend any of the funds for support of the proposed referendum on Vieques; and (2) a prohibition on expenditure of any of the funds for purposes enumerated in the bill until the President certifies to the Congress, among other things, that live fire training has resumed on the Vieques range.

Both the referendum and training with inert ordnance are key components of the agreement reached by the President with the Governor of Puerto Rico that was memorialized in two Directives issued by the President on January 25, 2000. To eliminate either

of them would seriously undercut the essence of the agreement. In that event, the Governor and the citizens of Puerto Rico could consider this to be an abrogation of the President's agreement. The cooperation of the Government of Puerto Rico is crucial to resuming the safe operational use of the range. Without safe access to the range, the Navy and Marine Corps will have to continue to conduct training, which falls short of the Navy's needs, at other sites, a requirement that the President intended to remedy with his Directives.

While the President's agreement with the Governor does not guarantee the resumption of training with live ordnance, it does present the most substantive possibility that we can achieve that end. The agreement allows us to address positively and in a constructive way both the legitimate concerns of the citizens of Vieques and the critical national security/national defense mission of the Navy and the Marine Corps. This includes a multiplicity of training opportunities on the Vieques range and the use of live ordnance.

The Department of the Navy strongly believes that the negotiated agreement represents the best opportunity for the Navy to resume crucial training on the Vieques range.

We strongly oppose this amendment to H.R. 3908.

A similar letter has been sent to Congressman Obey. As always, if I can be of any further assistance, please let me know.

Sincerely,

JERRY MACARTHUR HULTIN,
*Acting.*

Mr. MCCOLLUM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from California (Ms. PELOSI). I know it is a protest amendment with regard to what she wanted to offer. But it does beg the question a little bit that has not been discussed a lot out here today, and that is where we are in this so-called ''war on drugs'' in terms of trying to limit the damage that is there.

I am for drug treatment. I do not know anybody here who is not. But in the war, the treating the wounded does not win the war. It is something my colleagues want to do and I want to do.

I also know that many of the drug treatment programs that I have supported over the years have not been shown to be as effective as we would like, and there are a lot of people who are on drugs who do not come forward and seek treatment. So it is a very difficult area, one we need to take a lot of time and energy with and I hope this Congress will try to sort out those programs that work from those that do not and then provide the right amount of funding for them.

On the other hand, what we are dealing with in this bill is really critical to what is going on in the streets. And what I find to be very difficult for a lot of Americans today to understand because we do not hear as much about it, our other leadership nationally has not talked much about it lately, is the fact that even though we may show statistics showing drug use in the country generally trending down, teen drug use is up, particularly heroin and cocaine and even marijuana.

From 1992 to 1998, the last full statistics that I have, as chairman of the Subcommittee on Crime, we show use among 12- to 17-year-olds up 120 percent in that period of time, and that is for all drugs, 27 percent in 1998 alone.

But I think the most startling statistic of all is that with heroin. I want to bring that up particularly because heroin is produced in Colombia. In fact, in the eastern half of the United States, almost the entire heroin supply coming into this country is from Colombia; and a lot of the resources we have and the efforts being made in this legislation today are to try to stop that from happening, from Colombia producing it and from it coming our way.

There has been among 12- to 17-year-olds, and I want my colleagues to hear this number now, from 1992 to 1998, an increase in drug use, heroin use, specific heroin use, among 12- to 17-year-olds of 875 percent, an absolutely astounding number.

It strikes me that when we are talking about trying to do what we want to do to solve the problem of drug use in this country, we do not do it by simple treatment; and we have to go to the source country. The most efficient use of our dollars in any kind of effort on the supply side which gets at winning a war is in the country where it is being produced.

We have been extraordinarily effective with our work with Bolivia. They now have a program under way down there that many of us believe will virtually stop the growth of coca plants, which has been a very big crop-producing country for us down there. They have gone to alternative crops. We have got a lot of cooperation with them. It has been a very positive program.

In Peru, we had a couple years where we did really well there. We are not doing as well now. But that was when we had an aggressive program, cooperating with the president of that country, to shoot down drug planes flying raw coca to Colombia from Peru. There has now not been as much support from the United States available, and that program has not done as well.

In Colombia, where the problem is the greatest, is where the FARC and the revolutionaries are right now controlling about a third of the country, protecting the drug lords, and getting money in return for that to allow their operations to continue.

This legislation we have before us today that the gentlewoman wants to cut money from is designed to allow us to stop this activity from going on so that we can, the Colombians in particular themselves, can go in and destroy the coca crops, destroy the drug lords' operations, and be able to destroy the heroin produce and poppy plants that are growing up in the mountains with the helicopters and the other equipment in this legislation.

If we do not do that, we are going to continue to see an enormously greater supply of heroin, in particular, and cocaine coming out of Colombia to this country, particularly the eastern half. We are going to have more teenagers getting onto these drugs than we do today, and we are going to see the numbers go up.

We cannot win the war by treatment alone, and we cannot win by education alone. It is not one thing alone. But our police officers, our schools, our professionals in the drug counseling area are swamped in many of our cities and communities today with the shear quantity that is coming in and very little discussion about it.

We have not gained the kind of support in this Congress or from this administration over the last couple of years that this effort deserves or requires.

Today we have a chance to do something about that with regard to Colombia. We need to do that. We need to help them in their efforts to overcome the revolutionaries that are supporting the drug lords and being supported by them, and the only way to do that is to pass this bill today.

This amendment should be defeated because it cuts a vital amount of money out of that portion of this bill which goes toward that effort. I urge its defeat.

Mrs. MINK of Hawaii. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Pelosi amendment. It is unfortunate that this House is not being given the opportunity to have a full debate about the very important aspects of drug treatment and drug prevention. I believe that it was a sorry mistake when her amendment was not allowed to come before this body.

The only reason this issue is pending before the House is because we have in this emergency supplemental a $1.7 billion appropriation for intervention in Colombia. That would lead us to believe that this Congress, at least, understands that the drug problem that we face here in America is very serious. But what is wrong is that we have undertaken to look at this problem as though it is only a problem from the source and the supply.

We have a serious problem here with respect to a control of the demand. And we know that all the literature tells us that if we have adequate treatment programs for people who even want treatment that they can be helped.

If we have truly the authority of this House to take full account of emergency supplemental appropriations, there is no justification for our not including in this emergency, if we are going to include the supply end of a Colombia appropriation, by not taking into account also the needed funds that we could use for an enhanced drug treatment program. It goes together. Supply and demand cannot be separated.

We look at the appropriations that are going to Colombia, $1.7 billion is going to purchase 60-some-odd helicopters. I serve on the Subcommittee on Criminal Justice, Drug Policy and Human Resources as the ranking member of the Committee on Government Reform. We had hearings on this matter and we were told that, from the viewpoint of the production of these helicopters, it is going to take years before they are in supply actually to Colombia and years more after that before the people there are going to be trained in order to use this equipment.

The engagement of our military in this kind of activity, which is going to put them in harm's way, get us messed up into a civil strife within that country, I think is a terrible mistake.

But aside from that, this body is now considering an important issue, and that is drugs, drug abuse in our country; and we are pretending as though this is only a supply issue and that, if we spend a billion dollars in Colombia, it will correct the problem. It will not.

I had the opportunity with my subcommittee to travel to Colombia about a year ago. It is a country that has enormous problems of poverty, corruption, lack of control of its own territory. Forty percent of Colombia is under the control of the rebels.

There is no possibility that our intervention of 60-plus helicopters is going to be able to control that situation. If we had alternate crops for the farmers there to produce to get into the market, the biggest problem is infrastructure, how would they get it from their farms into the market. There is none out in the countryside.

The lack of control by Mr. Pastrana over his country is absolutely sad. I have the greatest admiration for Mr. Pastrana. I met him and talked with him. I understand his problem. But there is no way that $1 billion of our taxpayers' money is going to solve this problem for him.

However, if we are going to do it, at the very minimum we ought to be looking at this as a balanced issue. And the issue is, if it is going to take 5 years for those helicopters to actually be delivered, if we appropriated today $600 million or a billion dollars for drug treatment tomorrow, those addicts and victims out there of heroin and cocaine addiction will have treatment. They are waiting in line now. We are told that only 50 percent of those that actually come to a center wanting treatment are actually provided any sort of help.

So this country is in real distress. And so I counter with the argument that, if we are truly dealing with emergency and if we are going to attack the supply issue as an emergency subject matter, there is no justification for our not including as part of that emergency an augmented treatment program to help the people in this country get rid of this addiction and cut down on the demand. I think that is the legitimate way to go.

I hope that the Pelosi amendment will be approved.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, for several years now the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Operations and Human Rights, and I, as chairman of the Committee on Government Reform, and the gentleman from Illinois (Speaker HASTERT) and the gentleman from Florida (Chairman MICA) and a number of others have been working trying to get helicopters and other equipment down to the Colombian National Police and the military in Colombia so they can adequately defend that country against the FARC guerillas, who are, and I hope my colleagues will get this, are getting as much as $100 million a month from the drug cartel. That is a billion dollars a year.

Now, what happens if we do not do anything? What happens if we do not do what the President has suggested? And the President is a late-comer to this fight. I am very happy that he is on board with this $1.3 billion, but it is coming rather late. What happens if that money does not get down there?

The FARC guerillas who have been trained by the Cubans, who are Marxist oriented, they may very well take over that country. We may have a narcoguerilla government running Colombia. There will be no impediment to the heroin and the cocaine coming out of that country into the United States.

Ninety percent of the cocaine coming into America comes from Colombia. Sixty-five percent of the heroin coming into the United States comes from Colombia. One out of seven people, according to officials in Baltimore, are heroin addicts.

□ 1645

We have an absolute epidemic. Yes, we need to deal with education and rehabilitation and a lot of other things. But we have got to go to the source and take on these guerillas who are being supported by the drug dealers down there, the drug cartels, because if we do not, they are going to have a sanctuary from which we will not be able to do anything to them.

Now, my feeling is that the problem may get so big if we do not deal with it right now that we will be forced to send American troops in there to deal with it. I do not want that to happen. I do not want American young men and women fighting in the jungles of Colombia with the drug cartel and the drug guerillas. That could very well happen. They now have 20 to 30,000 people in that army. Many of those people, those combatants have been forced into being involved, and they are going to have more because of the tremendous amounts of money that they are getting from the drug cartel.

Let me just tell my colleagues what they are doing. The day before yesterday, there was a police outpost in Vigia del Fuerte. I hope my colleagues on the minority side will get this. For 36 hours they held off the FARC guerillas who attacked them. After 36 hours, after the Colombian National Police ran out of ammunition, they came in and they hacked them to death, 26 people, with machetes; they castrated the men; they chopped off the heads of the mayor and the head of the Colombian National Police there; they put them on spikes in the middle of the town as a warning to anybody that gets in the way of the FARC guerillas down there.

The people are terrified of the FARC guerillas. As a result, a lot of people, including people in the Colombian National Police and the military, are scared to death of them. They know if they are captured, they are going to be chopped into pieces. They took one man who was in the Colombian National Police, they hacked his wife and child to death in front of him and then they tortured him to death. These are the kind of people we are dealing with.

Either we give the Colombian government and the Colombian National Police and the Colombian military the wherewithal to fight these people or they are going to take over that country in all probability. If that happens, what do we do? Do we let them flood this country with heroin and cocaine with impunity because we know how porous our borders are? No, I think what will happen then is we will have to get directly involved militarily, and that is something none of us wants.

There is an old commercial in Indianapolis that shows a guy with a Fram oil filter saying, ''You can pay me now or you can pay me later.'' The implication is that if you do not use a Fram oil filter, and this is not a commercial, that the engine is going to go bad on you and you are going to have to buy a whole new engine.

I am saying to my colleagues today, we can either deal with the problem today as the President has now seen fit to do and give them this $1.3 billion or we can wait around another 4 or 5 years until the matter gets so bad that we have to send our lifeblood down there to fight these guerillas. I think it is better to do it now. It is the prudent thing to do.

I urge my colleagues, not because the gentlewoman from California does not have a good heart and not because she is not making some sense but this is the time to send the money to Colombia to fight the guerillas and also to do the other things that need to be done as the time goes by, but fight the guerillas now, defeat them as they have in Peru and Bolivia and to make absolutely sure that we do not have to send our young people down there in the future.

Mr. Chairman, I include the following material for the RECORD:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
*Washington, DC, March 28, 2000.*

Re Support Assistance to Colombia

DEAR COLLEAGUE: I am writing to urge your support for the Administration's proposed assistance package for Colombia in the Supplemental Appropriations bill. Colombia's President Pastrana has taken bold action in his effort to deal with the country's drug production and its civil conflict. He has requested the assistance and the Administration has proposed that we provide it. President Pastrana is a friend of the U.S., he is taking action to our country's benefit, and we should provide that aid.

Helping Colombia is in our fundamental national interest. The scourge of drugs is tearing at the fabric of our society, and Colombia is ground zero in the fight against drugs: More than 80% of the cocaine and much of the heroin that arrives on our shores comes from or through Colombia. Colombia is also a key regional state. It borders five other South and Central American countries, whose 40 million citizens face serious social, economic, and national security challenges.

With Plan Colombia, President Pastrana has proposed a bold agenda for addressing his country's inter-related challenges of drug-trafficking, weak state institutions and a faltering economy. The Government of Colombia estimates that $7.8 billion will be needed over the next three years to reverse the country's role as the hemisphere hub for drugs, rebuild its economy, and strengthen its democratic institutions. The government had committed $4.5 billion to the Plan—including $900 million in credits from international financial institutions—and President Pastrana is asking the international community for $3.3 billion in foreign assistance, of which the Administration has proposed that we provide $1.6 billion.

The Administration's initiative is a balanced and integrated approach that will help Colombia fight the drug trade, foster peace, institute judicial reform, promote the rule of law, improve human rights, assist the internally displaced, and expand economic development.

I know that some Members have reservations about human rights conditions in Colombia, and I have been critical of Colombia's human rights record. But this package is geared to improve the conditions that have led to poor human rights. For example, all assistance that is provided to Colombia's forces will go to fully-vetted units. The military units trained by the United States will not clash with insurgents or para-militaries, unless these elements directly support illicit drug cultivation and production. Indeed, the cornerstone of President Pastrana's administration is the search for a negotiated peace with Colombia's various insurgent groups. I welcome the Administration's statements that Colombia's insurgency problem must ultimately be resolved through negotiation, and not military action, and this view will guide the United States approach to implementing this assistance package.

To help stanch the flow of drugs to the U.S., to help a key neighbor and to help preserve stability in our hemisphere, I urge you to join me in supporting the Colombia assistance package.

Most Cordially,

TOM LANTOS,
*Member of Congress.*

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[From the Los Angeles Times, March 27, 2000]

CONGRESS MUST ACT ON COLOMBIA

Last September Colombian President Andres Pastrana presented the White House a comprehensive plan intended to rescue his country from the violence of drug lords, guerrillas and paramilitary forces. Included were programs for economic development, democratic institution-building, judicial reform, human rights protections and peace negotiations.

Pastrana's approach has been well received in the White House and, for the most part, in Congress. There is a consensus in Washington that Colombia and its problems are an important issue for the United States. There is also a sense that the United States can work with Pastrana, though the White House must assure that no U.S. military personnel are drawn into combat.

Yet despite the emergent consensus, the urgency of Pastrana's plan has not, so far, moved Congress to act decisively. The negotiations on when and how to deliver a $1.3-billion military aid package proposed by the White House have been bouncing from door to door in Congress, never reaching the House or Senate floors, and the delays are dangerous.

A major South American power, Colombia faces the often indistinguishable problems of drugs and insurrection that demand prompt action. Cocaine coming from the highlands has flooded the United States for years despite past U.S.-supported eradication efforts. Coca cultivation is estimated to have increased 140% in the past five years.

In Colombia, drugs beget violence. About 35,000 people have been killed in drug-related violence in the past decade, and more than a million people have been driven from their homes. Under these circumstances, the White House and Congress should be justifiably concerned.

The U.S. proposal anticipates a two-year program of support, and the problems of Colombia cannot be resolved in that short period. The White House's benchmarks of success—diminution of violence and coca production and a strengthened government in Bogota—over the period should be closely monitored by Congress.

What Colombia needs is decisive and prompt action. Congress should move now to deliver the arms, equipment and other elements of the program to suppress lawlessness in the countryside. At stake is proliferation of the cocaine plague and potential collapse of one of Latin America's proudest countries.

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[From the New York Times, March 28, 2000]

REBEL ATTACKS ON 2 COLOMBIAN VILLAGES KILL 30

BOGOTA, Colombia, March 27, (AP).—Fierce guerrilla attacks on two northern fishing towns killed at least 30 people during the weekend, including 24 police officers, a mayor, and two children, officials said.

At least seven police officers were taken prisoner by the rebel Revolutionary Armed Forces of Colombia, Colombia's largest leftist insurgency, officials said. Four other officers were missing.

Troops regained control on Sunday night of Vigia del Fuerte—site of the worst clash—and found the riverfront town of 1,200 in ruins.

Rebel machine-gun fire and homemade missiles destroyed a church, the mayor's office, the police barracks, the telephone company and 10 houses near the main plaza in the town, near the border with Panama.

Twenty-one police officers died trying to repel the 36-hour barrage, which began on Saturday. Six civilians also died, including the mayor, Pastor Perea, and two children, the Antioquia state government reported.

''It was a merciless attack,'' Fernando Aristizabal, a top state official told Colombia's Caracol Radio.

The rebels also hit Bojaya, a nearby town in neighboring Choco State, where, Mr. Aristizabal reported, three police officers were killed.

Rebel attacks on rural towns and remote military installations are continuing despite peace talks with the government of President Andres Pastrana. The two are negotiating without a cease-fire.

The rebels are also suspected of setting off a car bomb on Sunday that killed a police cadet and injured 16 civilians in a crowded market in Girardot, a popular tourist spot 60 miles south of Bogota.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in very strong support of the Pelosi amendment. I also want to thank her for offering this amendment so we would have an opportunity to discuss the entire drug problem in our country.

I am very disturbed that we have seen fit that we would address this problem by sending $1.7 billion to Colombia along with the helicopters and along with the advisers in a country the size almost of California and believe that we are going to have an impact.

We have been on this interdiction bandwagon now for over 20 years. We have spent $250 billion. We have spent it in Panama. We have spent it spraying paraquat on drugs in Mexico. We had the Florida interdiction program. We had the Andean strategy program. We had the invasion of Panama. We got rid of Noriega, but we did not get rid of the drug dealers or the drug problem. We had the Peruvian shootdown policy, and now we have President Clinton's eradication program which is the largest herbicide spraying program in the world.

What is the result? The heroin and cocaine on the streets of America is purer and in more plentiful supply, and the price continues to drop. What does that tell us? That these programs have not been effective. And the price has continued to drop in spite of the fact that they now have to avoid being shot down, in spite of the fact that they have to buy bigger and faster boats, in spite of the fact that they buy disposable airplanes and disposable boats. The cost keeps dropping.

It says something about the effectiveness of people trying to drive up the cost of doing business. What the drug lords understand is this is simply the cost of doing business. Whether you are corrupting a border guard, whether you are corrupting a Colombian police member, whether you are throwing in with the Colombian police to create a paramilitary to fight the guerillas, or you are throwing in with the guerillas that is just the cost of doing business.

If you really want to stick it to the guerillas, if you really want to stick it to the drug lords, what you do is you dry up their market. You take away

the market. You take away the market by treatment and education. We have conquered some of the most serious problems in this country, intractable problems we thought, with education. But on this one, we fall faint, because we do not think we are being strong if we deal with education.

We know that when women come into the women, infants, and children program if they are smoking or they are taking drugs, after they talk to a doctor about their pregnancy and they get the connection between their body and the fetus's body and the birth of a healthy baby, we know that we have a tremendous success in getting women to stop smoking, to stop taking drugs.

What the gentlewoman from California is talking about is treatment on demand. You know how hard it is to get somebody to ask for treatment when they are addicted, those of us who have worked with addicts, those of us who have friends who have become addicts, those of us who have had family members? You know how hard it is to get them to turn around their life? You think you say, ''Come on, I want to take you to treatment,'' it does not work. You can take them over and over.

But very often, fortunately, thank God, every now and then, somebody says, ''I'm ready for treatment.'' You know what happens in most cities when you say I am ready for treatment? You do not get treatment, you get a waiting list. You get a waiting list. Now we are telling a very sick person, who is deeply addicted, come back in 6 months, hang in there but come back in 6 months.

Addiction. Do you know what addiction means? We see it played out every day. We used to see it played out in the criminal reporters because addicts died in the streets. But now we can read about it in the sports page. Athletes who have brilliant careers, millions of dollars, lose it because of addiction. We see a brilliant ballplayer like Darryl Strawberry who goes to treatment, works hard at it and for some reason has a moment of weakness that he cannot even explain, and he may have now finished out his baseball career.

We see CEOs of companies who lose their companies because of addiction. They have beautiful families. They have a beautiful career, a beautiful future; they lose it. This is about addiction. This is about a terrible, terrible problem that confronts our entire society. We see people, performers, brilliant people, stage, music, pictures, great careers gone, die, overdose, take their lives. That is addiction.

You are not going to solve that problem of addiction by going down into the Andean jungle and believe that by spending another $1.7 billion, $250 billion, and no results. In fact, all of the evidence is that it is getting worse. It is getting worse. The market is better for them. They have shifted to where they go to do business. They go from one country to another. They shift the mode of transportation.

The CHAIRMAN. The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. Mr. Chairman, as the gentlewoman from California pointed out, if you really want to effectively deal with this problem, you would go the treatment route. It is not because we say it. It is not because she says it. It is because the Rand Corporation who has spent a lot of our government money studying this to try to help us find a path to treat this says this is where you would go if you really want a bang for your dollar.

It is not about giving up on the drug lords. It is not about prosecuting, but it is about once and for all deciding what is effective and is not. We now have 20 years of experience and $250 billion of effort that tell us this does not work. Yet this is our approach.

We can also scrutinize some of the drug treatment programs because some of them do not work, but we are so addicted to those because they look good when you are standing there with the school children and the police but we are not getting the results so maybe we can score that one. So if we really want to deal with this, we have got to think about whether or not we have got the commitment and the courage to deal with the demand and whether we can stay with it and start to offer people treatment instead of a waiting list, start to offer people hope that treatment will be there should they make that decision.

There are others who will not make that decision. That is almost something that is almost impossible to deal with. But for those who are willing and have the courage to walk in and say I need help, I need treatment, what the gentlewoman from California was saying is we are here to help you and we can start to reduce that. We can start to reduce the market.

We are throwing thousands and tens of thousands of people in jail for minor drug infractions and even when they are in jail we will not give them treatment. Where we have them 24 hours a day, we cannot find to give them treatment.

We talk about triangulation. We are in between the left and the right, both of which are fostering the drug trade in Colombia, between the military and the guerrillas, between the paramilitary and the police. We are going to insert ourselves for $1.7 billion. Do we think we are going to bring home a solution for America? I do not think so.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words.

I really appreciate the passion of my friend from California. Even when he is incomplete in his arguments, he certainly is moving. There is no question that we have to have a multifront war. It is a war and a cancer.

I would have voted for a treatment amendment had that amendment been allowed. I am a cosponsor of the gentleman from Minnesota's bill to cover drug treatment. I am working in the Committee on Education and the Work Force on prevention programs.

But let us not overstate the data on treatment and prevention programs, either. The data is mixed. The Rand study itself is mixed, 88 percent recidivism. People get partially better, but treatment is a struggle. Drug courts are a struggle. Prevention programs are a struggle.

We should be treating, and we have a massive problem in this country as we have locked up more kids and adults in our prisons and do not focus on making sure they get educated and they get in treatment programs. We absolutely have to deal with that. But the plain truth of the matter is our local police department, our local schools, our local treatment centers cannot handle the amount of new people coming in to drug addiction if we do not get it at the source and at the border as well.

We have to have a comprehensive program. What we are dealing with today is a Colombian amendment. The reason we have not put in all these dollars into Colombia over the years is because we had a legitimate human rights objection to how their military was being handled and because drug money had gotten into the previous government of Colombia.

We have been putting roughly $300 million into just the Colombian National Police and not into the rest of Colombia while we were putting $3.2 billion into treatment. We are behind in Colombia.

Where we were putting the effort in Peru and Bolivia, we have had progress. The facts are real simple. In 1992, which may just be a happenstance date, 1992, 1993, two things happened in this country. One, we relaxed our attitudes on Just Say No but the other thing is we cut our interdiction budgets. We had made progress steadily on drug abuse, on addiction, on treatment, on prevention. But when the drugs soared into this country, the prices on the street dropped again. We saw a direct correlation between price, demand, purity, and usage. In that period when we cut back, to get back to 1993 where we were, would take a 50 percent reduction right now. Interdiction is only part of this effort. But we have to work at the source.

Let us go to some of the particulars in Colombia. First off, what is the clear, compelling national interest in Colombia versus other parts? We put $8 billion into Kosovo, and we did not have a clear compelling national interest.

In Colombia, it is the longest standing democracy under siege, under siege not because there is a civil war, only 4 percent of the people support the FARC, there are that many drug dealers in our home States. It is under

because of money from this country fomenting a civil war in that country where people are dying.

Drugs are the leading cause, drugs and alcohol, of every crime in my hometown and in every town in this country. Every police chief will tell you 70 to 85 percent of all crime, child abuse, domestic violence, everything is drug- and alcohol-related. It is our number one problem in this country.

Thirdly, Colombia is our eighth largest supplier of oil. They are going to be a net importer in 3 years as their oil fields have come under pressure. Furthermore it is right now up against the Venezuelan border, our number one supplier of oil.

□ 1700

That is another compelling national interest.

Furthermore, on top of that, they have moved into the Darien Peninsula in Panama, threatening potentially the Panama Canal, a vital trade link. Compelling national interests means drug crises on our streets; trade, energy, these are compelling national interests in our own hemisphere.

In Colombia, it is not Vietnam. Mr. Chairman, 71 percent of the people say they trust most of the Catholic church, 69 percent the Colombian National Police, 68 percent the military, 4 percent the FARC. There is not a division of opinion. We have a stable democracy that even goes through transition of power. We have a national police and a military that is willing to fight. What we have been unwilling to do is give them the weapons and training with which to do that. It is only a part of the drug war, but it is a part.

We have patriotic Colombians who are sacrificing their lives because of our abuse, and what they are asking is for us, for the first time since the Leahy rule no longer applies to their military, as they have cleaned house and as this President has relaxed with the new President. President Pastrana has reached out for peace with the FARC and been slapped on one cheek, turned his other cheek, slapped on the other cheek; turned his cheek and was slapped again.

What we have are people who are saying, we will fight your drug war, part of it, in our country if you will at least provide some training and some dollars for helicopters, for our soldiers. We will clean up our human rights problems. We will reach out with peace overtures. But what we say is no, we are not going to help you unless you do it in exactly our way all the time.

We know we need more money for drug treatment. We know we need more money for prevention. We know we need more money for interdiction at the borders, for our prisons, for education systems. But we also need more for interdiction, because we have not even given a drop compared to other things in the battle in Colombia where our cocaine in every one of our hometowns and States is coming from, where our heroin in every one of our hometowns and where our potent marijuana is coming from. And the least we can do, and I am particularly disappointed in some of my conservative friends who are being penny wise and pound foolish, this problem is not going to go away if we defeat the funding so necessary for this push in southern Colombia.

Mr. Chairman, we must take action and defeat the Pelosi amendment.

Mr. MCGOVERN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Pelosi amendment, and I rise to express serious questions about this aid package.

First, this is not the way to win the drug war at home. Over and over today it has been emphasized, every dollar spent here at home on drug treatment and prevention is 23 times more effective than a dollar spent on cutting production at the source.

Second, this aid will not stop coca targeted for the United States. Coca is profitable and easy to grow. In Colombia it is grown by thousands of peasant farmers who have no other viable economic crop. Even if we were able to eradicate their coca crops, cultivation will only move to other regions in Colombia or in the Andean region.

As long as Americans demand cocaine and heroin, the supply will be there. Drug-dealing is market-driven capitalism in its purist form.

Third, Colombians do not support fumigation and crop eradication. It has been tried before in Colombia and failed. I am sure my colleagues know that in February, the governors and mayors of two provinces where the U.S. plans to target its crop eradication efforts asked the national government to suspend all aerial spraying. I am sure my colleagues also know that on March 12, the general director himself of the regional office of Colombian Ministry of the Environment for the Amazon suspended all aerial spraying of illicit crops in the southern departments of Putamayo and Caqueta, exactly where U.S. action is focused.

Fumigation was suspended because small farms growing food crops are being poisoned, the water is being poisoned, the Amazon headwaters are being polluted, and the Amazon rain forest itself is being degraded. Yet, in this package today, the U.S. is proposing a significant escalation of crop eradication.

Fourth, Colombian civil society has raised serious questions about the U.S. aid proposal. Every single Member of this House received several letters signed by scores of Colombian churches, women's organizations, human rights organizations, academics, trade unions, indigenous groups, farmers' unions, jurists, community organizations, members of the government-appointed National Peace Council, and humanitarian groups. They sent us these letters at great personal risk to themselves. We should show some respect to the concerns that they have raised.

Fifth, millions of Colombians have taken to the streets demanding an end to the violence. The only result this aid package could guarantee is to increase the violence and dislocation in Colombia.

Sixth, this plan offers a U.S. embrace to a brutal antidemocratic and corrupt military that often works hand in hand with right-wing paramilitary groups who are themselves deeply implicated in the drug trade, according to the U.S. Drug Enforcement Agency. According to a February report by Human Rights Watch, half of Colombia's 18 brigade-level army units are linked to paramilitary activity. Military support for paramilitary activity remains national in scope and includes the areas where Colombian units are receiving or will receive U.S. military aid.

There are dozens more reasons for opposing this package, but I would like to conclude with one other observation.

Many of my colleagues insist that Colombia is not El Salvador, and as someone intimately familiar with the Salvadoran war and its peace process, I could not agree more; the two countries are different. However, what other Members have been stressing is that the response and justifications voiced by supporters of this policy, both in the administration and in the Congress, are hauntingly familiar. If my colleagues do not think so, go back and read the record of the debate during the 1980s.

On top of all of this is the overlay of the drug trade in which all sectors in Colombia are involved. The FARC and the ELN guerillas are involved, the paramilitaries are involved, the Colombian military is involved, and key financial government officials must be involved, or the drug trade would not be able to flourish.

Then there are the criminal drug dealers and the traffickers themselves. This is the situation into which we want to throw our military resources? Give me a break.

Mr. Chairman, I urge my colleagues to support the Pelosi amendment and to reject this ill-conceived aid package.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am delighted to participate in this debate. I think it is a good one because it focuses our energies and our Nation's energies on a very important subject which is what we need to do to save the lives of young people, to save our communities from this scourge of drugs.

Now, I just want to remind my colleagues on this side of the aisle that this supplemental appropriation bill started with this President. President Clinton submitted a request to this Congress, and in that request he asked for $1.2 billion in counternarcotics funding. It is on an emergency basis. So this is not something that was just

created by this side of the aisle saying that we need to do this. It was this administration, it was this President that said there is an extraordinary emergency in Colombia that affects the national security interests of this Nation, and this Congress needs to address it.

So this is not something that is just being pulled out of thin air. It is this administration who has also supported demand reduction, that has supported more treatment. Certainly, this administration illustrates that one can ask for and support treatment facilities and demand reduction, but at the same time recognize the need and the impact that the drugs coming in from Colombia has on this Nation.

Mr. Chairman, I would just remind my colleagues of that particular point.

Now, I would also refer back to balancing the need as we have to approach the drug war. If my colleagues will look at this chart that I have that talks about the demand reduction money that is being spent as well as comparing it with what we are spending on interdiction, it goes back to 1987 with the demand reduction in red. And each year since 1987, the red line goes up, which is the money that is being spent for demand reduction. Demand reduction is that which is for drug education and treatment programs, substance abuse programs. That has increased 63 percent since 1985. Yet, if my colleagues will look at the interdiction funding, it is the green that goes up at a very, very slow rate. What is remarkable about this that really is not shown on this chart, but that in-between 1987 and 1994 it went up, the interdiction spending, and then it actually went down and it went down in 1992 when we diverted some resources over to the Gulf War.

So the point of this is that since 1992 our demand reduction expenditures have continued to go up. Yet even though we are spending more and more money on demand reduction, in 1992 the teenage use and experimentation with illegal drugs went up.

Mr. Chairman, I think the point of the story is that history tells us that we cannot win this war; we cannot win the lives of our teenagers simply by putting money in demand reduction. It takes that balanced approach. I come back to my original point, which is that it was this administration that initiated, that joined this battle to aid Colombia in fighting the war on drugs. They asked for over $1 billion. It was General McCaffrey that last year initiated this. In every war, we have to have somebody who starts pointing and assigning the troops and where we need to go and where we need to spend our money. That is the responsibility of General McCaffrey. He recommended last year, after a trip to Colombia, that we invest $1 billion.

Now, what we have done in this Congress is say that it is not just Colombia, but we also have to have Ecuador and Peru and Bolivia be involved, so we have targeted some money to there as well. But the counternarcotics initiative started with this administration, supported by this Congress, supported by the Speaker, as he testified to.

So this debate today is what we can do in terms of aiding Colombia to fight our war against drugs, to save our children's lives. Yes, we need demand reduction; yes, we need treatment facilities; yes, we need to do more in those areas. But this debate is about what we need to do this day in the battle that Colombia faces that impacts our Nation.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding because he makes a very, very important set of points. I would only point out and add to what he has said, the Pelosi amendment addresses really none of these things. The amendment specifically cuts out funding, the bulk of which would take out the ability to train the Colombian troops that we are dealing with in the first place.

But the gentleman's original point was the real point, and that is that the Pelosi amendment in this debate would express concern about what we are doing on the demand side and suggests that we are not doing anything. But indeed, there is a comprehensive effort in any number of other committees where it is appropriate to deal with that side of the question. Indeed, if the gentlewoman from California (Ms. PELOSI) would present an amendment sometime that actually put money into education, for example, I would be glad to help her.

But the gentleman is making the point very well, and I appreciate his yielding.

Mr. HUTCHINSON. Mr. Chairman, I appreciate the gentleman's comments.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have proceeded in this conversation as if it is an either/or proposition. I would argue that it really is not.

The purpose for this complaint and the protest is that we wanted an amendment made in order for the gentlewoman from California so that we could put it into the supplemental appropriation to increase resources for drug treatment.

Now, it is true that a large amount of cocaine and heroin travels from Colombia to this country, but it is also true that those are not the only drugs that are causing problems for us here in America. There are domestically generated drugs, like methamphetamines. There are all kinds of other drugs. We have a serious problem of marijuana being grown here domestically. There are household inhalants that our children are using and, in some cases, killing themselves and destroying their potential.

So it is not just a matter of cocaine or heroin, number one, when we talk about drugs.

The question of treatment is a question of common sense and cost-effectiveness. We know that treatment works. We know that there are millions of Americans, 3 million in the latest study, that do not have access to treatment. We know that in most cities and in rural areas, not only do families not have access to the person in the family who needs help, but they do not have any opportunity for the counseling and the support that they need.

We know that drug addiction causes divorce, home foreclosures, lack of productivity in the workplace. We know that this problem of drugs is a serious problem throughout our society, and that we should not be here today talking about on the one hand, we only want to deal with the problem in Colombia, and on the other hand, we will wait for another day to deal with the questions and the challenges of drug treatment here in this country.

Mr. Chairman, all of our law enforcement officials tell us that even those people incarcerated do not have access in the majority to treatment programs for drug and alcohol abuse. We know that the National Institute of Justice did a study that shows that in our major cities more than 80 percent of the crime is drug driven.

So the question for us has to be, as a Congress why can we not in a supplemental appropriation that is wide ranging, it is not just dealing with the question of Colombia, it is dealing with emergencies in North Carolina, it is dealing with a whole range of questions, why was it not fitting in the sense of the majority to make an amendment made in order so that we could talk about increased resources in an area in which so many people on both sides of the aisle see the need.

□ 1715

If it was someone in our family, someone in our community, someone that we have come in contact with that needed treatment, we want to make sure that they have access to it. We should feel the same for those 3 million Americans out there today, and make sure that they have access to real treatment opportunities.

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. ROEMER. Mr. Chairman, I rise to strongly support the amendment offered by the gentlewoman from California (Ms. PELOSI) that stresses prevention, that stresses education, that stresses us putting more of a priority on our domestic concerns right here at home, in our neighborhood, and in our back yards.

I also rise to show and express my deep reservations and concerns about, one, the process in spending contained

in this supplemental; secondly, the goals and the mission and whether or not they can be achieved for trying to address the problem in Colombia.

I think we are all concerned about it. We all want to do something about it. It is whether or not this program will achieve the mission and the objectives outlined by the administration. I do not think we can.

Thirdly, I object to this supplemental because it contains a particular classified intelligence funding program, and I will address that at the end.

First of all, on the size, the spending level, and the process of this supplemental. This is an emergency supplemental which, by its function here in Congress, I do not necessarily object to emergency supplementals. The gentleman from Arkansas said that it started with the President. It started at $5.2 billion. Now it is before us, the entire House, at $9.2 billion. We will have amendments that might be attached to it that might take it to $13 or $14 billion. Then it will be sent over to the Senate, where it might come back to the House at $15 or $16 billion.

Maybe I am more of a conservative in the House. Maybe I am to the right of the majority. But we have made so much progress on balancing the budget. We have made a priority of getting surpluses. We have tried to tell Congress to keep their hands off of social security. Now, in the third month of the year, before we have done any appropriations bills, we are looking at a presidential request of $5.2 billion to $15 billion. I do not think that is appropriate or fair to the appropriations process and to the priorities that we are going to outline.

The gentleman from California (Mr. LEWIS) might bring a defense bill in the appropriations process forward that I will support an increase in, or the gentleman from Illinois (Mr. PORTER) might bring an appropriations bill for education with new ideas and more accountability that I will support.

But this is an emergency supplemental that may spend, that may spend, one-third to one-half of the nonsocial security surplus in one shot. We have a $26 billion surplus. This may take $13 billion of that surplus in one vote.

Finally, on Colombia, Colombia has had a 40-year civil war, an ongoing drug problem, and an army and a police force that have not worked together. As a matter of fact, institutionally and culturally and law enforcement training-wise, they do not work together well at all.

And we think $1.9 billion, 30 Blackhawks, and 15 Hueys is going to cure that? I do not think this is going to address the civil war or further the peace process. I think it is going to exacerbate both.

Finally, on the intelligence front, as a member of the Permanent Select Committee on Intelligence, I take an oath of secrecy. To abide by that oath, this statement has been approved by the committee to confirm and conform to that oath.

This bill contains some classified funding requested by the administration for intelligence programs and activities. As a member of the Permanent Select Committee on Intelligence, I generally support most of this funding. There is a particular intelligence activity funded by this bill, however, which I cannot support.

I try to judge spending on intelligence programs by the same standard I use on other Federal spending: Is the program in the national interest, and likely to achieve its goals?

The CHAIRMAN. The time of the gentleman from Indiana (Mr. ROEMER) has expired.

(By unanimous consent, Mr. ROEMER was allowed to proceed for 30 additional seconds.)

Mr. ROEMER. Mr. Chairman, in my judgment the intelligence activity which I have reservations on fails on both these counts, on both achieving its goals and supporting the national interest.

I have advised senior officials in the administration of my concerns. I hope that this decision to continue this particular activity will be reconsidered.

Ms. SCHAKOWSKY. Mr. Chairman, I move to strike the requisite number of words.

(Ms. SCHAKOWSKY asked and was given permission to revise and extend his remarks.)

Ms. SCHAKOWSKY. Mr. Chairman, during committee hearings on the Colombia aid package, I raised serious questions about what has been posed as mostly a counter-narcotics effort. Unfortunately, those questions have not been answered. That is why I am going to raise them again here today.

Why are we taking action to invest in a militaristic drug war that has the potential for escalating regional conflict in the name of fighting drugs instead of doing what we need to do, putting more money here at home, and attack the problem here with at least as much vigor?

Considering the demonstrated failure of militarized eradication efforts to date, why should we believe that investing more money in this type of plan will achieve a different result?

According to the General Accounting Office, despite U.S. expenditures of $625 million in counter-narcotics efforts in Colombia between 1990 and 1998, Colombia surpassed Peru and Bolivia to become the world's largest coca producer. Colombia is already the third largest recipient of our foreign aid in the whole world, and there has been no net reduction in coca production in Colombia or cocaine availability in the United States.

All of the heroin the United States consumes can be grown on just 50 square miles. An entire year's supply can fit into one cargo plane. Yet, the rebels in Colombia and the paramilitaries already control an area the size of my home State of Illinois. What makes us think that this amount of money, this effort, is going to do anything to seriously reduce the supply?

According to the United Nations, profits from illicit drugs are so high that three-fourths of all drug shipments would have to be intercepted to seriously reduce the profitability of the business.

Why are we focusing exclusively on the rebels when we know that the paramilitaries in Colombia are involved in the drug traffic, and that they are the ones who are responsible for 70 percent of the human rights abuses and civilian murders in that country? Why are we ignoring the proven drug control strategies that focus on prevention, treatment, and education?

I know that my colleagues have pointed out that we are spending money on that, but we also know that that is the effective way to address the problem. We should be doing more. If we are so serious about reducing drug use, then why is 63 percent of the need for drug treatment unmet in the United States, according to the substance abuse and mental health services administration?

I think we need to question if this really is a counter-narcotics operation, or is it a counterinsurgency operation? Could it be more about purchasing helicopters than protecting our children? What exactly is our mission? What will it take to achieve total victory in Colombia? Are we prepared to make that type of investment in dollars and in lives? How many lives? If not, what is the purpose of this aid?

It seems to me if we really want to address the drug problem, we should be here today discussing the original Pelosi amendment, which was not able to be considered, which was an aggressive, ambitious approach to increased domestic spending on drug prevention, treatment, and education, not a massive, militaristic care package for a military with the worst record of human rights abuses in this hemisphere.

I believe that this aid package for Colombia is a misguided, dangerous, and irresponsible approach. I urge my colleagues to vote in support of the Pelosi amendment, and I would also urge support for the Ramstad and Campbell amendment and against this bill.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

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

Ms. LEE. Mr. Chairman, I stand in opposition to the $1.7 billion military package for Colombia, and in strong support of the amendment offered by the gentlewoman from California (Ms. PELOSI), and thank her for giving us the opportunity to engage in this debate.

This military package will spell disaster for peace and human rights in Colombia, and will doing nothing for reducing drug use in our country. What is

missing from this shortsighted, expensive approach are the resources for a more comprehensive Federal drug prevention and treatment policy here in our own country.

How much are we willing to invest in mentoring programs, after-school programs, job training, and drug treatment? This is how we reduce drug use, as the Rand Corporation study cited by the gentlewoman from California (Ms. PELOSI) indicates. Why are we not pushing for an emergency bill to address the drug emergency that is right here in our own country?

Drugs are destroying our communities. For example, in California, as a result of the horrendous three strikes law, nearly 40 percent of California's prison population are African-American men who have been incarcerated for nonviolent drug offenses.

In the African-American community, one out of every three African-American young men in their twenties are either in prison, on probation, or on parole due to nonviolent drug offenses. The majority of these young men would not be in jail had there been treatment on demand, job training, and a job.

Drugs are having a devastating impact on our Nation, especially in the African-American community. Providing $1.7 billion in military assistance to Colombia does not begin to provides us with the funding to wage a real war on drugs. Now is the time to consider a comprehensive Federal drug prevention and treatment policy here at home.

We should stop misleading the American public by arguing that sending military hardware and helicopters to Colombia will reduce drug use in America. It will not. This is outrageous, to perpetuate that notion on our people, on our constituents, and on the country.

This military package also ignores the human rights crisis in Colombia, nor does it deal with the extreme poverty in Colombia. Guns and helicopters will not solve the problems of hunger in Colombia, nor will it help our young people in America break the cycle of drug addiction.

We need to go back to the drawing board, support the Pelosi amendment, and just say no to this counterproductive military package.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join all of my other colleagues who have stood here today, rising in support of the amendment offered by the gentlewoman from California (Ms. PELOSI). This debate has become a long debate because we have a growing number of legislators who are concerned about this wrongheaded policy that we are pursuing.

Mr. Chairman, this supplemental appropriations provides over $1.1 billion in aid to the government of Colombia. Most of this money will go to the Colombian military and be used in the Colombian civil war. This civil war has been going on for 40 years, and both sides, both sides have profited from the drug trade.

Furthermore, the Colombian military has been known to cooperate with drug traffickers. Colombian military officers also provide support to right-wing paramilitary organizations that traffic in illegal drugs, and carry out extrajudicial killings and other gross violations of human rights.

□ 1730

This bill gives money to drug traffickers who kill other drug traffickers and murder innocent civilians. This bill is unwise and immoral, and we should not support it.

We are focused today on what is happening domestically. We are rising in opposition to this funding and supporting the amendment of the gentlewoman from California (Ms. PELOSI) because we are very concerned about what is not being done in America. We are just growing our prison system.

The number of inmates in State and Federal prisons has increased more than fivefold from less than 200,000 in 1970 to 1,232,900 by 1998. An additional 592,000 are held in local jails. As of July 1999, 131,112 offenders were incarcerated in approximately 100 Federal facilities. There are 115,363 inmates housed in Federal facilities rated to hold 89,696.

At the end of 1998, State prisons held 1,178,978 inmates. In June of 1998, 592,462 offenders were held in local jails.

The number of persons on probation and parole has been growing dramatically along with institutional populations. There are now 507 million Americans incarcerated, on parole, or probation, an increase of 209 percent since 1980.

A few more statistics. Mr. Chairman, 71 percent of those sentenced to State prisons way back in 1995 were convicted of nonviolent crimes, including 31 percent for drug offenses and 29 percent for property offenses. Fifty-seven percent of jail inmates in 1989 reported they were under the influence of alcohol or drugs at the time they committed their offense. One in four inmates way back in 1989 was in jail for a drug offense compared to one in ten in 1983.

Drug offenders constituted 21 percent of 1997 State prison inmates and 60 percent of 1996 Federal prison inmates. I could go on and on with these statistics.

Mr. Chairman, I am sick and tired of this wrong-headed policy. I am just overcome by the fact that we cannot get it right here in our own country. We are talking about throwing away money down in Colombia; and nothing is going to happen but drug dealers are going to fight drug dealers, both in and out of the government. And here we have mandatory minimum sentencing that is locking up young folks, young folks in rural and inner cities, at an alarming rate. Mandatory minimum sentences.

Many of these young people, 19 and 20 years old, first-time offenders. The judge has no discretion. He must send someone in possession of 5 grams of crack cocaine to prison for 5 years on a first-time offense, as opposed to those with powder cocaine, 100 times more. Some of these young people may be stupid, but they do not deserve to have their lives taken away from them. And this is not black. Black, white, green, rural, inner city. Prisons just filling up.

And, oh, let me tell about the conspiracy charges that they are now arresting the mothers and the women and the girlfriends and the mates on. We are spending millions of dollars, and our country is going down the drain.

Mr. Chairman, it was unwise for them not to make the Pelosi amendment in order, and it is unwise for us to support this appropriation to Colombia.

Mr. TIERNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI) for bringing this to our attention here today and also the gentleman from Wisconsin (Mr. OBEY) for his efforts to make sure that this House would spend ample amount of time debating all the particulars of the path in which we seem to be headed.

This is, in fact, a situation where we are taking the wrong action and taking it with too little thought. What is before us would improve the bill and strike an appropriate balance between the supply and demand aspects of the problem that confronts us. The bill, as currently constructed, strikes us with a false assertion. It asserts that the United States involvement in this 40-year-old conflict would somehow correct the situation and stop drug dealing and drug use in this country. That somehow getting involved by training armed forces and providing helicopters is going to stop or reduce consumption in this country.

It tries to leave with us the impression that this has been well thought out and debated, but that is absolutely questionable when we think that General McCaffrey came before the subcommittee on which I sit and left with us the clear impression that there is much work to be done here. He acknowledged that it will take years to deploy the proposed helicopters out there to train the troops for the proposed task. He tells us that there are currently insufficiently trained and insufficient numbers of pilots to even get into those helicopters. They do not have the hangars to house those helicopters. And that we should know that some 5 years out we definitely will still be involved in this enterprise in a best situation.

The fact of the matter is we have to know that there are already 300,000 people that have been displaced in Colombia. If we go in on the current path,

we are likely to see scores of thousands of others being displaced, and we are not taking proper precautions to resolve the situation that those people will find themselves in.

Yes, Mr. Chairman, things have gotten better in Bolivia and Peru; but things have gotten worse in Colombia as a result of that. And the action that we are embarking on today simply forces people in Colombia to grow these crops somewhere else, most likely Ecuador, maybe Panama or Mexico or somewhere beyond there. And we are not talking about what we might do to stop that from happening.

The statement of the gentleman from Indiana (Mr. BURTON) is one of the reasons that people on this side are very concerned about where we are going here. He talks about if things do not resolve quickly there, then we will need more United States troops. This is Nicaragua all over again. We do not seem to learn from our past mistakes. We should take the time to debate all the ramifications of this proposal and talk about it in depth and see if we cannot find a more balanced way to attack this problem.

Mr. Chairman, wealthier Colombians are leaving that country in droves. Apparently, they are more than willing to fight to the last drop of American blood. We can be helpful in this situation and we should, Mr. Chairman. We can support President Pastrana by providing resources to build infrastructure so crops can get to market profitably, to build confidence of the people there in the government by helping him to strike an even-handed effort against paramilitary as well as guerrilla forces, to build a court system to the point that it is effective, fair, and respected, to build schools and roads and community support, to build a competent, efficient respected police force and a military that does not favor the paramilitaries or ignore paramilitary atrocities.

Mr. Chairman, we can be balanced in our efforts. We can increase efforts for prevention and treatment here at home. And the gentlewoman from California (Ms. PELOSI) is exactly right in that regard. We do not have anywhere near the proper attention being spent on treatment and prevention in this country. It does bear repeating the fact that we have way too many people in our jails with alcohol and drug abuse problems and a problem that they cannot get a job when they are out, even if they do deal with drugs and alcohol, because we are not spending enough of our attention on making sure that they are educated and trained and capable of returning as productive citizens.

We do not start putting money in early enough for early childhood programs and Head Start and after-school programs, for community building and community programs to make sure that every one of our children has the ability to be productive and be happy citizens with hope. And we certainly are not providing enough attention and enough resources to make sure that those that are addicted, that have a drug or alcohol problem, get the kind of treatment that they need.

That is what this debate is about, Mr. Chairman, and I am so glad that the gentlewoman from California brought that up and the gentleman from Wisconsin made it clear that we are not spending the time that we need to debate all of these issues and the ramifications that will come from them.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Pelosi amendment and in opposition to the underlying provisions in the bill dealing with funding of the military in Colombia to address a serious problem that cannot be really addressed by the military.

Let me start by stipulating that we have a serious drug problem in this country. I do not think anybody would debate that issue. Part of the reason we have a serious drug problem in the country is that we do not have any kind of rational plan to deal with drug prevention or drug treatment or the consequences of drug use.

Instead of coming up with a plan, we come up with reactionary approaches. We come up with emergency responses. And there is no ongoing plan to deal with this. And that is exactly what we are doing again in this emergency appropriation bill. Instead of coming up with a plan, as the Pelosi amendment has suggested that we need to do, we are funding this on an emergency basis.

Let me be clear that I do not support having the United States military involved in our drug prevention efforts. And we have had a debate many times on this floor, and we have had a policy of not having the United States military involved in drug prevention in this country.

So why in God's name would we, not supporting our own military being involved in drug prevention in our own country, allocate $1.7 billion to a corrupt military in Colombia to deal with drug interdiction? A military that is part and parcel of the drug problem itself because they have been involved with drug dealing and selling and shipment over and over again in addition to being involved with some of the worst human rights abuses that have taken place in that country.

Why would we as part of a plan, other than as a reactionary approach, where we are just going to throw money after something and send in the military so we can go home and tell folks we have done something? Why would we give money to a corrupt military in another country to do a job that we would not even have the military do in our own country?

This is symptomatic of our approach to issues that are difficult issues. We put some money out there. We say we are sending in the military to solve a problem that is not a military problem, and then we go home and tell our constituents, well, we have done something to solve this problem.

This is exactly the approach we should not be pursuing, and I hope my colleagues will support the Pelosi amendment and reject the underlying provisions in this bill, and support the Ramstad and Campbell amendment that strikes out all of this provision, because it has no place in our policy, no place in a plan, a rational plan to deal with drug abuse in this country.

Mr. SCOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if our goal is to reduce drug abuse, the $1.7 billion could be used better on juvenile crime prevention and early intervention programs and drug rehabilitation under the Pelosi amendment than spending that money in Colombia under the bill.

Now, we know how to reduce drug abuse. The drug programs are not perfect, but they are effective. A study of the rehabilitation program in California has shown it to be so effective that it reduced costs in health care, welfare, and crime so much that the State saves $7 for every dollar it puts into the drug abuse program.

Drug courts have been studied. They send prisoners to drug rehabilitation rather than simply to jail. That program is shown to reduce recidivism more than just sending them to jail and is a little cheaper.

□ 1745

So we know that drug rehabilitation works, and it is cost-effective. We also know that spending $1.7 billion in Colombia will not make a measurable difference on the amount of drugs consumed in the United States.

Late last year, Mr. Chairman, the Speaker of the House and the minority leader, Mr. GEPHARDT, appointed a bipartisan Juvenile Justice Task Force to figure out what we can do to reduce juvenile crime. We invited experts across the country to help us in this process.

And all the testimony that we heard pointed to prevention and early intervention as the appropriate strategies to deal with juvenile crime. We did not hear anyone suggest that spending billions of dollars on interdiction would be an effective strategy for dealing with juvenile crime. We heard about early childhood programs and improved education and afterschool programs.

If we look at $1.7 billion, we could build four $1 million boys and girls clubs in every congressional district in this country for that same amount of money, and that is $1.7 billion. A lot of it we could spend over and over again so we can build more and more boys and girls clubs with that same appropriation.

We have heard stories of the tragedies involving drug use, and we have a choice in this amendment. We can do what works, what is cost-effective, the drug rehabilitation and the prevention and early intervention programs, or we can spend a lot more on a program

which, at best, will have a negligible effect on the amount of crime, on the crime and drugs in the United States.

I hope, Mr. Chairman, that we will have the courage to vote for the choice which will actually reduce crime and drug abuse by adopting the Pelosi amendment.

Mrs. CHRISTENSEN. Mr. Chairman, I move to strike the requisite number of words. I, too, rise in strong support of the Pelosi amendment, which would add vital drug prevention and treatment dollars to the emergency supplemental budget.

I cannot remember how long this war against drugs has been going on, but it has been a long, long time. And despite some reports to the contrary, in too many places in this country, we are losing.

I do not necessarily have a problem with appropriations to fight drugs in Colombia or anywhere else and to address the need for increased interdiction. But to do this alone is to employ the same one-sided, near- and short-sighted approach that has not worked through all the plans and in all the years that we have been trying to stem the tide of drugs and stop the scourge of drugs in this country.

Mr. Chairman, I have had the opportunity to meet and speak with leaders in my part of the world, the Caribbean, on many occasions, and in almost every instance, the issue of drug transshipment and urgings for them to keep their commitment strong in addressing it is always an important part of the conversation.

Do you know what they say to us?

They assure us of their commitment. They do not want what the transshipment does to their countries, and they do not want the risks it presents to their people. They want to stop the flow of drugs in and through their countries.

But they also say to us that the greatest obstacle to stopping the flow is the ready and the large market for the product. It is simple economics, supply being developed to meet a sustained and increasing demand. And I support the Pelosi amendment, because it is only through addressing demand, as well as interdiction, that we will ever win this ongoing war.

I support this amendment for an even more important reason, because we have not adequately addressed poverty, failing schools, poor or no housing and other critical issues facing communities around this country, especially communities of color, drugs; and because of them, HIV and AIDS have taken hold of these communities and threaten to drain the very life blood from our neighborhoods.

In those communities, people want to rid themselves of the illness of addiction. They want treatment, and parents want to help to keep their growing children from being consumed by drugs and AIDS, but they cannot get into treatment.

And the programs to help our kids and divert our children's energies into positive ways are just not available. The Pelosi amendment would change that, and that is why I support it.

We need to provide funding not just to rid our communities and the country of drug-related crime, but we need it to heal those who have fallen prey to addiction to illicit drugs. And we need it to heal our communities and to make them whole.

I thank my colleague, the gentlewoman from California (Ms. PELOSI), for her leadership. And I thank all of the others who have spoken in favor of this amendment and in favor of the many in this country who need our voices to speak out on their behalf.

I urge the rest of my colleagues to support the Pelosi amendment and to vote yes.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the requisite number of words. Let me, first of all, congratulate the gentlewoman from California (Ms. PELOSI) for her amendment. I think it is important that we highlight the importance in terms of treatment. I think we all recognize from both sides of the aisle the importance of looking at both the supply and the demand. And as we do that, I think it is also critical for us to realize, at least from my perspective, I think I am the only one who is here who has ever had a caseload of 60 heroin addicts and I worked as a case worker.

And when I was working as a case worker, I just want to share with you the frustrations. It seemed like every election, whether it was a Republican or a Democrat, the DA would pick up a case load of heroin addicts that were selling probably enough to just fix themselves.

The reality is that we are not going after the ones that are really selling the items, and we are going after the little guy. If we look at our prisons, we find 70 percent of them are drug-related, a lot of them are black, Hispanic and poor white, but we look in terms of our professionals that are using the drugs out there, we are not doing enough to go after that professional, that individual, that is related to a Congressman, that individual that is an attorney, that individual that is out there, and we are not doing enough there.

What frustrates me is that we have even come up with now a report card on other nations, on how they rank. When are we going to come up with a report card on our own district attorneys, on our own communities? When are we going to hold them accountable?

If we ask the military to come up with a plan, they have come up with a plan, and this is a military plan; but when are we going to ask our own communities to come up with a plan? I think it is important that we recognize that this is a societal problem. It is a problem that America has.

And I can attest, unless we deal with it as a problem that exists within our society, we are not going to be able to make it happen.

Let me just share with my colleagues we have 6 million youngsters right now, 6 million kids on prescription drugs. When I practiced as a social worker, one of the things that we were told, and we used what we call the DSM for diagnostic assessments, that we should use the least restrictive diagnosis in dealing with youngsters.

That was that we do not give a serious diagnosis unless we had to. We used to have what we called adjustment reaction. That was, if any kid got into difficulties, we used ''adjustment reaction'' and worked on it.

But when we first started to tie in the funding in mental health, when we tied funding to whether the person was going to get reimbursed, then we started giving more serious diagnosis to a lot our youngsters in this country, and we really need to watch that real closely.

We really need to investigate what we are doing in the area of mental health. A lot of our individuals that suffer from mental illness are some of the ones that are self-medicating themselves and getting involved in prescriptions and drugs, both the legal and illegal. I think we really need to go out there and try to do something in those areas.

In addition, if one looks at our media in terms of how it stresses a prescription coverage for any illness that one has, they will have a pill for it. So we really need to kind of look at it and really approach it in a comprehensive manner.

If we ask the military again to come up with a plan, we are going to get a military plan. I am going to be supportive of that. But I think that we also need to look at our backyards. We have to stop scapegoating other countries. We have an obligation in our backyards. We need to hold our own people accountable. We need to hold ourselves accountable. Part of that is treatment.

I want to share with my colleagues that, when I worked in the area of mental health in the city of San Antonio for what we call the major center, which was the community mental health center, now it is referred to by another name, we had two case workers that worked with adolescents. I was one of them. Two for a population of over a million. That, I can attest to my colleagues, has not increased.

We also need, not only in terms of those treatment approaches that vary, some will work with others, some will not, we need, yes, in some cases religious approaches that work with some addicts, others in terms of the methadone program; but we need a combination of all of those approaches.

One of the things that frustrate me is that people, especially adolescents, if they suffer from drug addiction, they are not going to come to see you. I can attest to that. You have to go out there and reach out. We need both a medical model and an outreach model or a social work model that goes out

there after those youngsters and reaches out to them.

The other frustrating thing that we have, and I think that we are definitely not doing enough, is when it comes to our veterans, our veterans are suffering tremendously and a lot of them are abusing alcohol and substance abuse. We need to do more in that area.

Mr. PORTMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to respond to a few of the comments made by my colleagues on the other side of the aisle. The gentleman from Texas (Mr. RODRIGUEZ) just spoke about the fact to focus on our own backyard and not just focus on interdiction and blaming other countries. He also indicated he would be supportive of interdiction, but we needed to do more than that.

The previous speaker talked about the importance of interdiction but also said, while interdiction may make sense, it is not the only thing we should be doing.

I guess what I am here this evening to talk about is the fact that that is not all we are doing in this Congress, and we need to draw attention to that.

Yes, the President has a plan to try to save Colombia, which is a national security issue as well as a substance abuse or drug issue, and it is a crisis. It is appropriate, I think, to deal with that in a supplemental appropriations bill.

But this Congress, Mr. Chairman, over the last several years has made progress on doing exactly what the gentleman from Texas (Mr. RODRIGUEZ) is talking about, what the previous speaker is talking about, looking at this issue in a more comprehensive way. Despite what I have heard on the floor today, I think we need to recognize that and look at the track record of this Congress.

First, on a bipartisan basis, we have passed some good legislation from the Drug Free Communities Act, for instance, we passed in 1997. It supports community-based solutions. It focuses on prevention, education, and treatment. It brings all segments of the community together and forces them to deal with the problem in a comprehensive way. It is working.

There are about 3,000 community coalitions now around the country. We hope to double that in the next several years. Incidentally, we are looking for $40 million for that program this year in the appropriations process. Those who have spoken today and who care about this issue might want to focus on that. The administration requested only $35 million, under the authorized amount.

The National Youth Antidrug Media Campaign this Congress passed a few years ago, the funding started 2 years ago, an unprecedented amount of Federal support from this Congress to support, yes, an antidrug media campaign that focuses on prevention. It is working. The ads are being tested. $185 million was appropriated by this Congress last year for that program. Over the 5-year period for which it is authorized by this Congress, we will spend, when we conclude the private match over $2 billion, the largest media campaign in history on drugs or any other issue.

This is something this Congress has done, and we need to do more of it. We need to continue to support that. I have not heard much about that today.

The Drug Demand Reduction Act we passed in 1998 increases the effectiveness of the Safe and Drug Free Schools Act. It authorizes the media campaign I just talked about. It streamlines the antidrug bureaucracy we have of 54 different departments and agencies, to reduce the duplication.

If my colleagues want to be supportive of what is going on here in our backyard, there are lots of ways to do it. There is the Drug Free Workplace Act, which again has been a bipartisan effort of this Congress. We got about $4 million provided in last year's budget. We are going for more this year. For those who care about issue, through the normal appropriations process, my colleagues will have an opportunity to support the Drug Free Workplace Act. It establishes a new grant program for nonprofits to expand on drug-free workplaces. It also has the Small Business Administration involved directly in efforts to promote drug-free workplaces.

We are asking to do even more in the area of prevention, education, and treatment this year in the appropriations process. I am delighted we have had this debate today, because I have found there is a lot more support for it than I thought there was.

I am not sure the supplemental appropriations bill is the right place to do it. Let us take it through the normal process. Let us support what we have already done. Let us build on that.

This year, let us have a teen drivers' act, where when teens go to get their driver's license, they are asked to be tested. There is a monitoring of that. There is an incentive through insurance discounts if they do it, a voluntary program with real discounts and real incentives.

Let us put enhanced treatment in our jails, in our prisons. If we talk to folks who are involved in this, the only way, we believe, to stop the revolving door to cut that link between addiction and crime is to get more treatment in our jails and prisons. Only 9 percent of prisoners today at those levels are getting that kind of treatment.

□ 1800

We do not have a Federal program to do that now. We need one. The money we would dump into SAMSHA would not help in that regard. That is something this Congress can work on in a bipartisan basis, and there will be proposals to do that later this year. This is something that we can do and we can do through the regular order.

My only point is not that we should not be focused on the comprehensive picture, it is that we have been. And this Congress, over the last few years, has a lot to be proud of in terms of focus and in terms of resources, putting unprecedented amounts of money into prevention, education, and treatment. We need now to build on that. We need not, though, at the same time, to say that there is not an issue with regard to interdiction.

I have tended to focus more on the demand side. But if we take our eye off the ball on the supply side, what will happen? We will get increased supplies from foreign countries and what we will have is also reduced cost and cost is a factor in this. So we need to do both. It needs to be a balanced approach. We need to reduce demand for drugs, and we need to help move this country toward a drug free America.

The Speaker spoke earlier today about his willingness to do that. He spoke about his willingness through the regular process, not through the crisis in Colombia, but through the regular process to enhance our efforts on prevention, education and treatment, and I think this Congress ought to take him up on that.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this has really been quite an interesting discussion we have had, and I want to thank the gentlewoman from California for being so creative and providing us a way for this discussion to go on.

Mr. Chairman, we have been dealing with a war on drugs all the years of this past decade that I have served in the Congress, and quite a few years before that. And I doubt that any single one of us, reading the evidence, could say that we are winning that war on drugs. Generally, I think we do understand that if the war on drugs is to be won, then it is going to have to be a combination of efforts, where demand reduction here at home is going to have to go hand-in-hand with the supply interdiction that occurs at the source. But surely it ought to be a balance that uses most of the most effective effort.

In fact, research by the Rand Corporation has shown that in order to get the same benefit that $1 spent on treatment in education-on-demand reduction here at home we would have to spend about $20 in interdiction at the source in order to get the same benefit.

Now, Mr. Chairman, because the full amendment that had been offered and debated in the full Committee on Appropriations, the full amendment that was to be proposed and had been proposed before the Committee on Rules by the gentlewoman from California, was not made in order, the gentlewoman had no choice, had no way of entering this debate except to make an amendment that would cut $50 million out of a program that has never been authorized by this Congress. It was her only way to focus on this utter folly of

misexpenditure where that $50 million would do 20 times the benefit, at least 20 times the benefit, if that same $50 million that she has proposed to cut were to be used here at home on drug treatment and demand reduction here at home.

Mr. Chairman, it is more than an hour ago that the distinguished gentleman, also from California, who is the chairman of the Subcommittee on Defense of the Committee on Appropriations, said that he would be happy to join with the gentlewoman from California, as the ranking member of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, in doing an effective demand reduction program, expansion of a demand reduction program. Well, he had that opportunity within the full Committee on Appropriations; and if that amendment had been made in order today, he would have had that opportunity again today.

It is more than 2 hours ago that the distinguished gentleman from Alabama, the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, had said, in justifying why the amendment that was offered by the gentlewoman from California was not made in order, to be debated in proper order, in general order here, he said that the President had not asked for dollars to fight domestic drugs; and if he had asked for money to fight the domestic drug program, that we would have appropriated it.

Well, I have never before noticed any reluctance by the majority to go beyond what this President has requested, if it was appropriate to do so. And I simply do not understand why we would not go after drug demand here at home, drug-demand reduction here at home when that is so clearly known, so clearly shown to be the most effective way to get about winning the war on drugs.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Pelosi amendment, and I thank the gentlewoman for offering this amendment because we desperately need to address the growing demand for drugs here in our own country, and we must address drug treatment programs.

Today, we are spending time, a lot of time, debating whether to appropriate funds to fight the supply side of the narcotics problem in Colombia. This debate is not complete unless we also tackle the connection between America's growing demand for drugs from other countries, like Colombia. In order for our international drug control policy to succeed, our drug policy must be balanced. It cannot focus only on supply reduction.

We must also include demand reduction right here at home. To do this, we must incorporate the Pelosi amendment, as it rightly addresses the treatment gap on this side of the hemisphere. This amendment will expand our country's existing infrastructure for treatment. This investment will leverage additional local and State funds. It will strengthen State and local coordination and help to integrate service delivery. This funding will help our youth avoid a life of drugs and treat current drug users to help them turn their lives around. The amendment focuses on youth, while allowing communities to invest these funds according to local priorities.

Every day our children are bombarded with suggestive messages and opportunities to take drugs. Effective prevention programs engage youth interactively, involve parents and families, and start at a young age to build skills and reinforce a message over the long term. While children are only 25 percent of our population, they are 100 percent of our future. We must address their future. We must address the future of all children, particularly those involved in or at risk of drug abuse.

Mr. Chairman, this Congress needs to refocus its priorities. Each $1 invested in drug abuse prevention will save $15 in reduced health, justice and other societal costs. Each $1 invested in drug use prevention will save communities $4 to $5 in costs for drug abuse counseling and treatment.

Mr. Chairman, we need to put people before weapons systems. For the total cost of each of the requests of 30 Blackhawk helicopters, we could treat 5,173 substance abusers or provide prevention services to 111,494 American children. If this Congress can fund $1.3 billion for ''Plan Colombia'' to reduce supply internationally, we can surely afford to fund treatment services and prevention programs to reduce demand here in America.

I urge my colleagues to support the Pelosi amendment and support our youth.

Mr. JACKSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have seen this movie before, starring Harrison Ford: Clear and Present Danger. Unfortunately, Harrison Ford did not win an Oscar for his role, but, quite frankly, some of my colleagues could have won an Oscar for their supporting cast in today's movie, which we have already dictated and determined what the future and outcome will be. Let us look at some of the underlying scripted parts of this movie, as I prepare to yield to the gentlewoman from California for her closing remarks.

The cost of the helicopters alone would provide treatment for almost 200,000 substance users or drug prevention services for more than 4 million Americans. Arianna Huffington, in her article ''Drug War Comes at a High Price,'' was right. We are about to spend close to $2 billion on Colombia, while here at home we have 3.6 million addicts not receiving the treatment they need. This despite the fact that drug czar Barry McCaffery's budget is expected to rise to a proposed $19.2 billion this year.

When Richard Nixon declared a war on drugs in 1971, he directed more than 60 percent of the funds into treatment. Now we are down to 18 percent. And since 1980, through both Republican and Democratic administrations, the emphasis has turned to interdiction, crop eradication, border surveillance and punishment. The evidence is clear, and that has been the misguided use of resources. But putting $1.7 billion into Colombia in the middle of a civil war is more than misguided. Quite frankly, from my perspective, it is nuts.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of Illinois. I yield to the gentlewoman from California, the distinguished ranking member on this committee who has done an outstanding job. And her leadership comes at a high price at this time during our Nation's history.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for his very important statement on this significant subject, which is as personal as our own families and as important to our country as our national security.

Mr. Chairman, I rise today to thank Members on both sides of the aisle, our distinguished chairman, our distinguished ranking member, for the very, very serious debate that we have had on this subject. It is a subject worthy of serious debate.

Let us stipulate from the start that we all agree that every person in this body wants to fight the scourge of substance abuse in our country. There is no question about that. Let us also agree that we want to help Colombia, President Pastrana. I think we all agree he is a very courageous person and has a very difficult challenge. The people of Colombia have suffered so many years because of drugs and because of the civil war, whatever they are calling it down there, and so we want to help them. But is this the right way to go?

As a Member, along with the gentleman from Illinois (Mr. JACKSON), of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations, we know what the need is in SAMHSA, the Substance Abuse and Mental Health Services Administration. We have fought hard, in a bipartisan way, for more funding for substance abuse for treatment on demand for substance abusers. We have a golden opportunity, a golden opportunity in a supplemental bill to do drastically more.

So to those who say let us do this in the regular process, we have caps in the regular process. We have no offsets in a supplemental emergency bill. So that is why this is a golden opportunity. If we can spend $1.3 out of a package of $1.7 billion to send to Colombia within an emergency bill, we should be able to do at least that in our

own country. Our agencies can absorb it. The absorptive capacity is there and the need is there.

The need is this: Five and a half million people in our country are substance abusers. Of that number, 37 percent, or 2 million, have access to treatment. We have a 63 percent treatment gap. So, yes, we are doing something on substance abuse, but we are not doing nearly enough. And it should be our priority to start at home, to begin at home to address the demand side of this. Let us face it. If we eradicated every coca leaf in Colombia, do my colleagues think that that would be the end of the drug problem in our country? No. But we can help Colombia by eliminating the market for that coca leaf in the United States.

So my colleagues, as a the ranking member on the Subcommittee on Foreign Operations, Export Financing and Related Programs, I have seen this ''Plan Colombia'' close up. We are supposed to put up $1.3 billion, $1.7 billion, in the fuller process over $7 billion. We are told that our plan is heavily military because the rest of the $7.5 billion is going to be humanitarian. We have not seen one penny of that other money.

We have not seen the elites of Colombia stand up to the occasion and meet the needs of the poor people in that country. The disparity in income and the poverty level there is so oppressive, yet the elites are running off to Florida. So let us be fair to our own people. Let us have treatment on demand in this full committee. And in that spirit, Mr. Chairman, I again thank our colleagues for the seriousness of this debate on both sides.

□ 1815

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to compliment the gentlewoman from California (Ms. PELOSI) for her demonstrated ability to organize a very effective filibuster which we have enjoyed the last couple of hours. But it is essential that we get on with the consideration of this bill.

I would ask for a ''no'' vote on the amendment of the gentlewoman.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise in support of the amendment sponsored by my colleague Mrs. PELOSI of California. This amendment, which recognizes the need to focus on reducing supply and decreasing demand in the fight against drugs, promotes a common sense approach to this problem. It devastates homes, communities and our nation at large. When excessive youth drug abuse, reduced treatment facilities and scare prevention services are the norm; we need to act. The Pelosi amendment does act. This measure adds much needed funds to drug prevention and treatment programs which are making a difference in the war against drugs.

If we fund $1.3 billion for ''Plan Colombia'' to reduce supply internationally, less than half of that money will be used for treatment service and prevention programs to reduce demand domestically. It is reprehensible to support a plan which authorizes money for Colombia's drug interdiction programs, when there are 5.7 million Americans in need of substance abuse treatment. In addition, it is not responsible drug policy to stop the supply of drugs from Colombia while virtually ignoring the fact that the demand for drugs especially among our youth has gone largely unchecked.

As the Representative of a mostly minority district I am keenly aware of the devastating affect that drugs has on the minority community. Drugs abuse and related illnesses such as HIV and AIDS have debilitating effects on women, people of color and the poor. If a $1 investment in drug abuse prevention will save $15 in reduced health, justice and other societal cost, most of which are felt within the minority community, it is logical to conclude that prevention programs are needed just as much as interdiction programs.

Yes, we need to address the supply of drugs to this nation but not at the cost of neglecting the treatment needs of this nation's addicts and our youth who are being lured into the drug trap every day. Let us put our drug control funds to use in programs that will be of greatest benefit to Americans. Successful drug prevention programs benefit individuals, families, communities, and this country. The country of Colombia cannot ensure the welfare of our citizens; we can. I strongly support the Pelosi amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. PELOSI).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT NO. 4 OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 4 offered by Mr. HUTCHINSON:

Page 2, after line 21, insert the following:

OFFICE OF JUSTICE PROGRAMS

COMMUNITY ORIENTED POLICING SERVICES

Of the unobligated balances available in the program under this heading, $15,000,000 shall be used for policing initiatives to combat methamphetamine production and trafficking.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Kentucky (Mr. ROGERS) each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise in support of this amendment which addresses an emergency need not only in my State of Arkansas but in many States around the country facing a methamphetamine epidemic. Let me give the history.

First of all, in the 1990s, Congress recognized that the State needed some help in cleaning up these very dangerous methamphetamine labs and the environmental problems associated with it. So in 1998 and 1999, Congress provided funds to the DEA through the COPS program to help them clean up these meth sites.

Then it changed in the last Congress. In the last appropriation bill, they took a different approach; and instead of giving the money to the DEA through the COPS program, they earmarked $35 million for about 15 sites.

For all those sites that were not listed, including Arkansas, the DEA has been using left-over funds to help the local law enforcement clean up these sites. The problem is that pot of money has completely run out. There is no more money there and leaving the law enforcement with a very difficult problem. They bust a lab, but they have no resources in which to clean up the environmental problems and clean up the lab itself.

The amendment I am offering would provide $15 million of the COPS program money to fund cleanup costs across the country through the end of this fiscal year. I believe this is an appropriate use of the COPS money, and it will help our police on the streets.

Three points of clarification, Mr. Chairman. First of all, this money, very importantly, was previously appropriated. It is not new money. Secondly, this will not impact the 15 sites that have been designated in the appropriation bill. And thirdly, it is for cleanup costs.

Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. WAMP).

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

Mr. WAMP. Mr. Chairman, make no mistake about it, if they are in rural east Tennessee, the biggest drug problem they face is not from overseas, it is somebody's garage close by where methamphetamine may be being made by young people who read about it on the Internet.

The year before last, 42 labs were seized in Tennessee. Last year, 116 labs were seized in Tennessee. So far in this fiscal year, just in a few months, 137 labs had been seized. This is an epidemic.

General Barry McCaffrey says, ''a seriously potentially national problem to become the next crack cocaine epidemic.'' McCaffrey says, ''Methamphetamine remains one of the most dangerous substances America has ever confronted. It is proliferating terribly.''

Local law enforcement breaks a lab up. They have a toxic site. It costs $5,000 to clean it up. There is no way local law enforcement can keep up with this.

Our committee is doing a great job of fighting it. We have got to have DOJ's help. We have got to have the COPS program help. This $15 million is the least we can do to help local law enforcement break up methamphetamines and clean up the labs.

This is a cancer in our culture, and it is attacking rural America. We have got to fight it at the State, local, and

Federal level. We need this amendment to pass.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Chairman, I thank the gentleman from Kentucky (Mr. ROGERS) for yielding me the time. I appreciate very much to have an opportunity to speak in support of the Hutchinson amendment.

Methamphetamine continues to ravage our communities. Now is the time, in my opinion, to take immediate and aggressive action and to continue immediate and aggressive action to bring it under control. We cannot allow this crisis to continue.

I have traveled with local law enforcement and drug rehabilitation experts throughout my district, and I have seep firsthand the damage this is reaping on our communities.

Today, I am proud to support this amendment to make an extra $15 million available to the Drug Enforcement Agency to assist the cost in cleaning up meth labs.

Meth is the greatest threat to our young people I have ever seen. In fact, I would tell my colleagues that, in my lifetime, I have never seen anything more threatening internally to our country than what I perceive methamphetamine to be. And it is a real threat, and we are in a battle that we must win. We must win this.

Local law enforcement agencies are already working under extremely tight budgetary conditions. The high cost of cleaning up just one of these meth labs can mean the complete disruption of normal law enforcement activities and can wipe out their budget and their resources.

This is just a part of my efforts to battle meth. I have also introduced this, and I will call this to the attention of my friend from Arkansas (Mr. HUTCHINSON), listen to this, we have introduced the Comprehensive Methamphetamine Abuse Reduction Act. This measure takes a multipronged approach to the problem and will provide our communities with the tools they need to win the battle against meth. I will hope my colleague will look at that.

This measure takes a multipronged approach, as we have said. The initiative increases resources for law enforcement to combat meth labs and traffickers and provides funds for State and local establishments to be involved in the program.

In closing, I want to say I strongly support the HUTCHINSON amendment. We must do all we can to win this battle with meth.

Mr. Chairman, I yield to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentleman from Iowa (Mr. BOSWELL) and thank him for his leadership.

Mr. Chairman, I rise in strong support of the Hutchinson amendment. I also want to thank my colleague from Arkansas (Mr. HUTCHINSON) for his leadership in this matter.

We have a serious problem in this country, and we have a very serious problem in Arkansas with illegal meth labs. Our law enforcement people struggle every day to deal with it. It is absolutely ridiculous that they would not have the resources they need after they find one of these meth labs and do what they need to do to destroy them to take care of this problem.

I urge all the Members to support this amendment and let us do everything we can to fight this horrible scourge on our society.

Mr. BOSWELL. Mr. Chairman, I want to thank the gentleman and I appreciate all of our efforts to get on top of this methamphetamine scourge that has so taken our country.

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

Mr. Chairman, I want to thank my colleague, the gentleman from Arkansas (Mr. BERRY), who has certainly recognized the extraordinary problem in our State that faces our law enforcement.

Every day we wake up to the newspaper that talks about another meth lab being busted and then, most recently, that the DEA is out of funds with which to help our local law enforcement in the cleanup.

This puts our law enforcement at a terrible problem, because we have had more meth lab busts in the last year per capita, I think we are second in the Nation, in terms of how many labs that have been busted. So I want to congratulate my friend and colleague for his work on this. I think this is very important. And the gentleman from Iowa (Mr. BOSWELL) that just spoke, I appreciate his work on this and recognizing the problem.

It is not just Arkansas I have talked about, but it is California, it is Iowa, it is Oklahoma. There have been many speakers that have wanted to express their concern about this and their hope that this will be addressed, this emergency spending bill.

I want to end by saying that this emergency spending bill fights the war on drugs in the backyard of our hemisphere, which is very important and I support that. But my amendment that is supported by my colleagues fights the war against methamphetamine in our children's backyard. It is in our communities. And that is why this is so important to get us through this year, to help our local law enforcement; and then we can do it the right way in the next budget cycle.

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

Mr. Chairman, let me say I appreciate the gentleman from Arkansas (Mr. HUTCHINSON) and his concerns regarding this problem. And it is a problem. I do not oppose the amendment.

As I understand it, his amendment would provide funding to help State and local law enforcement agencies pay the cleanup costs associated with methamphetamine labs that they have seized.

In the subcommittee on which I am chairman, we have heard testimony about the proliferation of this problem throughout the country. The gentleman is right on target.

Due to increased seizures of these labs the funding for this program has been depleted. They have to be dealt with in a certain way because of the hazardous wastes involved.

I do not oppose this amendment. But let me point out one thing to the gentleman. The Department of Justice, today, could reprogram or seek to reprogram funds from the COPS program to address this problem. If they will send a letter here saying, we wish to take X dollars from the COPS program and apply it to the meth lab program, I will sign it and the money will be provided out of this year's bill.

So I would hope they will do that. We can get the moneys flowing immediately to our State and local agencies. This amendment would no longer be required.

But, as I understand it, the concern of the gentleman is that the reprogramming request is stuck up at the White House, at the OMB; and, as a result, the problem is not being addressed.

I would hope, Mr. Chairman, that the folks at the OMB would realize the danger that they are causing out across this country by not sending up the request to change monies from the COPS program to methamphetamine lab cleanup.

It is on their desk. It is on their shoulders. I would hope that they would do that. As soon as that request hits my desk, it will be signed and on its way.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Arkansas (Mr. HUTCHINSON).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 6 offered by Mr. SAWYER:

Page 8, line 13, before the period insert the following: ": *Provided further*, That of the funds appropriated under this heading, not less than $50,000,000 shall be made available for assistance for internally displaced persons in Colombia".

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Ohio (Mr. SAWYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. SAWYER).

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

Mr. Chairman, let me say that the struggle that is going on in Colombia is

going on not only for the sake of drugs but for the sake of an important nation in our hemisphere. And for that reason, I would submit that any new U.S. aid package to Colombia should allocate a modest but substantial amount of money to directly deal with displaced communities and persons and bring about humanitarian aid for resettlement, reintegration, and development assistance.

Displaced people in Colombia live in fear. They receive little or no assistance from their own government or the international community. I am concerned that U.S. aid will have little effect if this refugee crisis is not addressed.

The common dimension when we are talking about Kosovo or Bosnia or Rwanda or Liberia or so many other places on Earth is one that is shared with Colombia, and that is the extraordinary number of displaced persons who themselves are a destabilizing force within the country that we are trying to stabilize.

The refugee crisis is even bigger than that which was experienced in Kosovo. A million and a half people are streaming towards borders and to the outskirts of cities where camps are themselves destabilizing. This has become not only a symptom of Colombia's instability but is a cause of Colombia's instability. It is something that, for a modest investment, we can make the dollars that are going in other programmatic areas pay off many times over.

□ 1830

Mr. Chairman, I yield to the gentleman from California (Mr. FARR).

Mr. FARR of California. I thank the gentleman for yielding. I rise in support of this amendment. I want to speak about Colombia in a way that has not been spoken tonight on this floor and it has been a long day but I am the only Member to rise who has lived in Colombia. I lived there for 2 years. I represented this country as a member of the Peace Corps. Colombia is a beautiful country. It is one of the most diverse countries in the world. It is one of the oldest democracies in Latin America. It is now plagued; it is torn apart.

The root causes of its problems right now are drugs and corruption from those drugs. Colombia has over $5 billion inside Colombia that is corrupt money. Think what that would do in your own State if that money was used for corruption. There is an obscene amount of money. This war on drugs, this displacement of people, as the gentleman from Ohio (Mr. SAWYER) says, it has displaced a million and a half people, a million and a half people that do not have homes, do not have schools for their kids, do not have health care centers. These people become a problem in themselves because they have to resort to petty crime. So the only way we can begin solving the problem which is drugs in our country is to deal with the root causes of drugs in Colombia. That has got to be in this bill.

A lot of people have talked about the problems of this bill, what it has, what it does not have. But, Mr. Chairman, there is a point when we have to stop our partisan bickering and say are we going to let a country continue to burn, a country continue to not have a solution to a problem or are we going to stand up and face the responsibility that we have been asked, not the only country to be asked, one of the countries to be asked to help with a plan that Colombians have derived. That plan is complete. But the one lacking part in it, the one lacking part in money is earmarking that money for the people who have been displaced.

I hope this amendment is accepted, because this amendment does not spend any more money, it just takes $50 million and says you have got to deal with the homeless population, you have got to deal with the displaced people. If you do not deal with them, we cannot do all these other things. You cannot just attack this problem by dealing with the eradication of drugs. You have got to attack it in a comprehensive way. I think the bill speaks to a lot of points. This amendment makes it a better bill. I ask that it be supported.

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

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent to control the time in opposition, although I am not opposed.

The CHAIRMAN. Without objection, the gentleman from Florida (Mr. YOUNG) will control the time otherwise reserved for opposition.

There was no objection.

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

I just wanted to say to the gentleman, we have no problem with the amendment, we are willing to accept the amendment. It is not incompatible with the report that accompanies the bill that we reported from the committee.

Mr. SAWYER. Mr. Chairman, if the gentleman will yield, I thank the gentleman for his comments. It is a modest amount of money, it is achieved through reprogramming of already existing dollars and will save many dollars in the future.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. SAWYER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 printed in the CONGRESSIONAL RECORD offered by Mr. TAYLOR of Mississippi:

Page 5, after line 7, insert the following new section:

SEC. 1202. (a) LIMITATION ON NUMBER OF MILITARY PERSONNEL IN COLUMBIA.—The number of members of the Armed Forces of the United States in Colombia at any time may not exceed 300.

(b) EXCEPTIONS.—(1) The limitation in subsection (a) does not apply to members of the Armed Forces of the United States in Colombia for the purpose of rescuing or retrieving United States military or civilian government personnel. The period for which a member of the Armed Forces of the United States may be in Colombia under this paragraph may not exceed 30 days unless expressly authorized by law.

(2) The limitation in subsection (a) does not apply to a member of the Armed Forces assigned to the United States Embassy in Colombia as an attache or as a member of the Marine Corps security detachment.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Mr. TAYLOR of Mississippi. Mr. Chairman, we have been involved in a long debate today about what exactly our Nation should do on the war on drugs. There are some who advocate spending a great deal of money and possibly using the Armed Forces of the United States in the war in Colombia.

Mr. Chairman, as we speak we have Americans, since I have been a Member of Congress, who have been sent to the Gulf, to Haiti, to Somalia, to Rwanda, to Bosnia, to Kosovo and there are now about 200 Americans who are stationed, involved in training the Colombians in Colombia.

My amendment is straightforward. It would reserve the rights and the duties that are assigned to Congress in article 1, section 8 of the Constitution which is to decide where and when Americans get involved in a war to Congress. It would limit the number of United States personnel in Colombia to 300. It would provide an exception to that, that for 30 days the Armed Forces could break this limitation if need be in order to rescue Americans, be they in the military or not.

Mr. Chairman, in testimony before the Committee on Armed Services last week when asked the question, General Wilhelm, our Southern Commander said that he would support a limitation of troop strength in Colombia. I am asking for this country to do this. There is a great deal of fear that there could be unintended consequences.

We all know what happens once Americans are under fire, once they are challenged, it will be the response of this country that we will do whatever it takes to win that conflict. I think that question needs to be asked now rather than later.

As the gentleman from Indiana (Mr. BURTON) pointed out, this is indeed one of the most dangerous places on earth. We have Seal teams there, we have Special Forces A teams there, we have had submarines off the coast, we have

had people involved in riverine operations. In the course of a year, we have about 3,000 Americans transit through Colombia. Yet this Congress has never decided whether or not we are going to get involved militarily in Colombia.

I hear on a daily basis my colleagues lament the fact that time and time again Americans are sent on deployment without congressional approval. This would allow the present situation to continue but would not allow it to grow beyond 300 men without the Armed Forces of the United States coming to Congress and asking for a change in policy.

I am told that in the 1950s, then Senator John Stennis, when the Nation of Vietnam was asking for airplane mechanics asked the question of his colleagues, what happens if the mechanics are fired upon, what happens then? Apparently as a Nation we did not do a very good job of deciding for ourselves the answer then. I would hope we do a much better job of deciding that question now. I would ask my colleagues to support this language and to see to it that we do not get further dragged into this war.

I would also remind my colleagues that as we seem to be getting dragged further into this war, the Colombian people who have the most to lose seem to be doing less. In the past month or so, they have changed their constitution so that people who have a high school diploma are no longer eligible for the draft. They have changed their laws to decrease the amount of money they are spending on defense. One cannot help but be left with the feeling that the Colombians are expecting the United States of America, brave young Americans to fight their war for them. I want to send them a very strong message that this is not the case. We will help you with materiel, we will help you with training, but we are not going to send young Americans down to Colombia to fight your civil war for you.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Florida wish to assert his point of order?

Mr. YOUNG of Florida. Mr. Chairman, I do.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part, ''an amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment is legislation.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Mississippi wish to be heard on the point of order?

Mr. TAYLOR of Mississippi. Mr. Chairman, this is an emergency supplemental bill about Colombia. It is all about the Colombian civil war, whether or not we are going to get further involved in the Colombian civil war. I would remind my colleagues that Colombia is seven times bigger than Vietnam. This bill calls for 62 additional helicopters to be sent to Colombia. At the height of the Vietnam War, there were 2,200 American helicopters in Vietnam.

I would ask the Chairman, since he is in many ways deciding whether or not the United States of America is going to get involved in the Colombian civil war, to be extremely lenient in his decision, because this bill is indeed about Colombia. This would place restrictions on the spending of that money in Colombia.

The CHAIRMAN. The Chair finds that the amendment offered by the gentleman from Mississippi (Mr. TAYLOR) does explicitly supersede existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 7 OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 7 offered by Mr. GILMAN:

Page 9, after line 4, insert the following:

CHAPTER 5

GENERAL PROVISIONS—THIS TITLE

SEC. 1501. (a) CONDITIONS ON MILITARY ASSISTANCE FOR COLOMBIA.—

(1) CERTIFICATION.—None of the funds appropriated in this title for military assistance may be made available to the Government of Colombia until the President submits to the Congress a certification that—

(A) the Government of Colombia has agreed to and is implementing a strategy to eliminate Colombia's total coca and opium poppy production by 2005 through a mix of alternative development programs; manual eradication; aerial spraying of chemical herbicides; tested, environmentally safe mycoherbicides; and the destruction of illicit narcotics laboratories on Colombian territory;

(B) the head of the Colombian Armed Forces has been granted and is exercising authority that is identical to that held by the head of the Colombian National Police to summarily dismiss Colombian Armed Forces personnel for gross violations of human rights;

(C) the Colombian Armed Forces are cooperating with civilian authorities in investigating Colombian Armed Forces personnel where credible evidence exists of gross violations of human rights, and, if those investigations result in indictments, the Colombian Armed Forces are cooperating with civilian authorities in prosecuting and punishing such personnel in the civilian courts; and

(D) the Colombian Armed Forces are developing and deploying in their field units a Judge Advocate General Corps to investigate Colombian Armed Forces personnel for gross violations of human rights.

(2) WAIVER.—The President may waive the limitation in paragraph (1) if the President determines that the waiver is required by extraordinary circumstances.

(b) MONITORING.—Of the funds made available under this title—

(1) up to $1,500,000 shall be made available to provide comprehensive law of war training and to support the development of a judge advocate general corps to investigate Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights;

(2) up to $250,000 shall be made available to enhance the United States Embassy's capabilities to monitor the use of United States assistance to Colombian Armed Forces to investigate reports of gross violations of human rights involving United States assistance; and

(3) up to $250,000 shall be made available to enhance the United States Embassy's capabilities to monitor the role of the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Colombian Self Defense organization (AUC) in criminal acts against American citizens and property, including, but not limited to, kidnapping, extortion, murder, and terrorist acts.

SEC. 1502. (a) DENIAL OF VISAS FOR PERSONS CREDIBLY ALLEGED TO HAVE AIDED AND ABETTED COLOMBIAN INSURGENT AND PARAMILITARY GROUPS.—None of the funds appropriated or otherwise made available in this or any other Act for any fiscal year for the Department of State may be used to issue visas to any person who has been credibly alleged to have provided direct or indirect support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Colombian Self Defense organization (AUC), including conspiracy to allow, facilitate, or promote the illegal activities of such groups.

(b) EXEMPTION.—Subsection (a) shall not apply if the Secretary of State finds, on a case-by-case basis, that the entry into the United States of a person who would otherwise be excluded under this section is necessary for medical reasons, or to permit the prosecution of such person in the United States, or the person has cooperated fully with the investigation of crimes committed by individuals associated with the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Colombian Self Defense organization (AUC).

(c) WAIVER.—The President may waive the limitation in subsection (a) if the President determines that the waiver is in the national interest.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from New York (Mr. GILMAN) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes.

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

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

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the Gilman-Goss-Delahunt-Farr amendment which is the result of true bipartisan cooperation. I want to thank the gentleman from Florida (Mr. GOSS), the gentleman from Massachusetts (Mr. DELAHUNT), and the gentleman from California (Mr. FARR) for their patience, cooperation, and willingness to work on this issue.

We have a responsibility, Mr. Chairman, to stop the drugs that are poisoning our communities. We also must do our part to see that human rights are protected in Colombia. This emergency supplemental appropriations bill and this amendment gives us the tools

to do what is right by our Nation and by Colombia, our troubled Andean neighbor.

This amendment establishes common sense benchmarks that would make delivery of military assistance to the Colombian Army contingent upon the President certifying the following: An agreement by the government of Colombia to a strategy to completely eliminate illicit drug cultivation by the year 2005. Certifying that the commander of Colombia's Armed Forces having the same authority as the director general of Colombia's national police to dismiss persons for gross violations of human rights. Further certifying that Colombia's Armed Forces cooperating with civilian authorities in the investigation and prosecution in civilian courts of gross human rights abuses by Armed Forces personnel. And also certifying Colombia's Armed Forces developing and deploying a judge advocate general corps.

This amendment would make funds available to support the creation in the Colombian Armed Forces of a judge advocate general corps. It would also make funds available to enhance the American embassy's capabilities to monitor U.S. assistance to Colombia's military as well as to look into crimes committed against American citizens and property by narcoterrorist guerillas and paramilitary groups.

Horrific acts of violence are visited on Colombians by insurgent and paramilitary groups. Just this past Saturday, Mr. Chairman, 26 Colombian policemen and eight civilians were brutally slain. Some were beheaded by the FARC. This amendment would deny U.S. visas to persons supporting illegal activities by insurgent and paramilitary groups. Our amendment includes appropriate waiver authorities to preserve the President's ability to protect American national interests. I join the gentleman from Massachusetts (Mr. DELAHUNT) in urging the managers to ensure that the President would provide written justification to the Congress if the waiver authority is invoked.

Our amendment advances core American values in our fight against drug traffickers by establishing meaningful conditions to safeguard human rights. Accordingly, I urge my colleagues on both sides of the aisle to support this amendment.

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

□ 1845

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I have been here long enough to see a few of these fights before, and whenever the question of military aid comes up, the question of human rights also arises. So we have to face the question: How much murder, how much torture, how much corruption are we going to tolerate on the part of parties to whom we are providing aid?

Invariably, what happens is that a set of so-called standards are drawn up which sound very good. They give Members of Congress a fig leaf that they can stand behind to give the impression that they are really doing something for human rights, but then they contain a perennial presidential waiver.

On occasion, presidential waivers are justified. But when Congress routinely sets human rights standards which can then be routinely waived by the President, it cheapens the process and trivializes our concern about human rights. It lets Congress claim credit for the aid that is being provided; it lets Congress claim credit for protecting human rights when, in reality, it does not in any meaningful way. Then it leaves the President standing there as a punching bag no matter what he does, whether he waives or whether he does not waive, those standards. I think that that, in the process, trivializes everything that we deal with on issues like this.

I think that is the reason why groups such as Amnesty International and other human rights organizations are opposed to this amendment. They understand that this amendment does not do what it purports to do, which is assure that the Colombian government and the parties with whom we will be dealing with, in fact, live up to the standards we expect them to live up to on human rights.

In my view, until we do have language that does assure that, we most certainly should not support either this bill or this amendment, which makes it easier to continue the charade in this case that we have seen so often in Salvador, in Nicaragua, in Guatemala, in Indonesia, and in a number of other places around the world.

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

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me this time.

I want to rise in support of this amendment, also as a cosponsor of the amendment. I would like to take issue with my colleague who just pointed out that this will not make this a better bill.

Obviously, this amendment makes this a much better bill. In reading the amendment the beginning says, ''None of the funds appropriated in this title for military assistance may be made available to the government of Colombia until the President submits to Congress a certification that Colombia has done the following things: that Colombia has agreed to implementing a strategy to eliminate Colombia's total coca and opium poppy production by the year 2005 through a mix of alternative development programs, by manual eradication,'' and so on.

It goes on to say, ''The head of the Colombian Armed Forces has been granted and is exercising authority that is identical to that held by the head of the Colombian National Police to summarily dismiss Colombian Armed Forces personnel for gross violations of human rights.''

It goes on to say, ''The Colombian Armed Forces are assuring that they are cooperating with civilian authorities in investigating Colombian Armed Forces personnel who have credible evidence of gross human rights violations,'' and so on.

This bill says we can have a waiver only by the United States President. Guess what? It is the same waiver that this Congress approved when Senator LEAHY added it in the 105th and 106th Congresses. It is the same waiver that is in the law now, is the waiver that is being repeated here.

Is it a stronger bill with this amendment? Absolutely. I would urge all of my colleagues on both sides of the aisle to support this amendment. It makes it a better bill for us to make sure that if, indeed, we are going to be involved in conflict in Colombia dealing with civilian populations, that we are going to abide by the world standards on human rights protection, and it allows for monitoring those protections so that we in Congress can be certified that it is doing a good job.

I ask for support of the amendment.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from California for his support of the measure.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. GOSS), the distinguished chairman of the Permanent Select Committee on Intelligence.

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

Mr. GOSS. Mr. Chairman, I thank the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations, for yielding me this time.

Mr. Chairman, I rise in support of this bipartisan amendment. It is a strong statement of the U.S. effort to deal with the human rights issue. It is an amendment with teeth, and it deserves the support of every Member of this House.

We know we have to be especially sensitive to possible human rights abuses by recipients of U.S. assistance. We understand that. The American people deserve to know that we have done our very best to ensure that their tax dollars do not distribute to such horrific activities, the kinds of things we read about with disgust.

The gentleman from New York explained that the amendment does several things, but I want to focus on what I believe is the critical part. It prohibits any military assistance from being made available until the President of the United States certifies to Congress the following: first, that Colombia has a sound strategy to eliminate illicit drug cultivation by 2005. If the U.S. is going to provide assistance,

we reason, we better make certain our partner is up to the task and has the tools to do it.

Second, that the Colombian armed forces have the authority to deal with human rights violators in their ranks. This is a new departure, and it is critical; and it is part of the deal.

Third, that the Colombian military is cooperating with civilian authorities in the investigation and prosecution of gross human rights abuses.

These three requirements really get to the crux of the debate. They ensure that U.S. money is being provided to a partner that shares our determination to put the drug traffickers out of business and our commitment to do so in a way consistent with U.S. values and human rights concerns. On top of that, we have added a few dollars to make sure that the monitoring capabilities of our U.S. embassy and other appropriate concerns are fully provided for.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

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

As someone who was here during the El Salvador debate, not as a Member, but as a staffer, I saw firsthand how Congress trivialized the human rights issue with the passage of the so-called El Salvador certification language. The words in the certification amendments were always strong, always talked very passionately about human rights; but what we saw was that each time the certification was up for review, the Presidents who were in the White House routinely approved that language. One of the reasons why, I think, was because we were so much involved in that conflict in El Salvador.

I would support this amendment if, in fact, there were not so many waivers and there were not so many escape hatches. I would support this amendment if it truly meant what I think the proponents of this amendment wanted it to mean, and that is a serious statement in defense of human rights in Colombia.

The fact of the matter is, there is nothing preventing a future President, whoever that President will be next year, from basically ignoring everything in this amendment. If we are serious about human rights, let us put teeth in this amendment. I oppose this amendment.

Mr. GILMAN. Mr. Chairman, I yield the balance of our time to the gentleman from Massachusetts (Mr. DELAHUNT), a member of our Committee on International Relations who has visited Colombia on a number of occasions.

Mr. DELAHUNT. Mr. Chairman, this is an amendment that does have teeth. Historically, it is no secret. The military in Colombia has had an abysmal human rights record. It has been appalling. Until recently, the majority of human rights abuses, better than 50 percent were perpetrated against the civilian population by the Colombian military. But it would be unfair, and it would not reflect the current reality in Colombia if we did not acknowledge the significant progress that has been made under the leadership of President Pastrana and the new head of the Colombian armed forces, General Topeos.

According to our own State Department records, from 1994 to 1998, the percentage of human rights abuses directly attributable to the military declined from better than 50 percent down to 3 percent. President Pastrana and General Topeos correctly point out the recent dismissal of seven generals, two of whom are under indictment, and the referral of three colonels to the civilian courts for prosecution for human rights violations as evidence that things are changing. This is nothing less than astounding, given the historical record.

But let us be clear. I am not suggesting in any way that we or the Colombian government should be satisfied. There is still a long road ahead of us, particularly in light of recent human rights reports from well-respected human rights organizations asserting continuing links between the Colombian military and the paramilitaries. We have to go further, much further.

Mr. Chairman, I agree with the Latin American director of Human Rights Watch, who urged that new conditions be placed on all security assistance to Colombia, and I submit that this amendment does exactly that. The amendment goes much further than the current Leahy amendment. It would apply not only to the two counternarcotics battalions that are envisioned in the bill, but it would apply to the entire military structure, the culture, if you will.

Mr. Chairman, passage of this amendment, I submit, has the potential to effect a fundamental change in the Colombian military that will ensure once and for all its compatibility with democratic principles and respect for human rights. I have no doubt also that it will advance the peace process that recently has produced positive results. Because we are truly serious about substantial and permanent reduction of the flow of cocaine into the United States from Colombia, it is absolutely essential that this peace process be advanced.

Historically, it is no secret that the military in Colombia has had an abysmal human rights record. It has truly been appalling. Until recently the majority of human rights abuses—better that 50 percent committed against the civilian population of Colombia—according to the Department of State annual human rights reports—were directly attributable to the military. Not to the paramilitary. But to the Colombian military itself.

But it would be unfair. And it would not reflect the current reality in Colombia, if we did not acknowledge significant progress under the leadership of President Pastrana and the new head to the Colombian Armed Forces, General Fernando Topeos. According to DOS—from 1994 to 1998 the percentage of human rights abuses directly attributable to the military declined from more than 50 percent to less than 3 percent. President Pastrana and General Topeos can correctly point to the dismissal of 7 generals—2 of whom are under indictment and the recent referral of 3 colonels to the civilian courts for prosecution for human rights violations as evidence that much has changed. This is nothing less than astounding given the historical record. But let's be clear. I am not suggesting in any way that we or the Colombian Government should be satisfied. There is still a long, long road ahead of us.

Particularly in light of recent human rights reports, from well respected human rights organizations, asserting continuing links between the Colombian military and the paramilitaries. We have to go further—much further.

The respected co-chair of the Human Rights Caucus, Representative LANTOS, in a Dear Colleague letter he has circulated in support of the aid package points out that all assistance provided to Colombia will go to fully vetted forces pursuant to the so-called Leahy amendment. Which means that every single soldier assigned to these two Counter-Narcotics Battalions envisioned will be reviewed and scrutinized to determine their commitment to human rights. I agree with Mr. LANTOS that it is important that Leahy applies. However, if it stood alone, I believe it would be insufficient. And would not support the Aid package.

I agree with the Latin American Director of Human Rights Watch—who according to a story in the February 24 edition of the Washington Post urged that strict new conditions be placed on all security assistance to Colombia.

I submit that this amendment accomplishes just that. This amendment goes much further than the current Leahy Amendment. It would not apply only to the two Counter Narcotics Battalions envisioned in the bill. It impacts the entire structure—the culture if you will—of the military as an institution in Colombia.

There are two key provisions:

It transfers from military tribunals to civilian courts, the prosecution of human rights violations by military personnel. This represents a major breakthrough for those concerned with human rights abuses in Colombia.

Furthermore, it confers upon the head of the armed forces the authority to summarily dismiss military personnel who commit gross violations of human rights. It is important to note, Since the early 1990's, the head of the CNP has had this authority. And from a force of some 100,000—14,000 members of the department were discharged pursuant to this authority. Since that action the CNP has had a solid record on human rights. Previously they had shared the poor record of the Colombian military.

Passage of this amendment, I submit, has the potential to effect a fundamental change in the Colombian military that will ensure it's compatibility with democratic principles and respect for human rights. I have no doubt it will also advance the peace process that has recently produced positive developments. Because if we are truly serious about substantial and permanent reduction of the flow of cocaine from Colombia into the United States—the stability that will come from social and economic justice that peace would achieve is absolutely essential.

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

Mr. Chairman, one of the previous speakers said that this is such great human rights language because it says none of the funds may be appropriated until the government of Colombia agrees that it has a strategy to eliminate coca production. It does not say that they have to be following that strategy; all it says is that they have to have a strategy. That can be a piece of paper. He said that it is great language because the head of the Colombian Air Force has to have the authority that is necessary to dismiss armed forces personnel from gross violations of human rights. It does not say he has to actually dismiss them; it simply says he has to have the authority.

This language is not based on performance; it is based on promise, and that is the problem with it.

This is beef soup without the beef. It is an empty ice cream cone. When we have meaningful language that will actually protect human rights, come back and see me. Until then, sorry, fellows. No sale.

Mr. Chairman, I yield the remainder of my time to the gentlewoman from California (Ms. PELOSI).

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

Mr. Chairman, it is with great, great reluctance that I rise in opposition to this amendment, because of the high regard that I have for the concern for human rights of the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations; and the gentleman from Florida (Mr. GOSS), my chairman of the Select Committee on Intelligence; and my two champions for human rights, the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from California (Mr. FARR).

□ 1900

Both of them have been leaders in trying to help the people of Colombia, all four of them have been, but especially speaking to the credentials of my colleagues on the Democratic side.

As I say, I rise in reluctance. Here is why. It would be great if we could have these conditions that are set forth, very carefully prepared and set forth in this amendment without the waiver. We have lived through the waiver over and over again. Maybe this time it will work, but calling for certification by the President that these conditions have been met and then giving a weak waiver, a low threshold for waiver authority to the President, simply says to the military in Colombia that, really, they do not have to do much.

Again, as I said earlier, we all respect and admire the courage of President Pastrana. He has a very difficult task ahead of him. But giving this assistance to the military the way we are in this bill raises some questions.

In the last month alone, there were three reports about human rights abuses of the Colombian military. The U.S. State Department, our own State Department country report on Colombia, speaks to the abuses that continue, with collaboration from the military.

The U.N. report that was released earlier in March speaks to that same issue, and the Human Rights Watch statement that they put forth was based on information gathered by the Colombian government about the Colombian military.

Specifically, it addressed the collusion between the paramilitaries, and some, some in the Colombian military, their collusion in the violations of human rights of Colombians.

When we said to the leadership in Colombia on our visit there, when I was there with my distinguished chairman earlier this year, with the gentleman from Alabama (Mr. CALLAHAN), when we said to the leadership of the government, you must do more about the human rights record of the military, we were told, tell them. Tell them that they must do a better job. We told the military. We can speak to them through this amendment, as well.

But the very excellent message that our colleague shaped in terms of the conditions under which the assistance, military assistance would be sent, is totally undermined by the presidential waiver that is in this bill.

Our president, whoever he or she is, of whatever party, should always have the national security waiver that underlies all of our foreign policy, but to have a watered down, lower threshold waiver completely guts this amendment.

I know why some people might want it, because they do not want the strength of the amendment to begin with. I do not think that is the agenda of the makers of this motion, but I do think that it is a cause for opposition to it, as I say, very reluctantly, because up until that waiver I think they were going in the right direction.

My view is shared by Amnesty International, the Working Group on Latin America, and other human rights groups. Some do not even want us to go down the path of the military assistance, but certainly they do not want us to do it with a presidential waiver.

Mr. GILMAN. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from New York.

Mr. GILMAN. I thank the gentlewoman for yielding.

Mr. Chairman, would the gentlewoman respond, is it not true that the presidential waiver set out in our amendment is fully consistent with current law governing DOD military assistance abroad as was previously authored by Senator LEAHY, who has led the fight in the other body with regard to human rights concerns on military aid to Colombia?

Ms. PELOSI. The ranking member has asked me to yield to him on this, and I will be happy to address it, also.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Wisconsin.

Mr. OBEY. That is the problem. Does the gentleman know how many times I have seen presidents waive milquetoast language? The problem is not just with the waiver, the problem is that this language is so weak in the first place, it would not even require a waiver by an intelligent person. I have heard of watering down soup before. I have never heard of watering down water before.

Go to the Senate, come back with some stronger language, and we will be happy to look at it. But this, with all due respect, is no protection at all for human rights. It is simply protection for politicians.

Mr. GILMAN. If the gentlewoman will yield further, Mr. Chairman, I do not know of any prior exercise of the waiver of the Leahy amendment. Is the gentleman familiar with any exercise?

Mr. OBEY. I have not supported the Leahy amendment in the first place.

Mr. GILMAN. There has been no waiver of that amendment, if the gentlewoman will yield further.

Mr. OBEY. So what?

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from New York (Mr. GILMAN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GILMAN. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from New York (Mr. GILMAN) will be postponed.

The point no quorum is considered withdrawn.

Mr. YOUNG of Florida. Mr. Chairman, I rise to offer a unanimous consent request that has been cleared by the minority and the Parliamentarian.

I ask unanimous consent that the Committee be permitted to consider the Lewis amendment made in order under the rule to title II at this time, without prejudice to further amendments to title I or title II.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT NO. 9 OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 9 offered by Mr. LEWIS of California:

At the end of chapter 2 of title II (page 20, after line 10), insert the following new sections:

SEC. 2207. (a) QUALITY OF LIFE PROGRAMS.—In addition to amounts appropriated or otherwise made available for the Department of

Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, to remain available for obligation until September 30, 2001, $231,000,000, of which—

(1) $221,000,000 is available only for the Basic Allowance for Housing program, as follows:

''Military Personnel, Army'', $70,000,000;

''Military Personnel, Navy'', $56,000,000;

''Military Personnel, Marine Corps'', $17,100,000;

''Military Personnel, Air Force'', $58,600,000;

''Reserve Personnel, Army'', $4,100,000;

''Reserve Personnel, Navy'', $4,000,000;

''Reserve Personnel, Marine Corps'', $600,000;

''Reserve Personnel, Air Force'', $300,000;

''National Guard Personnel, Army'', $6,900,000; and

''National Guard Personnel, Air Force'', $3,400,000; and

(2) $10,000,000 is available only for ''Operation and Maintenance, Defense-Wide'', for the overseas special supplemental food program established under section 1060a of title 10, United States Code.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2208. (a) MILITARY RECRUITING, ADVERTISING, AND RETENTION PROGRAMS.—In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, to remain available for obligation until September 30, 2001, and to be available only for military personnel recruiting, advertising, and retention programs, $600,600,000, as follows:

(1) For military personnel accounts, $450,600,000, as follows:

''Military Personnel, Army'', $76,400,000;

''Military Personnel, Navy'', $69,100,000;

''Military Personnel, Marine Corps'', $6,000,000;

''Military Personnel, Air Force'', $108,800,000;

''Reserve Personnel, Army'', $47,500,000;

''Reserve Personnel, Navy'', $14,100,000;

''Reserve Personnel, Marine Corps'', $1,000,000;

''Reserve Personnel, Air Force'', $11,700,000;

''National Guard Personnel, Army'', $103,300,000; and

''National Guard Personnel, Air Force'', $12,700,000.

(2) For operation and maintenance accounts, $150,000,000, as follows:

''Operation and Maintenance, Army'', $45,900,000;

''Operation and Maintenance, Navy'', $26,200,000;

''Operation and Maintenance, Marine Corps'', $14,700,000;

''Operation and Maintenance, Air Force'', $21,600,000;

''Operation and Maintenance, Defense-Wide'', $8,800,000;

''Operation and Maintenance, Army Reserve'', $11,900,000;

''Operation and Maintenance, Navy Reserve'', $1,600,000;

''Operation and Maintenance, Marine Corps Reserve'', $1,000,000;

''Operation and Maintenance, Air Force Reserve'', $2,100,000;

''Operation and Maintenance, Army National Guard'', $14,000,000; and

''Operation and Maintenance, Air National Guard'', $2,200,000.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2209. (a) DEFENSE HEALTH PROGRAM.—In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated, to remain available for obligation until September 30, 2001, $750,000,000 for ''Defense Health Program''.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2210. (a) DEPOT-LEVEL MAINTENANCE AND REPAIR.—In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, to remain available for obligation until September 30, 2001, and to be available only for depot-level maintenance and repair, $1,205,600,000, as follows:

''Operation and Maintenance, Army'', $200,000,000;

''Operation and Maintenance, Navy'', $538,800,000;

''Operation and Maintenance, Marine Corps'', $50,000,000;

''Operation and Maintenance, Air Force'', $250,000,000;

''Operation and Maintenance, Navy Reserve'', $33,000,000;

''Operation and Maintenance, Marine Corps Reserve'', $5,000,000;

''Operation and Maintenance, Air Force Reserve'', $37,200,000; and

''Operation and Maintenance, Air National Guard'', $91,600,000.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2211. (a) HIGH PRIORITY SUPPORT TO DEPLOYED FORCES.—In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, for the support of deployed forces as specified in subsection (b), $1,212,700,000, as follows:

(1) For operation and maintenance accounts, to remain available for obligation until September 30, 2001, $738,900,000, as follows:

''Operation and Maintenance, Army'', $200,000,000;

''Operation and Maintenance, Navy'', $310,300,000;

''Operation and Maintenance, Air Force'', $197,000,000; and

''Operation and Maintenance, Defense-Wide'', $31,600,000.

(2) For procurement accounts, to remain available for obligation until September 30, 2002, $405,800,000, as follows:

''Aircraft Procurement, Army'', $50,000,000, to be available only for Apache helicopter safety and reliability modifications;

''Missile Procurement, Army'', $50,000,000, to be available only for the Patriot missile reliability enhancement program;

''Aircraft Procurement, Navy'', $52,800,000, of which $27,000,000 is available only for CH–46 helicopter engine safety procurement and $25,800,000 is available only for EP–3 sensor improvements and modifications;

''Aircraft Procurement, Air Force'', $209,700,000, of which $111,600,000 is available only for U–2 reconnaissance aircraft sensor modifications and $98,100,000 is available only for flight training simulators;

''Other Procurement, Air Force'', $30,300,000; and

''Procurement, Defense-Wide'', $13,000,000.

(3) For research, development, test and evaluation accounts, to remain available for obligation until September 30, 2001, $68,000,000, as follows:

''Research, Development, Test and Evaluation, Air Force'', $10,000,000, to be available only for a JSTARS aircraft mission trainer; and

''Research, Development, Test and Evaluation, Defense-Wide'', $58,000,000.

(b) SPECIFIED PURPOSES.—Amounts appropriated in this section are available only for the provision to deployed United States forces of—

(1) equipment safety and reliability enhancements;

(2) improved materiel and logistics support; and

(3) upgraded intelligence, surveillance, and reconnaissance (ISR) capabilities.

(c) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from California (Mr. LEWIS) and a Member opposed each will control 15 minutes.

Does the gentleman from Wisconsin (Mr. OBEY) seek to control time in opposition?

Mr. OBEY. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) will be recognized for 15 minutes in opposition.

The Chair recognizes the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Chairman, it is my privilege to rise this evening in support of an amendment that is known by some as the Lewis-Spence-Murtha-Skelton amendment to this appropriations bill. It is an amendment that is a reflection of the very close working relationship on both sides of the aisle between all members and the committee leadership of the national defense effort, the authorizing committee as well as the appropriations committee.

It is important for the Members to know that this amendment is designed to be responsive to that list of critical high priorities given to us by the Joint Chiefs of Staff and the individual chiefs, priorities that are absolute must-need items as we go forward in order to operate effectively in support of our national defense.

The amendment provides for some $4 billion of additional funding in areas like military quality of life, recruiting and advertising and retention programs, military health care programs,

in this instance in cases where we actually have health care obligations must be met.

Further, the amendment provides broad-based support to deployed military forces throughout the world. And it is designed further to address unmet needs in equipment maintenance for a variety and mix of programs, including the repair of our ships throughout the country.

Mr. Chairman, I submit for the RECORD information that provides a breakout of the $4 billion in this amendment, by appropriations account.

Military Personnel Quality of Life Programs: The amendment includes Section 2207, which appropriates $221,000,000 for the Department's Basic Allowance for Housing program, and $10,000,000 for the overseas supplemental food program, as follows:

| | (in thousands) |
|---|---|
| Military Personnel, Army | $70,000 |
| Military Personnel, Navy | 56,000 |
| Military Personnel, Marine Corps | 17,100 |
| Military Personnel, Air Force | 58,600 |
| Reserve Personnel, Army | 4,100 |
| Reserve Personnel, Navy | 4,000 |
| Reserve Personnel, Marine Corps | 600 |
| Reserve Personnel, Air Force | 300 |
| National Guard Personnel, Army | 6,900 |
| National Guard Personnel, Air Force | 3,400 |
| Operation and Maintenance, Defense-Wide | 10,000 |
| Total | 231,000 |

Military Personnel Recruiting Incentives: The amendment includes Section 2208, which appropriates a total of $600,600,000 for recruiting and advertising programs, as follows:

| | |
|---|---|
| Military Personnel, Army | $76,400 |
| Military Personnel, Navy | 69,100 |
| Military Personnel, Marine Corps | 6,000 |
| Military Personnel, Air Force | 108,800 |
| Reserve Personnel, Army | 47,500 |
| Reserve Personnel, Navy | 14,100 |
| Reserve Personnel, Marine Corps | 1,000 |
| Reserve Personnel, Air Force | 11,700 |
| National Guard Personnel, Army | 103,300 |
| National Guard Personnel, Air Force | 12,700 |
| Operation and Maintenance, Army | 45,900 |
| Operation and Maintenance, Navy | 26,200 |
| Operation and Maintenance, Marine Corps | 14,700 |
| Operation and Maintenance, Air Force | 21,600 |
| Operation and Maintenance, Defense-Wide | 8,800 |
| Operation and Maintenance, Army Reserve | 11,900 |
| Operation and Maintenance, Navy Reserve | 1,600 |
| Operation and Maintenance, Marine Corps Reserve | 1,000 |
| Operation and Maintenance, Air Force Reserve | 2,100 |
| Operation and Maintenance, Army National Guard | 14,000 |
| Operation and Maintenance, Air National Guard | 2,200 |
| Total | 600,600 |

Defense Health Program: The amendment includes Section 2209 which appropriates a total of $750,000,000 for urgently needed improvements to the military health care system.

Depot Maintenance: The amendment includes Section 2210 which appropriates $1,205,600,000 to fund shortfalls in Department of Defense depot maintenance programs to be distributed as follows. (Included in this amount is $220,000,000 for the unfunded backlog of ship depot maintenance that has emerged in execution of the fiscal year 2000 ship depot maintenance program.)

| | (in thousands) |
|---|---|
| Operation and Maintenance, Army | $200,000 |
| Operation and Maintenance, Navy | 538,800 |
| Operation and Maintenance, Marine Corps | 50,000 |
| Operation and Maintenance, Air Force | 250,000 |
| Operation and Maintenance, Navy Reserve | 33,000 |
| Operation and Maintenance, Marine Corps Reserve | 5,000 |
| Operation and Maintenance, Air Force Reserve | 37,200 |
| Operation and Maintenance, Air National Guard | 91,600 |
| Total | 1,205,600 |

High Priority Support to Deployed Forces: The amendment includes Section 2211 which appropriates $1,212,700,000 for shortfalls associated with requirements of deployed U.S. forces.

| | (in thousands) |
|---|---|
| Operation and Maintenance, Army (materials in support of prepositioned equipment sets) | $200,000 |
| Operation and Maintenance, Navy (aviation spares) | 310,300 |
| Operation and Maintenance, Air Force (readiness spares packages) | 197,000 |
| Operation and Maintenance, Defense-Wide | 31,600 |
| Aircraft Procurement, Army (Apache modifications) | 50,000 |
| Missile Procurement, Army (Patriot missile reliability) | 50,000 |
| Aircraft Procurement, Navy (CH–46 safety, EP–3 sensor improvements and modifications) | 52,800 |
| Aircraft Procurement, Air Force | 209,700 |
| U–2 aircraft sensor modifications (111,600) | |
| AWACS trainer modification/flight simulator (25,000) | |
| U–2 trainer (10,000) | |
| RC–135 Rivet Joint flight training simulator (24,500) | |
| Compass Call mission crew trainer (23,700) | |
| C–17 weapon system trainer (14,900) | |
| Other Procurement, Air Force (HARVEST EAGLE materials) | 30,300 |
| Procurement, Defense-Wide | 13,000 |
| Research, Development, Test and Evaluation, Air Force (JSTARS mission trainer) | 10,000 |
| Research, Development, Test and Evaluation, Defense-Wide | 58,000 |
| Total | 1,212,700 |

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

Mr. OBEY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise in opposition to this amendment. I do not have a problem with where much of this money would go. I support added funds for the defense health program. We have a recruiting and retention problem in the military, due in large part to a very strong economy. We ought to bolster those efforts.

But it is clear what is really happening here. The majority is embarrassed because their record on military spending has not matched their rhetoric. They like to talk about how the Clinton administration is not funding the military, but their own budget resolution, passed just last Thursday, places a priority on tax cuts, not military spending. Their budget resolution essentially endorses the Clinton defense budget.

I understand that did not sit too well with certain members of the majority party on the Committee on Armed Services and in other places who were asked by their leadership to vote to that budget resolution, so this amendment is a convenient way of giving them a repayment for their behaving well on their budget resolution. It gives them a $4 billion fig leaf to say that they are for more military spending.

If it becomes law, it simply makes room, by transferring $4 billion in spending for regular items into this year's budget, it simply makes room in next year's budget for $4 billion worth of other items, including a lot of congressional projects and pork.

But we have a complication. The Senate leadership opposes it because it eats into the budget surplus. The Senate leadership has already said this additional spending is dead on arrival. The administration opposes it as well because it is not offset by other spending cuts.

So what is the ultimate impact of this amendment? Its most likely impact is that it will slow down further the critical aid for disaster assistance across the country. It will delay approving the money that is in this bill at this time that is needed to reimburse the Army for expenses already incurred in Kosovo and elsewhere, and to deal with the Tricare problem.

It will either cause a huge muddle or it will further discredit the budget process. In either case, it should not be supported by the House today.

As a practical matter, we have $2 billion in this bill which the Pentagon badly needs, and if it does not get it, in the words of the Secretary of Defense, they will ''need to make irreversible decisions to curtail training and maintenance activities essential to readiness,'' if they do not get that money by the end of April.

There is another $2.5 million for Tricare and fuel costs which they do not absolutely have to have, but it would be nice if we could get it to the Pentagon. That money is also going to be put in danger in order to take a long shot chance that the public will buy and the Senate will buy a scheme which is nothing short of an effort to blow the budget by $4 billion next year when that budget is only 5 days old.

That is the name of the game. I do not happen to think much of it, but I admire the skill with which the game plan has been put together, nonetheless.

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

Mr. LEWIS of California. Mr. Chairman, it is my privilege to yield such

time as he may consume to the gentleman from South Carolina (Mr. SPENCE), the chairman of the authorizing committee.

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

Mr. SPENCE. Mr. Chairman, I want to especially thank the gentleman from California (Mr. LEWIS), the gentleman from Missouri (Mr. SKELTON), and the gentleman from Pennsylvania (Mr. MURTHA) for making this amendment a bipartisan amendment. We could not do it without them.

Not many people are here on this floor, and I cannot be talking to those people. I am trying to reach the people who are in the offices listening and the American people on C–Span that might see this.

I am going to say what I said at our Republican conference this morning. I say it to everyone now. We are considering an emergency supplemental. In prior years, we have talked about supplementals, emergency supplementals, real emergency supplementals. This is a real, real emergency supplemental from the standpoint of defense.

I know we all have different priorities. We have talked about them a lot today. We are going to continue to talk about them, all the things that are in this supplemental bill we have been talking about, drugs and all the rest.

I want to remind everyone, we would not be here as a free society, secure and prosperous, if it had not been made possible by our military, starting with the revolution when we gained our independence. Since that time, we have had World War I and World War II, big threats. Our forefathers, our fathers, our grandfathers, and their families sacrificed their lives and their health to make sure that we are free and secure, and to create the environment so we can discuss these other things as they come along.

□ 1915

The Cold War. Some people talk about the arms race. People say we spend more money on defense than all the rest of the world put together. We have to. Who else is able to do it? We are the only ones. To save ourselves, we have to save the rest of the world along with it. The Cold War is over, yes. I agree.

President Reagan, with a Democrat Congress, helped to restore us; and we beat the Soviet Union in the arms race. They could not keep up. They could not do it any longer. That is what ended the Cold War. But I have to say that we still today face a similar situation. We have more threats today than ever before. We still have the nuclear threats from now Russia, but now we have got China and North Korea and all the rest of them, and we are not prepared to defend against those threats.

We also have other threats now. Weapons of mass destruction other than nuclear, chemical, biological, from these same countries and lesser countries. This threat is out there, and we are unprepared to deal with them.

We are not strong enough to fight one conventional war. Kosovo was a wakeup call. We devoted all of our air assets, just about everything, to that air war. And what would have happened if something big time had broken out somewhere else in the world? We could not have handled it certainly without a large loss of life.

Now it is our turn. We have to step up to the plate. We have to make sure that our country is free, first of all, and have the environment to consider these other priorities which I can sympathize with. The administration, I will give them credit, it has come a long way, but not nearly enough. This amendment is going to help a whole lot, but still not enough.

I conclude with this, a personal note: I have dedicated the rest of my life to making sure that I have done the very best I can do to see that we are free and secure. But we cannot do it alone. None of us here. We have to have all of our colleagues' help.

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, if I could have the attention of the gentleman from South Carolina (Mr. SPENCE), I would just like to say that while I disagree with his words, I wanted to express the appreciation of every single person in this House for the service that he has given this House through the years. We know that he says what he believes, and we honor him for it.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON) from the authorizing committee.

Mr. SKELTON. Mr. Chairman, let me first say that I compliment the gentleman from South Carolina (Mr. SPENCE) our chairman, our friend, for his excellent statement a few moments ago. His care for the young men and young women in uniform today who have and who continue to serve our country so well have been represented so finely by his eloquent words through the years, and we thank him for his continued service for them.

Mr. Chairman, I rise in strong support of the Lewis-Murtha-Spence-Skelton amendment. I thank the gentleman from California (Chairman LEWIS); the gentleman from Pennsylvania (Mr. MURTHA); our ranking member, the gentleman from South Carolina (Mr. SPENCE); and those who have worked on this key issue for so long. This is a good news story because it is something that is truly needed in three areas: health care and quality of life, readiness, and maintenance.

First, I do not think it is any secret that the military health care system is in crisis, whether it is active duty service members or whether it relates to military retirees. We made a promise to the retirees that we must keep. This amendment is a major step for helping those who are active duty, those families, and those military retirees. It is very, very important that we take this step in addressing this situation by appropriating the monies in this amendment.

The quality of life issue is so very important. We do not enlist soldiers, sailors, airmen and marines, but we enlist families and these measures will help ensure quality of life issues for our military members and their families.

Mr. Chairman, military readiness is a great matter of concern. With ongoing deployments in the Middle East, Bosnia, Kosovo, the operational tempo of our forces has been steadily rising and I say, we are wearing the young men and young women out who are stationed abroad as well as in this country. We have to make sure that the readiness accounts are there for their training, their exercises, their maintenance, and their military operations.

The high operational tempo associated with these deploying forces is straining our readiness, and we must do our best to keep their equipment and the spare parts and their training at high level.

Equipment maintenance is important to us. As we deploy our forces more often, we are simply wearing out much of that equipment. It is important, Mr. Chairman, that the Committee on Armed Services' ability to authorize the programs necessary to protect our national security interest depends on having sufficient resources. The gentleman from Pennsylvania (Mr. MURTHA), the gentleman from California (Chairman LEWIS), the gentleman from South Carolina (Mr. SPENCE), and I term this amendment as a readiness and operational necessity. We hope that every Member of this House will vote in favor of it.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, the specific accounts mentioned in this amendment are very appealing. Many of them ought to be funded. But they ought to be funded by the military showing the same kind of fiscal discipline that Members here claim they want the government as a whole to follow.

The military budget was increased substantially in the last appropriation. It will be again substantially increased. It is up to the military, in fact, to manage that money. And what we do today is, in effect, to give approval to a process by which they can so manage the money as to be able to point to some deficits in some of the most appealing accounts.

Let us understand this is $4 billion taken presumably from some surplus. It is $4 billion that cannot be used then for any other purpose. Not for tax cuts. Not for deficit reduction or other spending. I understand we have problems. We all have problems. We have been told that we cannot afford to provide prescription drugs for older people

to the degree that many of us want. Understand that this $4 billion is $4 billion that could have gone for prescription drug programs for Medicare.

Mr. Chairman, it is $4 billion that could go to putting police on the streets. I believe there are some problems in the world. I must say I disagree with the notion, I in fact am intrigued by it, that the world became less safe when communism collapsed. I have heard that again and again. I guess maybe we should pray for the reestablishment of communism so we could all feel safer.

In fact, we do not face today the threat of nuclear destruction. Reference was made to the nuclear threat we face from the Russians. In the state of the Russian nuclear weaponry today, Russians face much more of a threat from Russian nuclear weapons than anyone else does. They are much more likely to blow up on site than to be delivered anywhere.

Mr. Chairman, what this does is to continue a pattern in which the military is rewarded for not spending efficiently. In which Members, as the Senator from Arizona correctly pointed out during his campaign, in which Members eat into the military budget with projects the military does not want and erode the military's ability to focus on what they should focus on and takes $4 billion away from other things.

This is the time of year when people come to our offices and want help with health research and want help with prescription drugs. They want help with housing, and they want help with a lot of other issues. The $4 billion today, over and above what they got last year and what they will get next year, comes from other pots.

If my colleagues vote for this $4 billion today, they should remember that when they tell people that they sympathize with them when it comes to cancer research and they sympathize with them when it comes to prescription drugs for older people, they sympathize when it comes to environmental cleanup but we do not have the money, partly we will not have the money if this amendment passes because they took $4 billion which would have been available for other purposes and gave it to the military. Again, because certain accounts sound attractive, but it is because the management has been such to put us in this position where we are told we have to spend the money here.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. RYUN).

(Mr. RYUN of Kansas asked and was given permission to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, I rise today in support of this nation's national security. Our United States military service Chiefs, under the current Administration, have consistently been forced to fund their services with inadequate budgets. This amendment will give our military service Chiefs the funding levels needed to succeed in supporting their troops and protecting this nation's national security interests.

Mr. Chairman, according to recent reports, our military has been deployed on 48 overseas missions in the 1990s, costing $30 billion and costing far more than that in worn-out equipment and personnel. This increase in Operations Tempo, coupled with reduced defense budgets, has put increased strain not only on military equipment but also on the structure of the military family.

Military personnel, often times at the request of their family, are choosing to leave the service at alarmingly high rates and our ability to recruit young people of this nation to serve in the military has fallen dramatically. As a Congress, we need to ensure that our military has the means to recruit, retain, equip and train the strongest and best-trained force in the world.

Mr. Chairman, military families consistently cite problems with the military health care system and reductions in quality of housing as reasons for leaving military service. This amendment will direct close to $1 billion towards improving military quality of life with reduced out-of-pocket housing expenses and increased funding for the Defense Health Program.

Mr. Chairman, the funding levels in this amendment have been driven by what the military service Chiefs have identified as their top unfunded requirements. I urge my colleagues to vote for this amendment and give our quality military personnel the quality of care, support and equipment they need to achieve their goals.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. Mr. Chairman, I too rise in support of the amendment.

Mr. Chairman, I rise in support of the bipartisan amendment offered by the leaders of the defense authorization committee and the defense appropriations subcommittee.

There is no question that the military services are facing severe funding difficulties. The basic costs of operations of our overseas commitments are not properly budgeted. High operational tempo stresses military equipment and their maintenance. More critically, recruiting and retention are increasingly difficult for a variety of reasons.

This Congress has reformed the pay table and provided a significant pay increase for military personnel. We have worked hard to improve basic living and working conditions. All of that has helped to keep some military personnel in the force who otherwise would have left the service. We need to do more and the situation is urgent.

This amendment would continue our efforts by responding to the critical and immediate needs of military personnel and their families. By accelerating the buydown of out-of-pocket housing expenses, protecting military personnel from reductions in their housing allowances, and filling the gaps in the Defense Health Program, the adoption of the Lewis-Spence-Murtha-Skelton amendment will strengthen the All-Volunteer Force that is the backbone of our national security.

The time to deal with the emergency confronting military service personnel is now. I urge a strong bipartisan vote in favor of this amendment.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM).

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

Mr. CUNNINGHAM. Mr. Chairman, I rise in support of this amendment.

The CHAIRMAN. The gentleman from California (Mr. LEWIS) has 4½ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 8 minutes remaining.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have no additional requests for time, except to mention that the gentleman from Pennsylvania (Mr. MURTHA), my partner in this whole process on the Defense Subcommittee on Appropriations, has been more than great in his help; and we want to especially recognize the work of our colleague, the gentleman from South Carolina (Mr. SPENCE), the chairman of the authorizing committee, in the entire effort.

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

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I very reluctantly rise in opposition to this amendment for basically two reasons. One, it was Paul Kennedy, the historian Paul Kennedy, who made the point in his book, The Rise and Fall of Great Powers, that economic supremacy is the precursor to military supremacy. And for us to maintain that economic supremacy, at least in part, rests on fiscal discipline. And for us to in essence breach a budget that we set last week to the tune of $4 billion, I think, is a move away from the kind of fiscal discipline that, in fact, Paul Kennedy and others have talked about over time.

Secondly, I think at some point we have to draw the line on deployments. And I look at this money. I look at basically the Powell doctrine. The Powell doctrine was we go in, we make a difference, we have clearly defined military objectives, and then we get out of town.

Mr. Chairman, this is the list of different deployments that we have had. Basically, over the last 10 years, we had the highest number of deployments that we have had. Mr. Chairman, 149 deployments according to the Committee on Armed Services from 1990 to 1999, versus 17 deployments from 1982 to 1990. And, in essence, we are rewarding that.

At some point Congress has to draw the line and basically starve the beast by saying we will not continue to fund

these kinds of deployments. Since I have been here, we have funded Haiti, we funded Bosnia, we funded Kosovo, we are funding the Middle East operations over Iraq to the tune of $1.2 billion a year. We had State Department officials telling us in testimony last week that it could last as long as Saddam is alive. If South Carolina is any guide on that front, that means another 50 years of us spending $1.2 billion a year.

Mr. Chairman, at some point we have to draw the line on deployments, rather than continue to feed them. Therefore, I very reluctantly rise in opposition to this amendment.

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Mr. OBEY. Mr. Chairman, I have only one remaining speaker, and I believe I have the right to close.

The CHAIRMAN. The gentleman from Wisconsin is correct.

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

Mr. OBEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 6 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume. I promise not to use all of the time.

Mr. Chairman, I am for the dollars in this amendment and in the bill. Let us talk about them both together. I am for the dollars that we need to fix the TRICARE problem, the health care problem. I am for the dollars to help with the recruiting and housing. I am for reimbursing the Pentagon for the funds they have already expended in their Kosovo operations. I am for helping them meet their additional fuel costs. That is not my problem with this amendment.

I am for all of those things, but I am not for them in a way which will enable this House to bust the budget by $4 billion for next year, just 5 days after the leadership twisted arms to get enough votes to pass that budget.

I do not think that we should drop our promises as an institution quite that fast. This is precedent setting. If you are going to do it on this, then do not be surprised when it happens again and again with far more justification.

I am for all of the things that I mentioned for the Pentagon because they are meeting legitimate national needs. But I am not for another result of this amendment. As I have said before, what this chart shows is that, before this bill came to the floor, so far this year, for this year's fiscal budget, the President had asked for $568 billion in appropriated spending, and the Congress had provided him with $578 billion. So the Congress was $10 billion over the President in spending.

The bill that came to the floor today added to that difference, because it added several billion dollars the President had not asked for. So the President, because of his increase request, the President had asked for $573 billion for this year, and the Congress with the bill as it came to the floor would be spending $587 billion, $13 billion over the President's request. Now, with this amendment, this year, the President will have still asked for $573 billion for this fiscal year, but the Congress will demand that we spend $591 billion. To me, plain mathematics indicates that is a $17 billion increase over the President's budget.

I really cannot believe that, only 5 days after we passed the budget for the next fiscal year that this House is going to bust the budget for this fiscal year and find a way to add $4 billion for projects in the next fiscal year under the DOD portion of the budget. But evidently, that is what the House is going to do.

I have no illusions whatsoever about what the outcome of this amendment is going to be, but I for one will not vote for it.

Mr. BUYER. Mr. Chairman, I rise in strong support of this amendment. The amendment includes recruiting and quality of life, and health care funding essential to sustaining the readiness and well being of the all-volunteer military.

RECRUITING FUNDING

Mr. Chairman, the primary reason the Armed Forces of the late 1970's were declared hollow was the inability of the services to recruit and retain the required number and quality of people.

That hollow force history is repeating itself today, and we must act to change its course. To that end, this amendment would add $600 million to a troubled recruiting program that is in urgent need of help.

How bad is the recruiting problem? Three of the four active duty services failed to achieve recruiting goals in fiscal year 1999, and at least one will certainly fail in FY 2000, and two others may fail.

Three of the six reserve components also failed to meet recruiting objectives in fiscal year 1999 and some analysts predict that five of six will fall below their FY 2000 authorized strength by 15,000 people.

Mr. Chairman, we must not allow recruiting to go unattended even for 1 year—we support this amendment that provides critical funding for enlistment bonuses and advertising right now.

QUALITY OF LIFE

Everyone has heard about the economic plight of men and women in the military. This amendment would put $221 million directly into the pockets of military people to pay for housing. Without this money, thousands of families will continue to reach into their own pockets to pay for housing that is our obligation to provide them.

This amendment also dedicates $10 million to fund the DOD's implementation of a Women, Infants, and Children (WIC) supplemental food program overseas. We must ensure that our youngest and most financially stressed families are not denied the food and nutritional counseling just because they serve overseas.

DEFENSE HEALTH PROGRAM

The Defense Health Program is chronically underfunded and there is a need to improve and extend the benefit for a changing military beneficiary population. Therefore, the amendment would provide $750 million to improve health care benefits for active duty and retired personnel and their families. Military families increasingly cite the crisis facing the military health care system as a reason for their growing disaffection with the military way of life. We cannot afford to neglect this problem.

Mr. Chairman, my colleagues should be assured that meeting the needs of people and the armed services that I have outlined here is an urgent requirement. A vote in favor of this amendment is a vote to protect the people that serve our Nation in uniform—our most precious of resources. Vote "yes" on this amendment.

Mr. GOODLING. Mr. Chairman, I want to take this opportunity to support a small, but important provision included in the amendment offered by Congressman LEWIS to H.R. 3908, the 2000 Emergency Supplemental Appropriations Act. This provision would provide $10 million to fund the Overseas Special Supplemental Food Program authorized as part of the National Defense Authorization Act for fiscal year 2000.

The Overseas Supplemental Food Program included in the National Defense Authorization Act is based on legislation I introduced on May 12, 1999 with Congressman KILDEE, CASTLE, and MCKEON, H.R. 1779, the "Overseas Special Supplemental Food Program Amendments of 1999."

As most of you know, the Special Supplemental Nutrition Program for Women, Infants and Children (commonly known as WIC) provides vital benefits to low-income women, infants and children in the form of food packages and nutrition education. Until the enactment of the National Defense Authorization Act, an estimated 46,658 women, infants and children living overseas were not eligible to receive the nutrition benefits that would have been available to them if the families were stationed in the United States and participating in WIC.

The Department of Defense is currently in the process of implementing the Overseas Special Supplemental Food Program. The $10 million provided as a part of the amendment offered by Congressman LEWIS will help ensure it has the funding necessary to provide high quality nutritional assistance to program participants.

Mr. Chairman, this amendment will guarantee that our hard-working, dedicated military personnel overseas have access to the same nutritional support as those families residing in the United States. It deserves our support.

Mr. RODRIGUEZ. Mr. Chairman, I agree this amendment is necessary to address some of the critical unfunded requirements the Service Secretaries and Chiefs identified during the recent hearings before the House Armed Services Committee. However, I am concerned because it does not specifically target any funds for real property maintenance.

Every Service Secretary and Chief testified before our committee about their inability to fund their facility maintenance and repair accounts at the required level. They've had to use these accounts to pay bills for contingency operations, modernization, spare parts, and other high priority items.

Their unfunded requirements lists, submitted to this committee in February, include real property maintenance as one of the top eight priorities for every Service.

All of us who are homeowners know that if we don't keep our homes properly maintained, we're going to be facing even bigger bills in the future. I'm afraid we're already there on our military installations.

I'n not talking about cosmetic upgrades—I'm talking about things that impact readiness and the quality of life of our troops.

Things like airfield pavement repair to prevent pieces of the pavement flying up and putting out an aircraft engine. Or power outages which impact vital systems on the installation.

I'm sure any of the Members who have military bases in their districts, or have traveled to our overseas bases, have heard the horror stories of how barracks and dining halls are without heat or hot water because of a catastrophic failure, or of how buildings must be vacated when winds reach a certain speed because failing structural systems make them unsafe. You all have your own examples.

We have also seen the ingenuous ways our troops engineer work-arounds just to get the job done—they should not have to work under these conditions! They deserve better.

I would urge the Appropriations Committee to add real property maintenance funds for each Service, based on the unfunded priority lists. These funds would allow each Service to immediately fix their most urgent requirements and improve their military readiness.

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

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from California (Mr. LEWIS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SANFORD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from California (Mr. LEWIS) will be postponed.

Mr. CAMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wish to engage in a colloquy with the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

Mr. Chairman, bovine tuberculosis has been identified in free-range deer in Michigan. The deer are quickly transferring this disease to cattle herds throughout the State.

Currently, the State is in danger of losing its bovine TB-free status. If that were to happen, Michigan farmers stand to lose $156 million over the next 10 years. The State of Michigan has been working in conjunction with USDA to solve this problem. However, further assistance from the Federal Government is needed.

We have a bipartisan request for $7.5 million to the State of Michigan to combat that disease. I seek the assurance of the gentleman from New Mexico (Chairman SKEEN) that the committee will assist with funding for the bovine TB crisis, and that will be addressed when this bill is considered in the conference committee.

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. CAMP. Yes, I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentleman from Michigan (Mr. CAMP) for bringing this problem to our attention.

As we stated in our committee's report on the supplemental bill, we urged the Department of Agriculture to address this problem immediately through epidemiology and surveillance, deer ecology, risk analysis, disease control, eradication, and diagnosis and pathogenesis.

We have directed the Secretary of Agriculture to promptly notify the committee of any additional funding requirements, accompanied by official requests for additional funds, and to report to the committee by May 1, 2000, on his plan of action.

Again, I thank the gentleman from Michigan for his efforts. We will follow this matter closely and do the best we can to address the need.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT NO. 3 OFFERED BY MR. RAMSTAD

Mr. RAMSTAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 3 offered by Mr. RAMSTAD:

Page 2, strike line 1 and all that follows through page 9, line 4.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Minnesota (Mr. RAMSTAD) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. RAMSTAD).

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

Mr. Chairman, this amendment would strike title I, the entire $1.7 billion in counternarcotics funding for Colombia. We have already spent over $600 million to eradicate drugs at their source in Colombia, and what has been the result? A recent study on our effort in Colombia shows that both cocaine and heroin production in Colombia have more than doubled. That has been the result.

Colombia is now the source of 80 percent of the cocaine and 75 percent of the heroin coming into the United States, both significant increases, the $600 million spent notwithstanding. That is what $600 million in Colombia has done, Mr. Chairman.

Now, tonight, we are being asked to spend almost $2 billion to escalate the war on drugs in Colombia. This is misdirected public policy; and it is simply wrong, when 58 percent of drug addicts who seek treatment here in our country are being denied treatment.

Let us face it, our drug eradication and interdiction efforts have been a costly and a colossal failure.

As a former United States Navy lieutenant commander, Sylvester Salcedo, who was involved in the Colombia effort as the Navy intelligence officer for 3 years, said today right outside this Capitol, ''The $1.7 billion,'' and I am quoting now, ''proposed for drug eradication and interdiction in Colombia is good money thrown after bad.''

Lieutenant Commander Salcedo also said, and I am quoting, ''We cannot make progress on the drug problem by increasing our failed effort in Colombia.'' Let me repeat that. Somebody who was there 3 years in the Colombia effort, Lieutenant Commander Salcedo, said, ''We cannot make progress on the drug problem by increasing our failed effort in Colombia.'' Instead, he said we should confront the issue of demand here at home by providing treatment to our addicts in our own country.

Mr. Chairman, we need to listen to this veteran of the war on drugs who added, ''Washington should not spend its money on more helicopters but on treatment for addicts. The $400 million cost of the helicopters alone in this bill would provide treatment for 200,000 Americans addicted to drugs.''

Mr. Chairman, when President Richard Nixon first declared war on drugs in 1971, he directed 60 percent of the funding to treatment. To date, we are down to 18 percent for treatment. That is right. Sixty-six percent on the supply side, eradication, interdiction, border patrol. Sixty-six percent on the supply side; 16 percent for education and prevention; and 18 percent for treatment.

That is why over half the treatment beds available 10 years ago are gone. That is why 58 percent of the addicts seeking treatment last year were denied access. Our priorities in the war on drugs are wrong, and they are not working. Instead of spending two-thirds of our resources on the supply side and one-third on the demand side, those should clearly be reversed.

The bottom line is this, Mr. Chairman, we will never curb the drug epidemic until we curb the insatiable demand for drugs here at home. The drug problem goes much deeper than illegal drugs coming into our Nation. The fundamental problem is the addiction that causes people to crave and demand drugs.

Mr. Chairman, this is a defining moment in the 30-year effort to curb illegal drug use in America. We can keep pumping money into the eradication and interdiction dead end; or we can get serious, and we can shift our focus and resources to the drug addiction problem here at home.

It is time to reject the $1.7 billion for the failed policy in Colombia. It is time to redirect those dollars to drug treatment here at home. Congress needs to just say no to this Colombia boondoggle.

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

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

Mr. Chairman, I reluctantly oppose the gentleman from Minnesota (Mr. RAMSTAD), and I know the emotion with which he offers this amendment. But I have to tell him that it was very disturbing when I listened to him say that this money would provide treatment for 200,000 addicts. I think, Mr. Chairman, that our goal here should be to eliminate that terrible drug that is causing these addicts, that the addicts are getting addicted to.

We need to destroy the fields where these poppies are growing. We need to destroy the mountain sites where the coca is growing. We need to eliminate the source of the drug. That way, if we dry up the source, we do a lot better than treating 200,000 addicts. What we will do is try to prevent 200,000 more people from becoming addicts. That is what we need to do.

Now, if we wanted to get rid of posse comitatus and let the United States military use its full force against the drug growers and the drug lords, that might be a way to solve this problem. But no one is going to repeal posse comitatus.

Or if we wanted to triple or quadruple the size of the United States Coast Guard and give them more helicopters and more ships and more manpower to interdict, we might be able to be a little more effective.

But the effective way is to eliminate these drugs at the source. Let us eliminate the opportunity for those 200,000 addicts that the gentleman from Minnesota (Mr. RAMSTAD) talked about. Let us eliminate the source of the drug that caused them to be addicts.

Let us think about whose kids are going to be next. If the drug is on the street, whose kid is going to be next? Who is going to become the next addict? Who is going to become the next casualty because of an overdose of drugs? Who is going to be the next person shot, killed because of a drug bust gone bad or drug violence on the streets?

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Stop the drugs at the source. Defeat this amendment. I reserve the balance of my time.

Mr. RAMSTAD. Mr. Chairman, I yield myself 30 seconds to respond to my friend, the distinguished gentleman from Florida (Mr. YOUNG).

I just want to repeat this. The bottom line is this: We will never curb the drug epidemic until we curb the insatiable demand for drugs here at home. We can put up all the fences on our border, hire all the border patrol money can buy, go after the source, spend all the money in crop eradication, interdiction, but until Congress realizes that the fundamental problem is the addiction that causes people to crave and demand drugs, not the supply, we will never put a dent in this problem.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. CAMPBELL), the cosponsor of the amendment.

Mr. CAMPBELL. Mr. Chairman, we are about to go to war in Colombia. We are about to allocate $1.7 billion for 63 helicopters and the United States military advisers to help the military in Colombia to fight a civil war. We are about to go to war in the jungles of Colombia.

We are about to take on an insurgency that controls 40 percent of the land mass of Colombia that has been at war with the government of Colombia for 20 years. We are about to relocate farmers off the land where they are growing coca leaf and put them into what can only be called strategic hamlets and protect them, of course, from attack during this time while we teach them to grow something other than coca leaf.

The time will come when these military advisers are fired upon, I fear. And when they are, what will the United States' response be? I suggest its response will be as it was in Vietnam, to increase the number of advisers, to protect those previously sent, to protect the air bases where the helicopters are, to protect the strategic hamlets where we have relocated the villagers to try to teach them to grow something other than coca leaf.

What we are voting on today is the last moment that we have, really, given the way that the war powers have been exercised by this President and previous Presidents, the last moment we have to say no. Because once this starts, the next step will be put more troops in to defend the investment that we have already made.

Can anyone doubt that this will be the case given what has happened in Bosnia, given what has happened in Kosovo? We originally were supposed to be in Bosnia for 6 months. It has now been 5 years. Kosovo we thought would be short term, now our troops will be there for as long as we can see.

We are today voting at the last moment we will have before being asked to observe another war. We are being asked to go to war in Colombia. I think that my good friend and colleague, the gentleman from Minnesota (Mr. RAMSTAD) expressed the point very ably, we will always have a problem of drugs while we have a demand for drugs.

Already chemicals, synthetic substitutes are available that do almost as much harm, in fact, in some cases more. The problem is one of demand. Today we vote to go to war.

I urge my colleagues to vote no, and that means vote yes on the Ramstad amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the very distinguished gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I have great respect for the gentleman from Minnesota (Mr. RAMSTAD) who has offered this amendment. I would share with the gentleman that I do agree with him on some of his points, especially when he said that we have to go after the demand. I agree with him.

But when it comes to the drug issue, I think, as a Nation, we have to embrace a comprehensive approach, one that is, in fact, multifaceted. So when we do that, I stop and I think about, yes, the importance of education. I think about the importance of rehabilitation and treatment, but there are also other important factors out there.

It is deterrence. It is punishment, punishments of users, of pushers and of kingpins. There is also the glamorization of utilization of drugs, whether it is by Hollywood or stories, TV shows. What about going after the source countries, as the chairman just spoke of, or what about through the transit countries, where the drugs move out of the source countries and transit through other avenues and to find its way on the streets of this country?

What about the precursor chemicals that are coming from our other ally countries, such as Germany and others in Europe, and their relationships into South America, that they have those relationships dating all the way back to pre-World War II, they sell those chemicals, and then going after those precursor chemicals.

Talking about a multifaceted approach, when a Member stands here on the floor and says we are going to war in Colombia, give me a break. We are not going to war in Colombia. We are going to war on drugs.

I was rather stunned in the Committee on Armed Services when a member of this administration came so very cautious and concerned to tell the members of the Committee on Armed Services that in Colombia we are not choosing sides. Not choosing sides? What, are you going to then somehow be neutral? You want to defend the drug cartel, the narcoterrorists?

What do you mean you are not choosing sides? Who are you going to be for? Are you going to stand to defend a president who wants to engage us in the war on drugs in Colombia, the longest-serving democracy in this hemisphere, with the United States? Yes, that is who we need to stand with. So they want to engage in a comprehensive approach in the, quote, war on drugs; should we embrace them? The answer is yes.

We have great debates on this floor about the United States, we should only engage in certain areas of the world to protect vital national security interests. Can you define an interest that can be more vital to all of us than the drugs and the effects they have upon our children? I cannot think of one.

We will spend $10 billion in Kosovo. And people cannot relate as to why we are spending these monies in Kosovo, when, in fact, if we would spend half of that in an endeavor to stop drugs from coming into our country, look how far ahead we would be, the 52,000 lives that are lost each year, I say to the gentleman from Minnesota (Mr. RAMSTAD).

I would urge Members to vote against the gentleman's amendment for a comprehensive approach.

Mr. RAMSTAD. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Minnesota (Mr. RAMSTAD) has 3½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 4½ minutes remaining.

Mr. RAMSTAD. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I want to make a couple of points: One, basic economics, as the gentleman from California pointed out, the gentleman said supply always equals demand. If we push down supply here but do nothing about demand, we can be sure from Guyana or Venezuela or a lot of other places supply will be there to meet it.

Two, my wife got a $218 ticket the other day for turning left on a green light in front of oncoming traffic. If she had been caught instead with a noncommercial quantity of marijuana in her car, she would have gotten a $125 fine instead of a $218 fine. We are not serious about this war on drugs.

Three, Colombia does not have a shootdown policy and, yet, we are about to send over a billion dollars. For that matter, America does not have a shootdown policy.

Finally, we have a flawed strategy. In military, you have to effect the center of gravity. You have to eliminate an enemy's ability to make war. We do not do that; what we are offering here is a false promise.

Mr. YOUNG of Florida. Mr. Chairman, we have only one speaker remaining, and we reserve the balance of our time to close.

Mr. RAMSTAD. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, if the Members of the majority can stand the shock of my speaking from the majority side, I would simply say that I had not wanted to go through this amendment because there are a number of things in this bill that I do not want to cut out, but we have not been given any other opportunity to cut out the things that I think really need to be cut out with respect to this new adventure in Colombia. And absent our ability to get more consideration of that, I am going to support the Ramstad amendment. I think it gives us no choice, given the choice the House presented to us today.

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

I want to thank the speakers on both sides of this issue. This truly is a defining moment in a 30-year effort to fight illegal drug use in America. We can continue down the road of a failed policy by spending another $1.7 billion for more eradication, more interdiction efforts that have been proven futile, that have been proven not to work; or we can prioritize treatment for addiction, which has been proven cost effective in study after study, in addict after addict, in alcoholic after alcoholic lucky enough to be treated.

This is not a political issue, my colleagues. This is a life or death issue for five and a half million addicts in America who need treatment and cannot get it today.

This amendment is also fiscally responsible. I want to thank the National Taxpayers Union for endorsing this amendment. I also want to thank the gentleman from California (Mr. CAMPBELL) for cosponsoring the amendment.

Let us save the taxpayers $1.7 billion. Let us begin the process of reordering our priorities in the war against drugs.

Mr. Chairman, I urge a ''yes'' vote to delete funding for the Colombia boondoggle.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California (Mr. LEWIS), the chairman of the Subcommittee on Defense of the Committee on Appropriations.

The CHAIRMAN. The gentleman from California (Mr. LEWIS) is recognized for 4½ minutes.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my chairman and colleague, the gentleman from Florida (Mr. YOUNG), yielding me this time.

Indeed, I want to say to my colleagues in the House, but especially to the gentleman from Minnesota (Mr. RAMSTAD), I could not believe more strongly in his expression of concern about the problems that relate to the demand side. Indeed, earlier today we had an extensive discussion regarding that as we went forward with the Pelosi amendment.

There is no doubt that America is concerned about impacting the demand for drugs in cities all over America. Indeed, we have made significant commitments over time during this Congress and the past Congress. Clearly, not nearly enough money, but this proposition today is in response to the administration's recommendation that we step forward in a relationship with our neighboring country, Colombia, a country that is attempting to raise between $7 and $8 billion themselves in order to fight the war on drugs at home.

Colombia is the source of something like 90 percent of cocaine that is imported into America. There is little doubt, unless we deal directly with that source, that we will never affect that piece of drug availability in the United States. So the proposition before us today is to essentially express support for the President, who is joining us in this effort, the effort to stop the flow of cocaine to our country.

Clearly, propositions that would expand the opportunities to impact demand should and do deserve our support. I expect in the months and years ahead that I will join my colleagues in that effort, as I ask all of my colleagues to vote against this amendment and to support the bill in its final passage.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. RAMSTAD).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RAMSTAD. Mr. Chairman, 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 CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. RAMSTAD) will be postponed.

The point of no quorum is considered withdrawn.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I simply want to take a very brief time to note that I forgot to mention one thing on the Gilman amendment.

I have a letter from the Taxpayers for Common Sense which reads, ''Taxpayers for Common Sense urges you to oppose passage of H.R. 3908, the 2000 Emergency Supplemental Appropriation bill, and to vote against the amendment to add $4 billion in undefined military spending to go the bill. What began as a modest appropriations bill to cover expenses for ongoing military deployments has turned into an enormous Christmas tree decorated with billions of extra dollars of pork placed there by special interests. The real emergency is the utter breakdown of the congressional budget and appropriations process.''

I do not necessarily agree with all of those words, but I agree with most of them.

AMENDMENT OFFERED BY MR. FARR OF CALIFORNIA

Mr. FARR of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARR of California:

Page 5, line 22, after ''activities'' insert ''(of which not less than $6,500,000 shall be made available through the United States Agency for International Development for alternative economic development activities in Bolivia to be managed by the United Nations Drug Control Program)''.

Page 6, beginning on line 1, after ''activities'' insert ''(of which not less than $3,000,000 shall be made available through the United States Agency for International Development for alternative economic development activities in Ecuador to be managed by the United Nations Drug Control Program)''.

Page 6, line 4, after ''Peru'' insert '', of which not less than $7,500,000 shall be made available through the United States Agency for International Development for alternative economic development activities in Peru to be managed by the United Nations Drug Control Program''.

Page 6, line 9, after ''objectives'' insert '': *Provided further*, That of the funds appropriated under this heading, not less than $9,000,000 shall be made available through the United State Agency for International Development for alternative economic development activities in Colombia to be managed

by the United Nations Drug Control Program: *Provided further*, That funds appropriated under this chapter for the United Nations Drug Control Program to be made available through the United States Agency for International Development may be obligated to the United Nations Drug Control Program only if the congressional committees described in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1) are notified 15 days in advance of such obligation in accordance with the procedures applicable to reprogramming notifications under such section: *Provided further*, That not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter, the Administrator of the United States Agency for International Development, in consultation with the head of the United Nations Drug Control Program, shall prepare and submit to the congressional committees described in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1) a report on the status of the United Nations Drug Control Program's alternative development projects in Colombia, Bolivia, Ecuador, and Peru''.

Mr. FARR of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) reserves a point of order, and the gentleman from California (Mr. FARR) is recognized for 5 minutes on his amendment.

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I understand that the chairman is reserving a point of order, and what I wanted to do is to explain my amendment and hope that we can work something out in conference here.

This amendment earmarks existing funding for alternative development in the UNDCP, the United Nations Drug Control Program, for the countries of Peru, Bolivia, Ecuador, and Colombia.

□ 2000

The amendment enhances the accountability of this money by requiring that the funding go through USAID, be subject to congressional notification, and be monitored via the regular reporting process.

The reason that it is important that we put this money in is that, indeed, if we are going to eradicate the crops, we have got to teach the camposinos how to grow something as an alternative. Just going in and eradicating crops, it will reappear. So what the UNDCP program has done is very effective and has an approval record in Bolivia and Peru.

In this alternative, development is essentially the ability to wean farmers off growing coca or opium poppy and get them into a constructive alternative agricultural practice.

What also happens to the region is they begin recovery from a drug culture to a legitimate private sector agricultural economy in a rural country and in a rural area; and it allows, essentially, what we have always been trying to promote is democratization, essentially, of building of communities.

So what this amendment does is it takes existing funds and earmarks those to those four countries for the exact same purposes.

Just in closing, I would like to sort of sum up what the UNDCP programs have done. They have had a 78 percent reduction in the hectares of illicit coca in Bolivia in the last 3 years, 78 percent in the last 3 years alone. In 2000, alternative development crops occupy 100,000 hectares of land, an area 10 times greater than that devoted to growing illicit coca.

So this is particularly important as we move into Colombia, eradicate the crops, which is going to be done by the Joint Military National Police and then move in behind them with a program that has a proven track record of being able to work with the camposinos to get them into these alternative programs.

As I said, the money is funded through our United States Department of International Development, and it is subject to notifying us on all aspects of it and keeping us informed with progress reports.

So I would ask that we can get this amendment and work the best we can to get these earmarks in. I think it makes it a stronger bill. We have bipartisan support for this effort.

Mr. Chairman, I am hoping we can get assurance that we can look at this in the conference committee.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, certainly we, of course, intend to work with the gentleman. We are concerned about the issue, as he is; and we will work with him. This amendment is definitely subject to a point of order. But we understand what he is trying to accomplish, and we will work with him.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, we cannot promise the gentleman from California (Mr. FARR) what the conference committee will do. We appreciate very much his knowledge of this problem in South America and his history of being concerned about it. But I cannot commit to the gentleman or to anyone else what the conferees may do.

My personal observation is that this is sort of an indirect funding of the United Nations. And in President Pastrana's Plan Colombia, he has already worked with the United Nations and they have committed to provide him a portion of the $1.8 billion as their contribution to this overall plan. So it may not be necessary, as the United Nations has already agreed with President Pastrana. It may be moot.

So I cannot commit to the gentleman that the conference committee will come back with some language that will fulfill the desire of the gentleman as his amendment states. But I do appreciate his concern, and I agree with the gentleman that they did a good job in Bolivia and that they probably are needed as well in Colombia.

The CHAIRMAN. The time of the gentleman from California (Mr. FARR) has expired.

(By unanimous consent, Mr. FARR of California was allowed to proceed for 30 additional seconds.)

Mr. FARR of California. Mr. Chairman, I want to point out that this is a program that the funding is unique. It goes right to the program. It does not go through the United Nations. It goes through a separate account, the UNDCP.

Mr. CALLAHAN. Mr. Chairman, if the gentleman will continue to yield, but the organization is a United Nations organization; and, therefore, we would have to send the money to the United Nations. That is my observation.

Mr. FARR of California. Mr. Chairman, reclaiming my time, we will work those differences out, hopefully, in conference.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill and, therefore, violates clause 2 of Rule XXI.

The Rule states in pertinent part:

An amendment to a general appropriations bill shall not be in order if it changes existing law.

And this amendment does.

So I ask the Chair to sustain the point of order.

The CHAIRMAN. Does the gentleman from California (Mr. FARR) wish to be heard on the point of order?

Mr. FARR of California. Mr. Chairman, I accept the point of order. We will work out the amendment with bipartisan support in conference.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The gentleman from Florida (Mr. YOUNG) makes a point of order that the amendment offered by the gentleman from California (Mr. FARR) proposes to change to existing law and constitutes legislation in violation of clause 2 of Rule XXI.

As noted on page 799 of the House Rules and Manual, propositions establishing affirmative directions for executive officers constitute legislation.

The amendment offered by the gentleman from California proposes, in part, to require the Administrator of

the United States Agency for International Development to prepare and submit a report to certain congressional committees.

Thus, the amendment offered by the gentleman imposes a new duty on an executive officer and constitutes legislation.

The point of order is sustained. The amendment is not in order.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 450, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Part B amendment No. 9 offered by Mr. LEWIS of California; Part B amendment No. 3 offered by Mr. RAMSTAD; and Part B amendment No. 7 offered by Mr. GILMAN.

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

AMENDMENT NO. 9 OFFERED BY MR. LEWIS OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on Part B amendment No. 9 offered by the gentleman from California (Mr. LEWIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 289, noes 130, not voting 15, as follows:

[Roll No. 85]

AYES—289

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berkley
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Carson
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Combest
Condit
Cooksey
Costello
Cox
Cramer
Cubin
Cunningham
Danner
Davis (VA)
DeLauro
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Evans
Fletcher
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoeffel
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kelly
Kennedy
Kildee
King (NY)
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Radanovich
Rahall
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Scott
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOES—130

Ackerman
Baird
Baldwin
Barrett (WI)
Becerra
Berman
Berry
Biggert
Blagojevich
Blumenauer
Boswell
Brown (OH)
Camp
Capuano
Cardin
Castle
Chabot
Clay
Collins
Cook
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
Deutsch
Dingell
Dixon
Doggett
Duncan
Ehlers
Engel
Eshoo
Ewing
Farr
Fattah
Filner
Ford
Frank (MA)
Ganske
Gutierrez
Gutknecht
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoekstra
Holt
Hooley
Jackson (IL)
Jones (OH)
Kaptur
Kasich
Kilpatrick
Kind (WI)
Kingston
Kleczka
Largent
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Moakley
Morella
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Owens
Paul
Payne
Pelosi
Peterson (MN)
Petri
Porter
Portman
Ramstad
Rangel
Regula
Rivers
Roukema
Roybal-Allard
Sabo
Sanders
Sanford
Sawyer
Schakowsky
Sensenbrenner
Serrano
Shays
Sherman
Smith (MI)
Stark
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—15

Barton
Clyburn
Conyers
Crane
Everett
Franks (NJ)
Gilman
Granger
Klink
Kucinich
Martinez
Quinn
Rothman
Rush
Vento

□ 2027

Messrs. SHAYS, PORTMAN, EWING, COOK, GUTIERREZ and FORD changed their vote from ''aye'' to ''no.''

Mr. PHELPS and Ms. DELAURO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. RAMSTAD

The CHAIRMAN pro tempore (Mr. HANSEN). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. RAMSTAD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 262, not voting 14, as follows:

[Roll No. 86]

AYES—158

Abercrombie
Archer
Baird
Baldwin
Barcia
Barrett (WI)
Bereuter
Berry
Blumenauer
Bonior
Boucher
Brown (FL)
Brown (OH)
Camp
Campbell
Capuano
Carson
Castle
Chabot
Clay
Clayton
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Danner
Davis (IL)
Deal
DeFazio
DeMint
Dickey
Doggett
Duncan
Ehlers
Ehrlich
Eshoo
Evans
Fattah
Filner
Foley
Ford
Fossella
Ganske
Gekas
Goodling
Graham
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hefley
Hill (MT)
Hilleary
Hinchey
Hoekstra
Horn
Hulshof
Inslee
Istook
Jackson (IL)
Johnson, E.B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Largent
LaTourette
Leach
Lee
Lewis (GA)
Linder
Lipinski
Lofgren
Luther
Manzullo
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Metcalf
Miller, George
Minge
Mink
Moakley
Moran (KS)
Morella
Nadler
Neal
Norwood
Nussle
Oberstar
Obey
Olver
Owens
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pitts
Porter
Ramstad
Rivers
Roemer
Rohrabacher
Royce
Ryan (WI)
Sabo
Salmon
Sanchez
Sanders
Sanford
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano

Simpson
Smith (MI)
Stark
Stearns
Stupak
Sununu
Tancredo
Terry
Thompson (CA)
Tiahrt
Tierney
Toomey
Udall (CO)
Udall (NM)
Upton
Visclosky
Walden
Waters
Watt (NC)
Waxman
Wicker
Woolsey
Wu

NOES—262

Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Cardin
Chambliss
Chenoweth-Hage
Clement
Coble
Cooksey
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Emerson
Engel
English
Etheridge
Ewing
Farr
Fletcher
Forbes
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Green (TX)
Greenwood
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Isakson
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kildee
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
Lazio
Levin
Lewis (CA)
Lewis (KY)
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogan
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Ryun (KS)
Sandlin
Sawyer
Saxton
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stenholm
Strickland
Stump
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Towns
Traficant
Turner
Velazquez
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Barton
Clyburn
Crane
Everett
Franks (NJ)
Granger
Hunter
Klink
Martinez
Quinn
Rothman
Rush
Spence
Vento

□ 2046

Mr. MOORE changed his vote from ''aye'' to ''no.''

Mr. SMITH of Michigan and Mr. HOLT changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 450, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the last amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 7 OFFERED BY MR. GILMAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GILMAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 380, noes 39, not voting 15, as follows:

[Roll No. 87]

AYES—380

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

NOES—39

Baird
Baldwin
Barrett (WI)
Blagojevich
Bliley
Brown (OH)
Capuano
Cox
Davis (FL)
DeFazio
DeGette
DeLay
Doggett
Eshoo
Hill (IN)
Jackson (IL)
Kaptur
Knollenberg

| | | |
|---|---|---|
| Lee | Nadler | Snyder |
| Markey | Oberstar | Stark |
| McDermott | Obey | Tierney |
| McGovern | Olver | Waters |
| McKinney | Paul | Wexler |
| Miller, George | Pelosi | Woolsey |
| Moakley | Schakowsky | Wu |

NOT VOTING—15

| | | |
|---|---|---|
| Barton | Franks (NJ) | Quinn |
| Burr | Granger | Rothman |
| Clyburn | Klink | Rush |
| Crane | Martinez | Spence |
| Everett | Pryce (OH) | Vento |

□ 2055

Mr. BAIRD changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. PRYCE of Ohio. Mr. Chairman, on rollcall No. 87 I was in advertably detained. Had I been present, I would have voted ''aye.''

The CHAIRMAN. Are there further amendments to title I?

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, if I could have the attention of the House, I would like to announce that it is our intention to proceed this evening for about 1 additional hour; that we will consider several amendments and roll the votes until that hour is up, and then at approximately 10 o'clock we will take whatever votes there are, and we will then be finished with this bill for tonight and take it up again tomorrow morning.

Mr. BONIOR. Mr. Chairman, will the gentleman yield?

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

Mr. BONIOR. Mr. Chairman, could the gentleman apprise us of whether in fact the education bill will be up tomorrow?

Mr. YOUNG of Florida. I can only speak for this bill. This bill will be up tomorrow.

Mr. BONIOR. May I ask the distinguished majority leader, who is on his feet and ambling to the microphone?

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

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

Mr. ARMEY. I appreciate the gentleman's inquiry. The gentleman, like myself, understands the importance of that legislation. However, this legislation has an enormous priority, and we must first finish this bill, which we expect to do tomorrow. At that point, we will have to take a decision.

Mr. BONIOR. Mr. Chairman, is the gentleman saying that the decision on whether we go into the education bill will be made tomorrow and not this evening?

Mr. ARMEY. Again, I appreciate the gentleman's interest in that important legislation.

Mr. BONIOR. Does that mean, Mr. Chairman, if I could ask the gentleman from Texas, does that mean that the Committee on Rules members should be alert that they may meet at 2 o'clock or 3 o'clock in the morning and stay here? What is in store for them?

Mr. ARMEY. I appreciate the gentleman's inquiry. Let me just tell the gentleman, we will complete work on this bill for this evening in about an hour. Tomorrow we will come back and we will finish this bill in the morning.

At that point, we will have a decision about whether or not we have completed our week's work or whether or not we will try to take up additional legislation.

Mr. BONIOR. May I ask this one further question, and then I will sit down.

Can I go to our Committee on Rules members and tell them that they will not be meeting this evening?

□ 2100

Mr. ARMEY. Mr. Chairman, I do not see the chairman of the Committee on Rules, but I think the gentleman would be safe in telling them that.

Mr. BONIOR. Mr. Chairman, I thank the gentleman. That is what we needed to know. Is there a way to roll the votes until tomorrow? Is there a way to roll the votes until tomorrow evening?

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman would yield, we will roll several votes this evening and we will vote at approximately 10 o'clock.

Mr. BONIOR. So we will continue and have votes at 10 o'clock this evening?

Mr. YOUNG of Florida. Approximately 10 o'clock.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

**TITLE II**

**PEACEKEEPING OPERATIONS IN KOSOVO AND OTHER NATIONAL SECURITY MATTERS**

CHAPTER 1

DEPARTMENT OF STATE

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

Notwithstanding section 15 of the State Department Basic Authorities Act of 1956, an additional amount for ''Security and Maintenance of United States Missions'', $104,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $19,532,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $20,565,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $37,155,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $30,065,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to provide assistance to Vieques, Puerto Rico, including a study of the health of Vieques residents; fire-fighting related equipment and facilities at Antonio Rivera Rodriguez Airport; construction or refurbishment of a commercial ferry pier and terminal and associated navigational improvements; establishment and construction of an artificial reef; reef conservation, restoration, and management activities; payments to registered Vieques commercial fishermen of an amount determined by the National Marine Fisheries Service for each day they are unable to use existing waters because the Navy is conducting training; expansion and improvement of major cross-island roadways and bridges; an apprenticeship/training program for young adults; preservation and protection of natural resources; an economic development office and economic development activities; and conducting a referendum among the residents of Vieques regarding further use of the island for military training programs, $40,000,000, to remain available until September 30, 2003: *Provided,* That such funds shall be in addition to amounts otherwise available for such purposes: *Provided further,* That the Secretary of Defense may transfer funds provided under this heading to any agency or office of the United States Government in order to implement the projects for which funds are provided: *Provided further,* That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That for purposes of providing assistance to Vieques, any agency or office of the United States Government to which these funds are transferred may utilize, in addition to any authorities available under this heading, any authorities available to that agency or office for carrying out related activities, including utilization of such funds for administrative expenses: *Provided further,* That any amounts transferred to the Department of Housing and Urban Development, ''Community development block grants'', shall be available only for assistance to Vieques, notwithstanding section 106 of the Housing and Community Development Act of 1974: *Provided further,* That funds made available under this heading may be used to make direct payments to registered Vieques commercial fishermen: *Provided further,* That the Department of the Navy may provide fire-fighting training and funds provided under this heading may be used to provide fire-fighting related facilities at the Antonio Rivera Rodriguez Airport: *Provided further,* That funds made available under this heading may be used to construct or modify a commercial ferry pier and terminal and associated navigational improvements: *Provided further,* That except for amounts provided for the health study, fire-fighting related equipment and facilities, and certain activities in furtherance of the preservation and protection of natural resources, funds provided in this paragraph shall not become available until

the Secretary of the Navy has certified to the Director, Office of Management and Budget, that the integrity and accessibility of the training range is uninterrupted, and trespassing and other intrusions on the range have ceased: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $2,174,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $2,851,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Overseas Contingency Operations Transfer Fund'', $2,050,400,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance, including Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; the Defense Health Program; and working capital funds: *Provided further,* That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $73,000,000, to remain available for obligation until September 30, 2001: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $3,533,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2201. (a) MINIMUM RATES OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS OF THE UNIFORMED SERVICES.—During the period beginning on January 1, 2000, and ending on September 30, 2001 (or such earlier date as the Secretary of Defense considers appropriate), a member of the uniformed services entitled to a basic allowance for housing for a military housing area in the United States shall be paid the allowance at a monthly rate not less than the rate in effect on December 31, 1999, in that area for members serving in the same pay grade and with the same dependency status as the member.

(b) ANNUAL LIMITATION ON ALLOWANCE.—In light of the rates for the basic allowance for housing authorized by subsection (a), the Secretary of Defense may exceed the limitation on the total amount paid during fiscal year 2000 and 2001 for the basic allowance for housing in the United States otherwise applicable under section 403(b)(3) of title 37, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 2202. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $1,556,200,000 is hereby appropriated to the Department of Defense for the ''Defense-Wide Working Capital Fund'' and shall remain available until expended, for price increases resulting from worldwide increases in the price of petroleum: *Provided,* That the Secretary of Defense shall transfer $1,556,200,000 in excess collections from the ''Defense-Wide Working Capital Fund'' not later than September 30, 2001 to the operation and maintenance; research, development, test and evaluation; and working capital funds: *Provided further,* That the transfer authority provided in this section is in addition to the transfer authority provided to the Department of Defense in this Act or any other Act: *Provided further,* That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(TRANSFER OF FUNDS)

SEC. 2203. (a) The Secretary of Defense may transfer up to $90,000,000 to the account ''Aircraft Procurement, Air Force 2000/2002'', from funds specified in subsection (b). Amounts so transferred shall be merged with, and shall be available for obligation for the same period as, the account to which transferred.

(b) Amounts which may be transferred under this section are unobligated amounts that would otherwise expire for obligation on September 30, 2000, that were appropriated for Air Force or Defense-Wide accounts in the following provisions of law:

(1) Titles I and II of the Department of Defense Appropriations Act, 2000 (Public Law 106–79).

(2) Title IV of the Department of Defense Appropriations Act, 1999 (Public Law 105–262).

(3) Title III of the Department of Defense Appropriations Act, 1998 (Public Law 105–56).

(TRANSFER OF FUNDS)

SEC. 2204. The Secretary of Defense shall transfer $125,000,000 from unobligated funds in the National Defense Stockpile Transaction Fund to ''Procurement of Weapons and Tracked Combat Vehicles, Army 2000/2002'' only for procurement, advance procurement, or economic order quantity procurement of Abrams M1A2 SEP Upgrades under multiyear contract authority provided under section 8008 of the Department of Defense Appropriations Act, 2000: *Provided,* That amounts so transferred shall be merged with, and shall be available for obligation for the same period as, the account to which transferred: *Provided further,* That none of the funds made available under this section shall be obligated until the Secretary of the Army certifies to the congressional defense committees that these funds will be used to upgrade vehicles for an average unit cost (for 307 vehicles) that does not exceed $5,900,000.

SEC. 2205. In addition to the amounts provided in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $854,500,000 is hereby appropriated for ''Defense Health Program'', to remain available for obligation until September 30, 2001: *Provided,* That such funds shall be available only for the purposes described and in accordance with section 2206 of this chapter: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2206. (a) Of the amounts provided in section 2205 of this chapter for ''Defense Health Program''—

(1) not to exceed $90,300,000 shall be available for obligations and adjustments to obligations required to cover unanticipated increases in TRICARE contract costs that (but for insufficient funds) would have been properly chargeable to the Defense Health Program account for fiscal year 1998 or fiscal year 1999; and

(2) not to exceed $764,200,000 shall be available for obligations and adjustments to obligations required to cover unanticipated increases in TRICARE contract costs that are properly chargeable to the Defense Health Program account for fiscal year 2000 or fiscal year 2001.

(b) The Secretary of Defense shall notify the congressional defense committees before charging an obligation or an adjustment to obligations under this section.

(c) The Secretary of Defense shall submit to the congressional defense committees a report on obligations made under this section no later than 30 days after the end of fiscal year 2000.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the Agency for International Development'', $13,000,000, to remain available until September 30, 2001: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER BILATERAL ECONOMIC ASSISTANCE

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

For an additional amount for ''Assistance for Eastern Europe and the Baltic States'', $95,825,000, to remain available until September 30, 2001: *Provided,* That this amount shall only be available for assistance for Montenegro and Croatia, assistance to promote democratization in Serbia including support for nongovernmental organizations and independent media, and not to exceed $12,400,000 for assistance for Kosovo: *Provided further,* That the amount specified in the previous proviso for assistance for Kosovo may be made available only for police activities: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For an additional amount for ''International Military Education and Training'', $2,875,000, to remain available until September 30, 2001, for grants to countries of the Balkans and southeast Europe: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', to enable the President to carry out section 23 of the Arms Export Control Act, $31,000,000, to remain available until September 30, 2001, for grants to countries of the Balkans and southeast Europe: *Provided,* That these funds shall be nonrepayable, notwithstanding sections 23(b) and 23(c) of the Act: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 4

MILITARY CONSTRUCTION, DEFENSE-WIDE

SEC. 2401. In addition to amounts appropriated or otherwise made available in the Military Construction Appropriations Act, 2000, $6,700,000 is hereby appropriated to the Department of Defense, to cover incremental Operation and Maintenance costs to family housing, as authorized by section 2854 of title 10, United States Code, as follows:

''Family Housing, Army'', $2,000,000,—

''Family Housing, Navy and Marine Corps'', $3,000,000; and

''Family Housing, Air Force'', $1,700,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request for $6,700,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 2402. Notwithstanding any other provision of law, the Secretary of the Navy is authorized to use funds received pursuant to section 2601 of Title 10, United States Code, for the construction, improvement, repair, and maintenance of Quarters Number 6, located at Marine Corps Barracks, 8th and I Street, Washington, D.C.: *Provided,* That the Secretary notifies the appropriate committees of Congress thirty days in advance of the intended use of such funds.

BROOKS AIR FORCE BASE DEVELOPMENT

DEMONSTRATION PROJECT

SEC. 2403. (a) PURPOSE.—The purpose of this section is to evaluate and demonstrate methods for more efficient operation of military installations through improved capital asset management and greater reliance on the public or private sector for less-costly base support services, where available. The section supersedes, and shall be used in lieu of the authority provided in, section 8168 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1277).

(b) AUTHORITY.—(1) Subject to paragraph (4), the Secretary of the Air Force may carry out at Brooks Air Force Base, Texas, a demonstration project to be known as the ''Base Efficiency Project'' to improve mission effectiveness and reduce the cost of providing quality installation support at Brooks Air Force Base.

(2) The Secretary may carry out the Project in consultation with the Community to the extent the Secretary determines such consultation is necessary and appropriate.

(3) The authority provided in this section is in addition to any other authority vested in or delegated to the Secretary, and the Secretary may exercise any authority or combination of authorities provided under this section or elsewhere to carry out the purposes of the Project.

(4) The Secretary may not exercise any authority under this section until after the end of the 30-day period beginning on the date the Secretary submits to the appropriate committees of the Congress a master plan for the development of the Base.

(c) EFFICIENT PRACTICES.—(1) The Secretary may convert services at or for the benefit of the Base from accomplishment by military personnel or by Departmental civilian employees (appropriated fund or non-appropriated fund), to services performed by contract or provided as consideration for the lease, sale, or other conveyance or transfer of property.

(2) Notwithstanding section 2462 of title 10, United States Code, a contract for services may be awarded based on ''best value'' if the Secretary determines that the award will advance the purposes of a joint activity conducted under the project and is in the best interest of the Department.

(3) Notwithstanding that such services are generally funded by local and State taxes and provided without specific charge to the public at large, the Secretary may contract for public services at or for the benefit of the Base in exchange for such consideration, if any, the Secretary determines to be appropriate.

(4)(A) The Secretary may conduct joint activities with the Community, the State, and any private parties or entities on or for the benefit of the Base.

(B) Payments or reimbursements received from participants for their share of direct and indirect costs of joint activities, including the costs of providing, operating, and maintaining facilities, shall be in an amount and type determined to be adequate and appropriate by the Secretary.

(C) Such payments or reimbursements received by the Department shall be deposited into the Project Fund.

(d) LEASE AUTHORITY.—(1) The Secretary may lease real or personal property located on the Base and not required at other Air Force installations to any lessee upon such terms and conditions as the Secretary considers appropriate and in the interest of the United States, if the Secretary determines that the lease would facilitate the purposes of the Project.

(2) Consideration for a lease under this subsection shall be determined in accordance with subsection (g).

(3) A lease under this subsection—

(A) may be for such period as the Secretary determines is necessary to accomplish the goals of the Project; and

(B) may give the lessee the first right to purchase the property at fair market value if the lease is terminated to allow the United States to sell the property under any other provision of law.

(4)(A) The interest of a lessee of property leased under this subsection may be taxed by the State or the Community.

(B) A lease under this subsection shall provide that, if and to the extent that the leased property is later made taxable by State governments or local governments under Federal law, the lease shall be renegotiated.

(5) The Department may furnish a lessee with utilities, custodial services, and other base operation, maintenance, or support services performed by Department civilian or contract employees, in exchange for such consideration, payment, or reimbursement as the Secretary determines appropriate.

(6) All amounts received from leases under this subsection shall be deposited into the Project Fund.

(7) A lease under this subsection shall not be subject to the following provisions of law:

(A) Section 2667 of title 10, United States Code, other than subsection (b)(1) of that section.

(B) Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(C) The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(e) PROPERTY DISPOSAL.—(1) The Secretary may sell or otherwise convey or transfer real and personal property located at the Base to the Community or to another public or private party during the Project, upon such terms and conditions as the Secretary considers appropriate for purposes of the Project.

(2) Consideration for a sale or other conveyance or transfer of property under this subsection shall be determined in accordance with subsection (g).

(3) The sale or other conveyance or transfer of property under this subsection shall not be subject to the following provisions of law:

(A) Section 2693 of title 10, United States Code.

(B) The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(4) Cash payments received as consideration for the sale or other conveyance or transfer of property under this subsection shall be deposited into the Project Fund.

(f) LEASEBACK OF PROPERTY LEASED OR DISPOSED.—(1) The Secretary may lease, sell, or otherwise convey or transfer real property at the Base under subsections (b) and (e), as applicable, which will be retained for use by the Department or by another military department or other Federal agency, if the lessee, purchaser, or other grantee or transferee of the property agrees to enter into a leaseback to the Department in connection with the lease, sale, or other conveyance or transfer of one or more portions or all of the property leased, sold, or otherwise conveyed or transferred, as applicable.

(2) A leaseback of real property under this subsection shall be an operating lease for no more than 20 years unless the Secretary of the Air Force determines that a longer term is appropriate.

(3)(A) Consideration, if any, for real property leased under a leaseback entered into under this subsection shall be in such form and amount as the Secretary considers appropriate.

(B) The Secretary may use funds in the Project Fund or other funds appropriated or otherwise available to the Department for use at the Base for payment of any such cash rent.

(4) Notwithstanding any other provision of law, the Department or other military department or other Federal agency using the real property leased under a leaseback entered into under this subsection may construct and erect facilities on or otherwise improve the leased property using funds appropriated or otherwise available to the Department or other military department or other Federal agency for such purpose.

(g) CONSIDERATION.—(1) The Secretary shall determine the nature, value, and adequacy of consideration required or offered in exchange for a lease, sale, or other conveyance or

transfer of real or personal property or for other actions taken under the Project.

(2) Consideration may be in cash or in-kind or any combination thereof. In-kind consideration may include the following:

(A) Real property.

(B) Personal property.

(C) Goods or services, including operation, maintenance, protection, repair, or restoration (including environmental restoration) of any property or facilities (including non-appropriated fund facilities).

(D) Base operating support services.

(E) Improvement of Department facilities.

(F) Provision of facilities, including office, storage, or other usable space, for use by the Department on or off the Base.

(G) Public services.

(3) Consideration may not be for less than the fair market value.

(h) PROJECT FUND.—(1) There is established on the books of the Treasury a fund to be known as the ''Base Efficiency Project Fund'' into which all cash rents, proceeds, payments, reimbursements, and other amounts from leases, sales, or other conveyances or transfers, joint activities, and all other actions taken under the Project shall be deposited. Subject to paragraph (2), amounts deposited into the Project Fund shall be available without fiscal year limitation.

(2) To the extent provided in advance in appropriations Acts, amounts in the Project Fund shall be available to the Secretary for use at the base only for operation, base operating support services, maintenance, repair, or improvement of Department facilities, payment of consideration for acquisitions of interests in real property (including payment of rentals for leasebacks), and environmental protection or restoration. The use of such amounts may be in addition to or in combination with other amounts appropriated for these purposes.

(3) Subject to generally prescribed financial management regulations, the Secretary shall establish the structure of the Project Fund and such administrative policies and procedures as the Secretary considers necessary to account for and control deposits into and disbursements from the Project Fund effectively.

(i) FEDERAL AGENCIES.—(1)(A) Any Federal agency, its contractors, or its grantees shall pay rent, in cash or services, for the use of facilities or property at the Base, in an amount and type determined to be adequate by the Secretary.

(B) Such rent shall generally be the fair market rental of the property provided, but in any case shall be sufficient to compensate the Base for the direct and overhead costs incurred by the Base due to the presence of the tenant agency on the Base.

(2) Transfers of real or personal property at the Base to other Federal agencies shall be at fair market value consideration. Such consideration may be paid in cash, by appropriation transfer, or in property, goods, or services.

(3) Amounts received from other Federal agencies, their contractors, or grantees, including any amounts paid by appropriation transfer, shall be deposited in the Project Fund.

(j) REPORTS TO CONGRESS.—(1) Section 2662 of title 10, United States Code, shall apply to transactions at the Base during the Project.

(k) LIMITATION.—None of the authorities in this section shall create any legal rights in any person or entity except rights embodied in leases, deeds, or contracts.

(l) EXPIRATION OF AUTHORITY.—The authority to enter into a lease, deed, permit, license, contract, or other agreement under this section shall expire on September 30, 2004.

(m) DEFINITIONS.—In this section:

(1) The term ''Project'' means the Base Efficiency Project authorized by this section.

(2) The term ''Base'' means Brooks Air Force Base, Texas.

(3) The term ''Community'' means the City of San Antonio, Texas.

(4) The term ''Department'' means the Department of the Air Force.

(5) The term ''facility'' means a building, structure, or other improvement to real property (except a military family housing unit as that term is used in subchapter IV of chapter 169 of title 10, United States Code).

(6) The term ''joint activity'' means an activity conducted on or for the benefit of the Base by the Department, jointly with the Community, the State, or any private entity, or any combination thereof.

(7) The term ''Project Fund'' means the Base Efficiency Project Fund established by subsection (h).

(8) The term ''public services'' means public services (except public schools, fire protection, and police protection) that are funded by local and State taxes and provided without specific charge to the public at large.

(9) The term ''Secretary'' means the Secretary of the Air Force or the Secretary's designee, who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate.

(10) The term ''State'' means the State of Texas.

MILITARY CONSTRUCTION, ARMY RESERVE–

For an additional amount for ''Military Construction, Army Reserve'' to cover the incremental costs arising from the consequences of Hurricane Floyd, $12,348,000, as authorized by section 2854 of title 10, United States Code, to remain available until September 30, 2004: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request for $12,348,000 that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 35, line 3, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT NO. 8 OFFERED BY MRS. FOWLER

Mrs. FOWLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 8 offered by Mrs. FOWLER:

Page 11, line 24, insert ''and'' after the semicolon.

Page 11, line 25, strike ''and conducting'' and all that follows through the comma on page 12, line 2.

Page 13, line 10, strike ''fire-fighting'' and all that follows through the comma on line 12.

Page 13, strike lines 14 through 17 and insert the following: ''the President has certified to the Congress that trespassing and other intrusions on the range have ceased; that the integrity and accessibility of the training range is uninterrupted; that he has directed the Attorney General to strictly enforce all Federal laws aimed at preventing trespassing and other violations of security and safety on the range; and that he has directed that military training operations utilizing the full range of live ordnance in use prior to April 19, 1999, be resumed and that such training operations have been initiated:''.

The CHAIRMAN. Pursuant to House Resolution 450, the gentlewoman from Florida (Mrs. FOWLER) and the gentleman from California (Mr. LEWIS) each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida (Mrs. FOWLER).

Mrs. FOWLER. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, life and death. That is what this amendment is all about. Will we allow the illegal acts of a few to jeopardize the lives of many?

The Fowler-Hansen amendment does three things. First, this amendment prevents the $40 million contained in this bill for Puerto Rico from being used to pay for a binding referendum on whether live-fire training on the Navy range on the Island of Vieques should be resumed.

Second, it strengthens language in the bill making the money contingent on the removal of illegal trespassers from this range, who have it closed down.

And, last, it would require the resumption of live-fire training in Vieques before Puerto Rico could receive any of the $40 million.

Mr. Chairman, remarkably, a group of people engaged in civil disobedience have occupied a critical military installation with no reaction from this administration. Their protests began last year after a Navy civilian employee was killed by an errant bomb while he was on a military live-fire range 9 miles from the nearest town. The gold star up here shows where he was. The town is down here, 9 miles away.

According to our military leaders, we have a clear national security requirement to do live-fire training on the East Coast. Holding a referendum on the subject as the President has proposed is not sound public policy and will set a terrible precedent.

According to Secretary of the Navy Richard Danzig, and I quote,

> Vieques is a uniquely valuable training site. It is the only one available to East Coast units where mission essential combined arms training can be conducted.

End of quote.

The people of Vieques do not bear a unique burden. They are 57 other live-fire and inert-weapons ranges in the United States. It is deeply ironic, I just found out tonight that the Puerto Rican National Guard performs their live-fire artillery training at Fort Sill, Oklahoma, only 1.9 miles from an incorporated area of 90,000 residents, while the Governor of Puerto Rico supports the closure of the live-fire range

on Vieques, 9 miles from a civilian population.

Mr. Chairman, I ask my colleagues to support my amendment. Article I, Section 8 of the Constitution gives Congress the authority to provide and maintain a Navy. We must not shirk our responsibilities. Support this amendment.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, with great reservation, I rise to oppose the amendment of the gentlewoman from Florida (Mrs. FOWLER). I very simply do so because we do have an agreement presently struck with the people of Vieques. It is our desire to obtain the same objectives as the gentlewoman would wish to obtain. The fact is there is a referendum next year and if we should, by way of legislation in this process, essentially rub the people of Vieques' nose in that process, what more could we do to undermine that election from our point of view?

So it seems to me that this is not the time to have such a language. And it is because of that that I very regretfully oppose the gentlewoman's amendment.

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

Mrs. FOWLER. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Mr. Chairman, what happened yesterday at the White House? Somebody jumped over the fence and they apprehended the person because he was trespassing and they took him to jail. Guess what we are talking about here tonight? Only trespassing.

These people went on to this range and trespassed on the range. Now instead of saying like we did at the White House, we say now they can determine whether or not they are going to get $40 million or $50 million for doing it.

Does anyone think they would really do that, when they do not do this they are going to get the whole shooting match? They get $250 million and they can do with it what they want and no military there.

I have had some of my friends say: Let this process work. We are going to win on this one. So I called down to Puerto Rico and I asked the question: Please tell me what the polls show. Do my colleagues know what the polls show? Four percent of the people in Puerto Rico would vote for this. Let us say if someone went to Twentynine Palms or the Utah Test and Training Range and trespassed, what would we do? We would kick them out. In this instance who are we kicking out? We are kicking out the military who absolutely needs this particular area.

A lot has been said about this letter from the Navy. This did not come from the Navy. This came from a political appointee. We do not see the CNO of the Navy on here. We do not see the Commandant of the Marine Corps on here. We do not see any of these people. What do we expect? This is not worth the paper it is written on.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

Mr. ROMERO-BARCELÓ. Mr. Chairman, to compare the situation in Vieques to any other situation in the rest of the land is like comparing a ping pong ball with a basketball. There is no place in the U.S., no place in our Nation where there is bombing from the air, shelling from the ocean, and also from the land at the same time.

That is what they say. That is why the Navy has said that Vieques is such an important thing. The Navy has sent a letter to the chairman of this committee saying: I am writing to express the grave concern of the Department of the Navy with the proposed amendment to H.R. 3908 concerning the economic assistance program on the Island of Vieques, Puerto Rico. They end up by saying: The Department of the Navy strongly believes that the negotiated agreement represents the best opportunity for the Navy to resume crucial training on the Vieques range.

Mr. Chairman, the Navy right now could never resume any bombing because they have violated the Clear Water Act and there is no permit. The only way that it can resume is with inert bombs. There is no other way to resume any maneuvers. This is for the interest of the national defense.

Mrs. FOWLER. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I stand in strong support of this amendment. I tell the gentleman from Puerto Rico (Mr. Romero-Barcelo) to come to California and see San Clemente Island. It is bombed from the land, bombed from the sea, and strafed.

The fact is if we are going to set this precedent that Puerto Rico is going to be able to vote if they want a bombing range in their neighborhood, then the 32 million people of California also want to have the same right to be able to say we do not want our islands bombed.

Fairness is fairness. If we are going to set the standard in Puerto Rico, then apply it in the rest of the country. And see if Utah wants to be bombed. This is an issue of national defense, but also the constitutional responsibility of this Congress to apply to military defense.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Chairman, I think the gentlewoman from Florida (Mrs. FOWLER) knows how reluctant all of us are to rise in opposition to this, but I feel I must as a member of the Committee on Armed Services and a witness to the experience of the Island of Kahoolawe, which was an island in Hawaii which had received live-fire operations for many decades and where that has ceased as a result of the efforts of the people of Hawaii.

We certainly share the national security concerns of the gentlewoman from Florida, but I feel very strongly that her amendment would stall the progress towards a positive solution.

Mr. Chairman, the agreement worked out between the Department of Defense and the Governor of Puerto Rico was very thoughtfully crafted and a product of tireless effort. This agreement was not reached with the protestors, but with the lawful authorities of Puerto Rico. Resolution is best accomplished by moving forward with the agreement.

Mr. Chairman, I can say that I have a copy of the Navy Times of April 3, and it says, ''Stay on Vieques, residents say.'' It may very well be that the referendum will turn out in a positive way in the direction that the gentlewoman requires. So I ask that her amendment be defeated.

Mrs. FOWLER. Mr. Chairman, I yield 30 seconds to the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I live in Colorado Springs and we love Fort Carson on the outskirts of Colorado Springs. It has a live-fire range and we are continually working to make sure that we do not build up around that live-fire range and impinge upon it, because not only do we love Fort Carson, but if they need to train with a live-fire range, we want them to have it.

The people in Puerto Rico seem to love Roosevelt Roads, but they do not the live fire. If we do not have the live fire, we do not need Roosevelt Roads; and we ought to close Roosevelt Roads if we are not going to have a live fire range.

The Navy has spent the last 2 years trying to convince me that we need desperately this range and that we should not do anything to impinge upon that. I hope Members will support the amendment.

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Mrs. FOWLER. Mr. Chairman, I yield 30 seconds to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I rise in support of this amendment. David Sanes Rodriguez was killed as a Navy employee, a civilian, a Puerto Rican, but a civilian of the Navy. He was killed on sight by a misfiring 9 miles from any civilians. Our sailor, our pilots are going to be in extreme danger if they are not allowed to have a practice range.

JOHN MCCAIN and so many others before they went off to battle practiced right here, and they needed that practice.

The CHAIRMAN. The gentlewoman from Florida (Mrs. FOWLER) has 30 seconds remaining.

Mr. LEWIS of California. Mr. Chairman, I yield the balance of the time remaining to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, the gentleman from Connecticut (Mr. SHAYS) said that JOHN MCCAIN practiced here. In 1952, we deployed there. I was on Vieques at the time. There was no one understands more the importance of the Vieques than me. The Navy says in their correspondence to me, if this money is taken out, the agreement will be breached.

We can stand here and beat our chest. We can say we are going to force this issue on the Puerto Ricans. That does not solve the problem. They have come to an agreement. The Navy did not live up to their agreements since 1986. They did nothing for economic development. We are saying here that they have to give in to our demands.

There is no question about the importance of Vieques, but this is not something we dictate. The Defense Department has worked out what they consider the best possible agreement. They have negotiated with the governor of Puerto Rico; a lot of the Members here do not like the agreement. They do not think it is fair. They do not think there should be an agreement like this. We put the $40 million in to live up to our end of the agreement.

Believe me, if we take the $40 million out, there will not be any agreement, and we will not have opportunity. The Navy said they will not be able to go forward if we take this money out as important as it is to them. I would urge the Members not to vote for this amendment, to vote against this amendment, with the idea that we will be able to solve this problem. They will have a referendum, and they will allow us to go forward with using this as a tactical training base.

The CHAIRMAN. The gentlewoman from Florida (Mrs. FOWLER) has 30 seconds remaining.

Mrs. FOWLER. Mr. Chairman, one quick correction. This amendment does not strike the $40 million. It does not strike it.

Mr. Chairman, I yield the balance of my time to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I have to disagree with the gentleman from Pennsylvania (Mr. MURTHA), who is highly respected. This is a bad agreement. If you have a bad agreement, then get rid of it. Why would we ever endorse extortion of the taxpayers' money? And that is what this is. I do not care how you call it. If we do this in Puerto Rico, then what are we going to do about the Tohona Oden tribe outside of Tucson who want their Indian lands back? Then the Committee on Appropriations are going to say we have to give money to them. We are going to be doing this all across the country. Enough is enough. Support the Fowler amendment.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentlewoman from Florida (Mrs. FOWLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. FOWLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on the amendment offered by the gentlewoman from Florida (Mrs. FOWLER) will be postponed.

Are there further amendments to title II?

AMENDMENT OFFERED BY MRS. FOWLER

Mrs. FOWLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. FOWLER:

Page 16, after line 21, insert the following new subsection:

(c) SENSE OF CONGRESS REGARDING MILITARY FAMILIES ON FOOD STAMPS.—It is the sense of the Congress that members of the Armed Forces and their dependents should not have to rely on the food stamp program, and the President and the Congress should take action to ensure that the income level of members of the Armed Forces is sufficient so that no member meets the income standards of eligibility in effect under the food stamp program.

Mrs. FOWLER. Mr. Chairman, I will be very brief. I just want to say this amendment is very straightforward. It is noncontroversial, but it is very important. It puts this Congress on record that having U.S. military families on food stamps is simply unacceptable.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Mrs. FOWLER. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I want to say for the record to the gentlewoman that we are happy to accept this amendment that you present to the House.

Mrs. FOWLER. Mr. Chairman, I am so glad we can agree on this one. This just expresses the sense of Congress that the President and Congress should take all steps necessary to ensure that no military man or woman must rely on public assistance to provide for their families.

My amendment does not seek to prescribe a solution or fund an answer to this immoral situation. This is not the appropriate vehicle or venue for that. The Committee on Armed Services and the Committee on Appropriations are best equipped to devise a solution.

All I am seeking to do today is to send a message from this Congress to every soldier, sailor, and Marine that we believe they deserve better. They deserve better for themselves and for their families, that the sacrifices they make day in and day out for this country of ours will not go unnoticed and unrewarded by this Congress.

I just want to share real quickly a personal story that really brought this home for me. Several months ago, I was home on a Saturday night and the phone rang; and it was a young woman married to a Navy lieutenant, stationed out at Mayport, and she was in tears. And I said what is wrong, and she said we ordered a pizza tonight.

And when the pizza delivery man came and I opened the door, it was a young petty officer who had been working all day in Mayport, and he is delivering pizzas at night so he will not have to go on food stamps so he can feed his family.

Mr. MURTHA. Mr. Chairman, if the gentlewoman will yield, we have no problem with this amendment over here.

Mrs. FOWLER. I appreciate that. I am almost through. She asked me, because I told her I would bring this here, so I made a commitment to her. Her husband is flying with the Navy. She said what kind of country treats its soldiers so poorly they have to deliver pizzas to feed their families?

This is why I have the amendment here tonight. I appreciate both sides accepting it. And I know we can work tonight to send a message to these young men and women that we will provide for them.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Mrs. FOWLER).

The amendment was agreed to.

Are there further amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

**TITLE III**

**NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS**

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $2,000,000, to remain available until September 30, 2001: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Animal and Plant Health Inspection Service Salaries and Expenses'', $7,140,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $77,560,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as

an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

EMERGENCY CONSERVATION PROGRAM

Unobligated balances previously provided under this heading may be used to repair and reconstruct essential farm structures and equipment that have been damaged or destroyed, after a finding by the Secretary of Agriculture that: (1) the damage or destruction is the result of a natural disaster declared by the Secretary or the President for losses due to Hurricanes Dennis, Floyd, or Irene; and (2) insurance against the damage or destruction was not available to the grantee or the grantee lacked the financial resources to obtain the insurance: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CORPORATIONS

FEDERAL CROP INSURANCE CORPORATION FUND

For an additional amount for the Federal Crop Insurance Corporation Fund, up to $13,000,000, to provide premium discounts to purchasers of crop insurance reinsured by the Corporation (except for catastrophic risk protection coverage), as authorized under section 1102(g)(2) of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 1999 (Public Law 105–277): *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

COMMODITY CREDIT CORPORATION FUND

The Secretary of Agriculture shall reduce the amount of any principal due on a loan made by the Department to a marketing association for the 1999 crop of an agricultural commodity by up to 75 percent if the marketing association suffered losses to the agricultural commodity in a county with respect to which a natural disaster was declared by the Secretary or the President for losses due to Hurricanes Dennis, Floyd, or Irene.

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in the preceding paragraph that is below the base quality of the agricultural commodity, and the reduction in grade quality is the result of damage sustained from Hurricanes Dennis, Floyd, or Irene, the Secretary shall compensate the association for losses incurred by the association as a result of the reduction in grade quality.

Up to $81,000,000 of the resources of the Commodity Credit Corporation may be used for the cost of this provision: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

RURAL COMMUNITY ADVANCEMENT PROGRAM

For the additional cost of water and waste grants, as authorized by 7 U.S.C. 1926(a)(2), to meet the needs resulting from natural disasters, $28,000,000 to remain available until expended; and for an additional amount for community facilities grants pursuant to section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(1)) for emergency needs, $15,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For the additional cost of direct loans, as authorized by title V of the Housing Act of 1949, $15,872,000 from the Rural Housing Insurance Fund for section 515 rental housing, to remain available until expended, to address emergency needs resulting from Hurricanes Dennis, Floyd, or Irene: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans estimated to be $40,000,000: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949 to be available from funds in the rural housing insurance fund to meet the needs resulting from natural disasters, as follows: $296,000,000 for loans to section 502 borrowers, as determined by the Secretary and $13,000,000 for section 504 housing repair loans.

For the additional cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to meet the needs resulting from natural disasters, to remain available until expended, as follows: section 502 loans, $25,000,000 and section 504 loans, $4,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RENTAL ASSISTANCE PROGRAM

For an additional amount for ''Rental Assistance Program'' for rental assistance agreements entered into or renewed pursuant to section 521(a)(2) of the Housing Act of 1949, for emergency needs resulting from Hurricanes Dennis, Floyd, or Irene, $13,600,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), to meet the needs resulting from natural disasters, $6,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, as authorized by 42 U.S.C. 1474, to meet the needs resulting from natural disasters, $8,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

FARM LABOR PROGRAM ACCOUNT

For grants to assist low-income migrant and seasonal farm workers, as authorized by 42 U.S.C. 5177a, to meet the needs resulting from natural disasters, $5,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

LOANS PROGRAMS ACCOUNT

For the additional cost (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of direct loans under section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), $1,021,000, to remain available until September 30, 2001, to enable financing of the purchase of a utility by a nonprofit cooperative to address the high cost of electric power in the service area attributable in part to a hurricane disaster: *Provided,* That the amount made available under this heading shall be made available to subsidize gross obligations for the principal amount of direct loans estimated to be $113,250,000: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act.

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

For an additional amount for the ''Foreign Agricultural Service and General Sales Manager'', $2,000,000, to remain available until September 30, 2001: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

BUILDINGS AND FACILITIES

For an additional amount for ''Buildings and Facilities'', $20,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3101. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional $35,000,000 shall be provided through the Commodity Credit Corporation in fiscal year 2000 for technical assistance activities performed by any agency of the Department of Agriculture in carrying out the Conservation Reserve Program or the Wetlands Reserve Program funded by the Commodity Credit Corporation: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 3102. The Act of August 19, 1958 (7 U.S.C. 1431 note) is amended—

(1) by striking ''clause (3) or (4) of'' the first place it appears and inserting ''the Food for Progress Act of 1985,'';

(2) by striking ''clause (3) or (4) of such'' and inserting ''the Food for Progress Act of 1985, such''; and

(3) by striking ''to the President''.

SEC. 3103. Notwithstanding any other provision of law (including the Federal Grants and Cooperative Agreements Act), the Secretary of Agriculture shall use not more than $40,000,000 of Commodity Credit Corporation funds, to remain available until expended, for a cooperative program with the State of Florida to replace commercial trees removed to control citrus canker and to compensate for lost production: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 3104. Notwithstanding any other provision of law, the area bounded by West 197th Avenue, North S.W. 232nd Street, East U.S. Highway 1 and S.W. 360th Street in Dade County, Florida, shall continue to be eligible to receive business and industry guaranteed loans under section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) until such time that population data is available from the 2000 decennial census: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided, further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

AMENDMENT OFFERED BY MRS. CLAYTON

Mrs. CLAYTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. CLAYTON: Page 48 after line 18 insert the following section:

SEC. _____ Of the funds available for Emergency Watershed Protection activities in the State of North Carolina, $1,000,000 shall be available to the Secretary of Agriculture, acting through the Natural Resources Conservation Service, to provide technical and financial assistance for implementation of the project known as the ''Flood Water Mitigation and Stream Restoration Project—Pinceville, North Carolina''.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Mrs. CLAYTON. Mr. Chairman, I understand there is a point of order to be reserved, but I want to speak on the amendment.

This amendment does not cost any money. It merely provides authority to NRCS where such authority does not now exist. The amendment is on behalf of a one-time only project for Princeville, North Carolina.

Mr. Chairman, as my colleagues know, Princeville is a small town in eastern North Carolina that was totally destroyed by the flooding from Hurricane Floyd. Nearly every home, every business, every school, every church was completely destroyed in Princeville.

This amendment will allow NRCS to clear internal drainage within the town. Both the Corps of Engineers and the National Fish and Wildlife Agency agree that this project is needed.

The NRCS State conservationist has the money to do this project within the current budget. The authority to do the project, however, is not present. This amendment provides that authority. It will not require any new monies.

I urge the support, obviously, of this amendment, realizing there is a point of order being reserved.

Mr. Chairman, I yield to the gentleman from New Mexico (Chairman SKEEN) of the subcommittee to speak on the amendment.

Mr. SKEEN. Mr. Chairman, as I told the gentlewoman from North Carolina (Mrs. CLAYTON) earlier this evening, I appreciate the problem that she has, and we would like to work with her and see if we can remedy her problem.

Mrs. CLAYTON. Mr. Chairman, I ask that the gentleman from New Mexico will work with me in the conference to see that we can get the provision consistent.

Mr. SKEEN. We will go the whole gamut with the gentlewoman from North Carolina, Mr. Chairman.

Mrs. CLAYTON. The whole gamut. In other words, Mr. Chairman, we will get the drainage that is needed for Princeville.

Mr. SKEEN. Mr. Chairman, the gentlewoman from North Carolina is a lucky lady.

Mrs. CLAYTON. Mr. Chairman, that is all I wanted to ask.

Mr. Chairman, I do want to conclude my remarks by thanking both sides of the aisle for working with us for eastern North Carolina and other States that are flooded.

I also want to recognize that there are parts of this bill that I may have problems with, but the devastation that many of the citizens who suffered, not just in my State, but throughout the East Coast, the citizens will be thankful to those of us who understood that we, as America, are best when we respond to citizens when they are at their lowest.

So I want to kind of praise everybody that this is at least one good part of the bill that we ought to celebrate. I want to thank both sides for working with me.

Mr. Chairman, I ask unanimous consent to withdraw my amendment, with the understanding that the gentleman from New Mexico (Mr. SKEEN) will work with me to achieve our goals.

The CHAIRMAN. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

□ 2130

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

On page 48 after line 18, insert the following new section:

**SEC. _____. Equity Loans and Grants for Farmer-Owned Cooperatives.**

The Secretary of Agriculture shall use not more than $130,000,000 of the funds of the Commodity Credit Corporation, to remain available until expended, for grants and loans for equity capital to establish farmer-owned cooperatives composed of small and medium sized producers for the processing

and marketing of agricultural commodities (including livestock). The Secretary shall establish reasonable limits on the amount of any individual loan or grant so as to maximize the total number of awards that may be made: *Provided*. That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Ms. KAPTUR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) reserves a point of order.

The gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes on her amendment.

Ms. KAPTUR. Mr. Chairman, I want to explain this amendment so everyone is aware of what we are proposing here.

First of all, I do not think it is a surprise to say to anyone in this chamber tonight that rural America and farmers are experiencing the lowest prices in modern history, in all sectors, and this particular supplemental bill is the only opportunity we have to try to offer greater assistance to those small- and medium-sized enterprises that this year, not the 2001 appropriation, but this year, in the year of 2000, need assistance in trying to reposition themselves for the marketplace.

This amendment essentially provides $130 million of funds, makes them available, through the Commodity Credit Corporation essentially as an emergency. And because it is the Commodity Credit Corporation, those dollars do not flow through the appropriations process. It makes up to that amount, $130 million, available to farmers and farmer-owned cooperatives for feasibility studies to reposition their businesses, business development strategies, restructuring of their own individual operations into cooperative operations to try to meet the market that is out there, as well as the processing and marketing of those commodities to try to get them to the market.

Now this is different from the language that we offered in full committee the other day. We have done a lot of consultation with the department. We have changed the language a little bit to include both equity capital and loans. We have put a ceiling on the amount of funds that any one enterprise could get at $10 million, up to that amount out of the $30 million. We have worked with the American Meat Institute to address many of the concerns that they had about the original language. We have made this much more specific.

I also wanted to say that this particular amendment is better than the kind of bills this Congress has been passing to try to plug holes in the dike of Freedom to Farm. We have literally appropriated billions of dollars to producers across this country and, as everyone knows, the formula is not based on what people produce or may have lost this year because of bad weather or low prices, the formula is based on something that is 6 years old, that has no relationship to what has actually been done in the field or on the ranch in any given year.

So those AMTA payments are going out in a very inequitable way. And many sectors of rural America, vegetable and fruit producers, certainly those involved in the sugar beet industry, citrus, livestock, any sector that is not row crop, have been deeply hurt and not aided through the AMTA system. This measure would give some hope to those farmers. And I have met many of them. They have come to my office. And God bless them, because, as they are losing everything they have worked for, all they are asking for is the ability to reposition, try to combine together in co-ops to try to survive.

Now, this Congress ought to listen to them. These are people who are feeding our country and literally feeding the world and they are losing everything that they have worked for. It seems to me that we actually have a marvelous opportunity here in this year of 2000. Many of these people cannot hang on until 2001 when our other bill comes through this Congress. Hopefully, it will.

So if we think about the AMTA payment scheme in our country today, five districts got 20 percent of the money that went out under the last financing that was done last year. And so many large operators got huge amounts of money. I had people in the Midwest come up to me and say that they really felt guilty because so-and-so up the street, who was a small- and medium-sized farmer, was going under, and they got payments when they did not even produce a crop. So even the farmers in America know what is going on out there.

The credit systems in these communities are extremely fragile. All I am asking for is the ability to provide a line of credit to these farmers who deserve our attention here in the Congress of the United States. So I would really ask the cooperation of the majority in this effort in this emergency bill. There is no greater emergency than what is going on in rural America today.

I am asking for support to try to find a way to work this measure in this Congress as a part of the supplemental bill as it moves through. I would ask for that consideration.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Florida (Mr. YOUNG) wish to make his point of order?

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 rule XXI.

The rule States, in pertinent part, ''An amendment to a general appropriations bill shall not be in order if changing existing law.''

The CHAIRMAN. Does the gentlewoman from Ohio (Ms. KAPTUR) wish to be heard on the point of order?

Ms. KAPTUR. I do. Mr. Chairman, I know the gentleman from Florida (Mr. YOUNG) has tried to be understanding in prior years in the measures that we have brought forward. So in the spirit of that, I would hope that during the conference committee that the gentleman would give consideration to working with our subcommittee to see if we cannot find a way to incorporate the spirit of this in some of what is done.

I would humbly withdraw this amendment this evening knowing full well that the farmers of America deserve a better turn than we are giving them tonight.

The CHAIRMAN. Does the gentleman from Florida wish to be heard further?

Mr. YOUNG of Florida. Mr. Chairman, I would simply say to the gentlewoman that we will always be willing to work with her to try to accomplish what she wishes to accomplish.

Mr. Chairman, I thank the gentleman, and ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The CHAIRMAN. The amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) is withdrawn.

Mr. HINCHEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have just been reminded once again by the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations, that the people who live and work in rural America, who own and work on the farms and ranches of our country, are in deep trouble. That trouble has been visited upon them as a result of acts both natural and man made.

First of all, we have seen serious drought sweep across vast sections of the country. Following that, large sections were hit with hurricanes. Hurricane Floyd, for example, did an enormous amount of damage. All this follows upon the devastating impacts of the Freedom to Farm Act which was enacted by this Congress in 1996, which in and of itself has done extraordinary

damage to people on the farm and ranchers all across America.

Yesterday, I went before the Committee on Rules and asked that we have an amendment made in order which would address an important part of this problem. This Congress has done much to help the farmers of the traditional row crops. We have, in fact, appropriated billions of dollars in the last several years to deal with agricultural disaster affecting these five traditional row crops. However, we have pointedly ignored the producers of specialty crops. And what I mean by specialty crops, of course, are the producers of fruit, apples, pears, orchards of various kinds, as well as vegetable growers, peanut growers, and other specialty crops, which have been hard hit both by these natural and man-made disasters.

I ask the Committee on Rules to make in order an amendment which would allow $150 million in disaster assistance for the farmers who produce these row crops and whose incomes have been so devastatedly impacted as a result of these natural and man-made disasters. Unfortunately, the Committee on Rules saw fit not to make that amendment in order. So I am taking this opportunity to bring this issue before the Members of the House and, particularly, once again, to my dear friend and colleague, the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies in the Committee on Appropriations.

The gentleman from New Mexico (Mr. SKEEN) has been gracious enough to allow me to consult with him on this issue and to bring it to his attention. We have had several discussions about it. And he has assured me of his deep concern and interest in this issue. I hope that together we can find a way to provide the relief that is so desperately needed by the agriculture community, particularly the growers of these row crops.

I am putting my faith in the chairman of my subcommittee and the other Members of this House, and the people who grow these crops all across our country, in the Northeast and Florida, in the South, and in the far West, also are putting their faith in the chairman of our subcommittee and the Members of this House. They need relief. They need it desperately, and they need it now. This is, in fact, a disaster, and we have a responsibility to come to their aid.

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. HINCHEY. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I think the gentleman explained it very well. We are here to help, and we are going to do it. We are going to do whatever is possible in this thing to try to make it work.

We appreciate the gentleman's interest, and the gentleman certainly has mine and also, I think, the chairman of the full committee. I want to thank the gentleman for the backup that he has given me and the rest of our committee. He is a great member of the committee. I appreciate it.

Mr. HINCHEY. Mr. Chairman, reclaiming my time, I thank both gentlemen very, very much.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 2

Mr. WU. Mr. Chairman, I move to strike the last word.

Mr. Chairman, last night we appeared before the Committee on Rules in order to attempt to make a bipartisan common sense approach in order due to a real emergency and a real disaster. The emergency aid involves West Coast fishermen and owners of small fishing boats.

This is a real emergency caused by a precipitous decline in fish population and bad Federal policy. It affects the entire West Coast. Simply put, there are too many fishing boats, too few fish, and too many Federal fishing restrictions based on spotty data. This bipartisan common sense amendment offered by myself, the gentleman from Oregon (Mr. WALDEN), the gentlewoman from California (Mrs. CAPPS), and the gentleman from California (Mr. KUYKENDALL), two Democrats and two Republicans, would have addressed these challenges by bringing better science and better fish counting to the problem, a boat buy-back program and financial aid to affected families.

This common sense bipartisan amendment was not made in order, and I would inquire of the chairman on behalf of myself and the gentlewoman from California (Mrs. CAPPS) about the prospects of providing assistance to the hard-hit West Coast fishing industry when this bill is conferenced with the Senate. I understand that a number of issues not in the House bill may be considered at that conference, and I would like to know whether the chairman would consider at that time providing assistance for West Coast fisheries, which are dependent on ground fish.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. WU. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and I thank him for bringing this matter before the House.

I know there is a great concern on this issue, and I would appreciate any further information that the gentleman could develop as we go through the process on this supplemental. I can guaranty the gentleman that we will look very closely at the issue.

We understand the importance, we appreciate the work that the gentleman has done at this point, and we ask him to provide us with additional information so that we can make a proper judgment.

Mr. WU. Reclaiming my time, Mr. Chairman, I understand that there were monies in the appropriation bill last year for studies. The challenge that we face is a continuation of studies and a failure to act.

I appreciate the gentleman's offer to work with me on this issue. Do I have the chairman's assurance that this is an assurance to cooperate in action and not study alone?

Mr. YOUNG of Florida. If the gentleman will continue to yield, I can assure him that we will do the very best we can to do what is right.

Mr. WU. I thank the chairman.

□ 2145

Mr. ETHERIDGE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise this evening to urge my colleagues as we finish these amendments to support this appropriation bill that includes over $350 million for North Carolina's victims from Hurricane Floyd.

I thank the gentleman from Florida (Chairman YOUNG), the gentleman from Wisconsin (Mr. OBEY), and the members of the committee and the members of the administration, really, who worked together on this bill, to come up with a strong relief package for the victims of this devastating storm.

I know there are some Members of this House who are opposed to this bill because of the funds it is spending on various projects overseas. There are tens of thousands of North Carolinians and others along the East Coast who have been devastated economically, physically, and emotionally by this historic storm.

I sure would appreciate it if my colleagues would think about them when they cast their vote this evening or tomorrow. Think about the thousands of small businesses who will never open their doors again. Think about the widow or the widower who lost a life partner in the flood waters that ravaged our State. Think about the farmers, and we just heard about them, who are struggling to repair their fields, their barns, their equipment, and who are desperately hanging on hoping that they can get through this spring planting season. Think about the thousands of families who are in cramped travel trailers or who are sharing quarters with relatives and desperately need to have a place that they can call home. Think about children who are traveling on roads every day that need to be repaired.

I urge my colleagues to think about these things and ask themselves this question: How would I cast my vote if these were my neighbors? Regardless of what else they may have against what is in this bill. Think about that before they cast their vote. Think about the Americans that we all represent.

Mr. Chairman, I urge my colleagues to support this legislation.

Mr. SHAYS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to make a brief statement and then enter into a colloquy with the gentleman from New

Mexico (Mr. SKEEN) and the gentlewoman from Connecticut (Ms. DELAURO).

In 1999, we saw the nearly complete disappearance of lobsters in Western Long Island Sound and the destruction of our commercial lobster fishery. Many of the men and women who depend on this industry are faced with having to sell their boats, traps, and other equipment; and many of them will soon lose their homes, as well.

Commerce Secretary Daley has already declared the Sound a commercial beneficiary failure under the Magnuson-Stevens Act, paving the way for emergency supplemental funding.

According to the Connecticut Department of Environmental Protection, the State as a whole saw an 81 percent decline in pounds of lobster caught in the fall of 1999. The towns of Greenwich and the City of Stanford, the westernmost part of Connecticut, showed declines greater than 99 percent. This is not merely a bad year; it is a disappearance of a species. It is a disaster no one anticipated and, therefore, no one prepared for.

Researchers from Connecticut and New York, working with the National Oceanic and Atmospheric Administration, NOAA, have indicated a parasite is responsible for the die-off but have not been able to identify why the parasite is suddenly flourishing.

I am grateful the legislation being considered today includes $8.6 million for additional research and a revolving fund to help the lobstermen refinance their business obligations. The committee's recognition of this tragedy is important.

My colleague, the gentlewoman from Connecticut (Ms. DELAURO), and I rise today to address the critical need for aid to the individuals in communities directly affected by this unexplained disaster, like the citrus growers for whom the Committee on Appropriations has designated $40 million to compensate for lost production due to the unexpected breakout of citrus canker. The Long Island Sound lobstermen deserve our help.

Mr. Chairman, I yield to my colleague, the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I would like to associate myself with the remarks of my colleague, the gentleman from Connecticut (Mr. SHAYS), and ask my good chairman, the gentleman from New Mexico (Mr. SKEEN), a question.

The lobstermen in Connecticut have lost their crop. They lost their income. They are proud people. They cannot afford to maintain their equipment or to make payments on their boats. Their industry is disappearing. The Long Island Sound lobstermen are not asking for much. They are simply asking their government to help them through a hard time, which no one could have predicted. They want only enough to provide for their families and avoid having to sell their boats, in hope the fishery will recover and that they can return to the life that they know and that they love.

When the Committee on Appropriations considered this legislation, I offered an amendment with my colleague, the gentlewoman from New York (Mrs. LOWEY), to appropriate additional aid to the individuals affected. We withdrew our amendment in order to work more closely with the gentleman from New Mexico (Chairman SKEEN), who indicated that he would work with the Long Island Sound members as the supplemental appropriations process moves forward.

Mr. Chairman, our understanding is that, as this supplemental aid package moves forward, we will continue to assess the assistance given to Long Island Sound lobster fishery failure in order to ensure that the package includes sufficient aid for the Long Island Sound lobstermen and for their families.

Mr. Chairman, is that the understanding of the gentleman, as well?

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I appreciate the willingness of the gentleman from Connecticut (Mr. SHAYS) and of the gentlewoman from Connecticut (Ms. DELAURO) to have this discussion, and I equally appreciate their obvious concern for the welfare of the fishermen.

The assistance that they are seeking as a result of the massive lobster losses is commendable. However, there are numerous questions which must be answered before a resolution can be reached, not the least of which is the question of jurisdiction between the Department of Commerce and the Department of Agriculture and the Appropriations Subcommittee, which fund their budgets.

Accordingly, I look forward to discussing this issue further with the gentleman and the gentlewoman from Connecticut and hope that we will be able to arrive at some form of a workable decision. I thank the gentlewoman for her patience, and I thank her for the willingness to work it out.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to bring to the attention of my colleagues a current plight of nonprogram specialty crops in our country, and more specifically that of the onion and vegetable growers in my congressional district in Orange County, New York.

While it is clear that farmers throughout our Nation have experienced severe crop damage due to weather-related disasters during the 1999 growing season, I know of no other circumstances than the one that exists in the ''black dirt'' region of Orange County.

Onion and vegetable growers in that area have suffered devastating losses 3 out of the last 4 years, 1996, 1998, and now 1999, and now are more than ever in desperate need of meaningful assistance, assistance that the Department of Agriculture and the current crop insurance program has failed to offer.

The small sums which crop insurance and the USDA paid to these farmers due to their 1996 and 1998 crop losses has failed to provide anything close to minimal relief. If these growers receive a similarly insignificant indemnity, and regrettably there is no reason to believe otherwise, under 1999 losses, more families are going to lose their farms.

In fact, I was just informed today by a grower in our area that creditors are already beginning to deny additional loans for growers in the valley. Should this trend continue and force more families to lose their farms, the economy of our region will be adversely affected, individuals will be uprooted, and a traditional way of life will be jeopardized, and a segment of our national food supply will be further diminished.

This is the very upheaval which crop insurance and the USDA are designed to prevent. Yet for the growers in this region, the system has failed.

Accordingly, I am hopeful that the gentleman from Florida (Chairman YOUNG); the gentleman from New Mexico (Chairman SKEEN), the subcommittee chairman; and all the conferees will provide for the needs of all specialty crops in this supplemental measure and will remember the plight of our onion growers and vegetable growers in Orange County, New York.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have heard, as have all of us this evening, of vital concerns about our Nation's disasters or impending disasters. We have heard about farmers and fishermen and natural disasters. As we are speaking, in Ft. Worth, Texas, yet another disaster has occurred.

I rise not to offer anything other than what I hope is some measure of creativity that does not seem to come about in this glacial body.

Is there anything wrong with us having a 14th committee that would consist of the respective chairs of the committees of jurisdiction of this Congress and perhaps two or more members appointed by the Speaker and the minority leader that handle nothing more than disasters so that we can move in better fashion than we do?

It seems that we wait for people who are flooded out and people who are blown away, and we are here going back and forth and back and forth all the time without having a committee that can do this.

I just invite my colleagues to consider something different so that we can expedite the process. Disasters are going to continue to occur.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, a little over an hour ago, I announced that it was my intention to have our final votes of the

evening at approximately 10 o'clock. But we have used up nearly half an hour of that time in just motions to strike the last word.

So the approximately 10 o'clock will be a little bit beyond 10 o'clock, with our intention to go through the Kasich amendment this evening before the committee rises. I am hoping we can expedite and get that done. But we will continue to go until we complete the Kasich amendment, and then we will have the final votes for the evening.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for ''Economic Development Assistance Programs,'' $25,800,000, to remain available until expended, for planning, public works grants and revolving loan funds for communities affected by Hurricane Floyd and other recent hurricanes and disasters: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research and Facilities,'' $19,400,000, to remain available until expended, to provide disaster assistance pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation Management Act, and for repairs to the Beaufort Laboratory, resulting from Hurricane Floyd and other recent hurricanes and disasters: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, $33,300,000, to remain available until expended to subsidize additional gross obligations for the principal amount of direct loans: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; and for direct administrative expenses to carry out the disaster loan program, an additional $27,600,000, to remain available until expended, which may be transferred to and merged with appropriations for ''Salaries and Expenses'': *Provided further,* That no funds shall be transferred to and merged with appropriations for ''Salaries and Expenses'' for indirect administrative expenses: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount to conduct a study and report to the Congress on the feasibility of a project to provide flood damage reduction for the town of Princeville, North Carolina, $1,500,000, to remain available until expended: *Provided,* That the study of a flood damage reduction project may include any flood mitigation measures that the Secretary of the Army determines are necessary for areas that are affected by the project: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and maintenance, general'' for emergency expenses due to hurricanes and other natural disasters, $27,925,000, to remain available until expended: *Provided,* That of the total amount appropriated, the amount for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99–662 shall be derived from that Fund: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For an additional amount for ''Uranium enrichment decontamination and decommissioning fund'', $16,000,000, to be derived from the Fund, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ATOMIC ENERGY DEFENSE ACTIVITIES

OTHER DEFENSE ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Other defense activities'', $63,000,000, to remain available until expended, of which $4,000,000 shall be derived by transfer from unobligated balances in the ''Biomass energy development'' account: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the Department is authorized to initiate design of the Highly Enriched Uranium Blend Down Project.

AMENDMENT OFFERED BY MS. KILPATRICK

Ms. KILPATRICK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. KILPATRICK:

Page 53, after line 5, add the following:

**CHAPTER 3A—BILATERAL ECONOMIC ASSISTANCE**

AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

For an additional amount for ''Child Survival and Disease Programs Fund'', $20,000,000, to remain available until expended, for flood recovery efforts in the Republic of Mozambique and surrounding affected countries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that at an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $20,000,000, to remain available until expended, for flood recovery efforts in the Republic of Mozambique and surrounding affected countries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that at an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $20,000,000, to remain available until expended, for flood recovery efforts in the Republic of Mozambique and surrounding affected countries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that at an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Ms. KILPATRICK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) reserves a point of order on the amendment.

Ms. KILPATRICK. Mr. Chairman, a little over a month ago, there was a cyclone that hit Mozambique. There has been much discussion about that all day long, so I will not go into the details of that.

A little more than 3 weeks ago, our Subcommittee on Appropriations and the full committee brought forward this supplemental that we have been debating all day. In that supplemental and in the committee, as the discussion went on, I offered an amendment for $60 million, $20 million to go in the Child Survival Account, $20 million to go into the Development Assistance Account, and $20 million to go into International Disaster Relief to replenish the accounts that I was hoping that

we could take out that day and appeal to my colleagues today, as we have 3 weeks later, to go forward to Mozambique to address the tragedies that are there, with over a million people homeless, over 50,000 children orphaned, water contaminated, mines floating.

At that time, in the Committee on Appropriations, I withdrew that amendment because the chairman of our Committee on Appropriations, the gentleman from Florida (Chairman YOUNG), and the chairman of the subcommittee, the gentleman from Alabama (Chairman CALLAHAN), made the commitment that they would work with us after the assessment is finished.

I understand that assessment should be finished on Friday, Mr. Chairman, or thereabouts; that the President and his advisors will be giving it to the gentleman from Alabama (Chairman CALLAHAN) and presenting our case to my colleagues.

It is important. With his commitment, I appreciate that. I appreciate the work that he has done in the committee, both the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Florida (Chairman YOUNG) and working with us as we address the Mozambique crisis.

□ 2200

The appropriations process will continue as the gentleman knows as we finish this supplemental process. I hope that after the assessment has been made, I understand that will be Friday, that they will report to the gentleman and that they will make the commitment and we carry out on the commitment that we have made in appropriations under the gentleman's leadership and with the leadership of the gentleman from Florida (Mr. YOUNG) to make sure that we assist in Mozambique. I appreciate the report language that both of the chairs as well as our full committee adopted in our supplemental appropriation which is in the bill today.

Mr. Chairman, as we move to the assessment and its completion, as we replenish the accounts and I know that we will as the supplemental moves through the process, that we do what is proper and what is right for Mozambique.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. KILPATRICK. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, let me first of all compliment the gentlewoman from Michigan. She certainly has been the front mover of trying to bring to the attention of the Congress and to the country the needs of Mozambique, and certainly they deserve immediate attention by those of us in Congress that are responsible for providing the funds to the administration. I support her movement. I compliment her on that. But let me point out that so far we have already spent $17 million through USAID plus $21 million in DOD activities in Mozambique. They need more. It is my understanding that the gentlewoman is going to ask the administration to submit a supplemental to the supplemental requesting emergency assistance for Mozambique, and if indeed the administration does that, we will address it in conference.

Ms. KILPATRICK. I thank the gentleman. It is my understanding the administration will be sending that information forward. With that, Mr. Chairman, and the gentleman's support as well as the support of the gentleman from Florida (Mr. YOUNG), I will withdraw this amendment and continue to work with the gentleman.

The CHAIRMAN. Without objection, the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 4

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $100,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $5,000,000, to remain available until expended, to repair or replace buildings, equipment, roads, and water control structures damaged by natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $4,000,000, to remain available until expended, to repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $1,800,000, to remain available until expended, to repair or replace stream monitoring equipment and associated facilities damaged by natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $150,000,000, to remain available until expended, for emergency rehabilitation, presuppression, and wildfire suppression: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

AMENDMENT OFFERED BY MR. BLAGOJEVICH

Mr. BLAGOJEVICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAGOJEVICH:

Page 55, after line 19, insert the following:

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ''Training and Employment Services'' for youth activities under the Workforce Investment Act of 1998, $500,000,000: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirements as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

Mr. BLAGOJEVICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Mr. BLAGOJEVICH. Mr. Chairman, my amendment would add $500 million to this bill for summer jobs. Many communities across our country are facing a funding crisis for their summer jobs programs. We live in a time, Mr. Chairman, of game show millionaires and Internet IPOs. I think sometimes we fail to recognize and overlook that the old-fashioned recipe for success really boils down to hard work. A recently released study shows that a student who gets a job early in life can expect to increase his or her future earnings by up to 10 to 12 percent. That is contrasted for a student who goes to an elite school. The study indicates that student would only increase his or her chances for future economic success by 1 percent. The summer jobs program was designed to help kids learn early in life the value of hard

work and to give them an opportunity to get the work experience they need to thrive in the American economy. To a young person, a summer job is not just about wages to help his or her family for the summer. More importantly, a summer job is about learning a work ethic that he or she can take with him or her throughout their lifetimes. But the looming summer jobs crisis threatens to derail the summer youth employment programs of towns and cities all across America.

I will in a moment withdraw this amendment, but I would first ask the gentleman from Florida (Mr. YOUNG) if it is possible to address this issue in conference.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. BLAGOJEVICH. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I understand the concerns of the gentleman from Illinois. While I cannot make any promises, I will bring this concern to the attention of the conferees.

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

Mr. BLAGOJEVICH. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me simply say, I also am familiar with the problem. I certainly will also bring it to the attention of the conferees.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BLAGOJEVICH. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank the gentleman for yielding. I certainly want to thank the gentleman for his amendment. I was hoping that the chairman might be willing to make a further commitment to us in his instructions to the conferees to certainly consider the summer jobs program. As the calendar continues to tick, certainly this issue is becoming a pressing issue for those of us who live in inner cities across the country. So while it may be discussed with the conferees, if in fact it is not addressed in this particular bill, could the gentleman be kind enough to be a little bit more specific about what the appropriate measure is for those of us on the committee who will be willing to advance this?

Mr. YOUNG of Florida. If the gentleman will yield further, I will be specific to this point, that yesterday morning the committee received a request from the administration to add $40 million for this effort. That was just too late. You just cannot send an amendment to your supplemental that late in the game. So the best that I can offer is that we will do our very best to deal with the subject when we go to conference with the other body. We basically support the program, but the Committee on Appropriations, as the gentleman knows because he is a valued member of that committee, tries to be thorough, and we try to understand exactly what it is that we are doing. That is the approach we will bring to the conference on this subject.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BLAGOJEVICH. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding. I understand the difficulty of trying to come up with an amendment for $40 million at the last minute, but we did earlier today adopt an amendment for $4 billion for the Pentagon which if my arithmetic is right is about 100 times as much. So if we could put an amendment together for $4 billion for the Pentagon after the bill came out and we cannot do $40 million for this program, I think that says a lot of unfortunate things about our priorities.

Mr. BLAGOJEVICH. Mr. Chairman, let me just close by thanking the gentleman from Florida. I know when he does his best and I am a supplicant, so he can take this with a grain of salt, but I know when he does his best, that means an awful lot. I want to thank him for his effort and interest in looking at this. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Illinois (Mr. BLAGOJEVICH) is withdrawn.

There was no objection.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in lieu of the discussion that has just taken place, summer jobs are as critical for young people in cities like Chicago and other economically challenged communities throughout the country as one could possibly imagine. While the city of Chicago is making every effort under the leadership of its mayor to go into the private sector and convince members of the private sector to provide work opportunities for these young people, we know that we are not going to be able to get enough. There is no greater need that we have during the critical summer period than the opportunity for young people, 14, 15, 16 years old to have a chance to work, to be engaged, to be productive, to be involved, to provide not only hope but help for themselves, for their families and for their communities. And so I would certainly hope that when we come to conference and when all of the I's are dotted and the T's are crossed that we will have found a way to make sure that adequate resources are put into this very valuable and critical component for the needs of our young people.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 5

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for ''Low Income Home Energy Assistance'' for emergency assistance under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), $600,000,000: *Provided,* That such amount is hereby designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That such amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget And Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

AMENDMENT OFFERED BY MR. CARDIN

Mr. CARDIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARDIN:

Page 56, after line 12, insert the following:

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The limitation on administrative expenses under this heading in the Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is increased by an additional $336,000,000: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

Mr. CARDIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. CARDIN. Mr. Chairman, this amendment would increase Social Security's limitation on administrative expenses for fiscal year 2000 by $336 million, bringing it to the level requested by the Social Security Commissioner. Quite simply this funding is necessary if SSA is to maintain vital services that are being threatened by the agency's inadequate administrative budget.

Mr. Chairman, I might point out that the Subcommittee on Social Security of the Committee on Ways and Means recently held a hearing when the Commissioner was there and some of the concerns on the administrative budget was expressed at that hearing.

Every day over 100,000 individuals visit SSA's field offices and over 240,000 individuals call SSA's 800 number. Every month SSA pays benefits to approximately 50 million individuals. In this coming year it expects to issue 16 million new and replacement Social Security cards and take more than 5 million new claims for benefits. Last year, Social Security also began sending benefit statements to workers over

the age of 25, enabling 126 million American workers to better plan their financial future. There is just no way around it. Providing efficient service on this vast scale takes more than good management, it takes resources. Yet Congress has funded SSA's administrative budget below levels requested by the President and by the Social Security Commissioner every year since the agency became independent in 1994. Despite these funding constraints, the Social Security Administration last year received an overall grade of A on the Government Performance Project's report card and 88 percent of SSA's customers rate the agency's service as being excellent, very good, or good. SSA's administrative budget represents less than 2 percent of the value of the benefits it provides each year and the OASI program enjoys a payment accuracy of over 99 percent.

SSA has a history of a solid and reliable customer service and this must be maintained. Yet over the next decade the number of OASI beneficiaries will increase by 16 percent and the number of DI beneficiaries by 47 percent. At the same time the agency estimates that almost 3 percent of its workforce will retire in 2001 and that these losses will continue and peak around 2009. SSA must be prepared now for both the expected spike in its workload due to the baby boomers' retirement and the retirement of its own aging workforce.

These challenges are already placing an unprecedented strain on SSA as the agency tries to prepare for the future using a persistently underfunded administrative budget. SSA's workforce has declined by 26 percent between 1982 and 1998, much more quickly than the rest of the Federal workforce. At the same time it is trying to flatten its retirement wave by offering early retirement to some employees while hiring and training new individuals to ensure an adequate supply of trained personnel within the next several years.

For fiscal year 2000, Congress provided $6.57 billion for SSA's administrative budget, a level $336 million below the Commissioner's request. As a result, SSA will process a quarter of a million fewer disability, retirement and survivors claims than projected and will be unable to conduct over 200,000 SSI redeterminations. In addition, the agency projects declines in its telephone service.

Congress is simply not providing SSA with the resources necessary to prepare for the future. We expect SSA to develop service delivery plans, to provide timely and accurate benefits to the elderly and disabled, to use current information technology and to maintain the integrity of its program. But for SSA to continue meeting these expectations this year and in future years Congress must provide the agency with necessary administrative resources.

That is why my amendment is necessary and should be included in this bill. These funds do not come out of the general fund but rather are financed almost entirely out of the OASDI trust funds. At a time when the trust funds are running surpluses it makes little sense to restrict Social Security's ability to administer its own programs. Without this increase, your district offices will begin to receive calls from constituents whose expectation of SSA customers are out of step with the levels of service Congress is supporting through the LAE allocation.

Mr. Chairman, the programs administered by the SSA touch the lives of almost every American. I understand that the chairman of the Committee on Appropriations has raised a point of order and the amendment is subject to a point of order. But I would hope during the appropriation process this year, we would be mindful of the need of SSA to have adequate administrative resources in order to carry out this increased responsibility. I know that the chairman has been sensitive to this in the past.

I would be glad to yield to the chairman, but I will withdraw the amendment.

Mr. YOUNG of Florida. If the gentleman withdraws the amendment, then I will not be required to raise the point of order.

Mr. CARDIN. I will be glad to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Maryland (Mr. CARDIN) is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 6

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating expenses'', $37,000,000, to remain available until September 30, 2001: *Provided,* That $18,000,000 shall be available only for costs related to the delivery of health care to Coast Guard personnel, retirees, and their dependents, and $19,000,000 shall be available only for aircraft spare parts: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

For an additional amount for the Emergency Relief Program for emergency expenses resulting from floods and other natural disasters, as authorized by 23 U.S.C. 125, $600,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For an additional amount for ''Salaries and expenses,'' $24,739,000, for emergency expenses associated with the investigation of the Egypt Air 990 and Alaska Air 261 accidents, to remain available until expended: *Provided,* That such funds shall be available for wreckage location and recovery, facilities, technical support, testing, and wreckage mock-up: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3601. None of the funds provided in the Transportation and Related Agencies Appropriations Act, 2000, shall be available for operation of the transportation computer center.

SEC. 3602. The Executive Draft on Federal Transportation in the National Capital Region which has been submitted to the Office of Management and Budget by the Secretary of Transportation shall take effect on the date of enactment of this Act: *Provided,* That, not later than 60 days after the date of enactment of the Act, the Secretary of Transportation shall transmit to the Congress a report on the implementation of Executive Draft referred to in the preceding proviso.

□ 2215

POINT OF ORDER

Mr. DUNCAN. Mr. Chairman, I make a point of order against section 3602 of the bill on page 58, lines 9 through 17.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DUNCAN. Mr. Chairman, on behalf of the gentleman from Pennsylvania (Mr. SHUSTER) and the Committee on Transportation and Infrastructure, I raise a point of order against section 3602 of the bill on page 58, lines 9 through 17, on the grounds that it constitutes legislation on an appropriations bill in violation of clause 2 of Rule XXI of the Rules of the House of Representatives.

Section 3602 of the bill provides that the executive draft on Federal transportation in the National Capital Region has been submitted to the Office of Management and Budget and shall take effect on the date of the enactment of this bill. The section further provides that within 60 days of enactment, the Secretary of Transportation shall transmit to Congress a report on implementation of the executive draft.

This provision would enact into law a policy that Congress has not reviewed; a policy, in fact, that is still in the process of being written by the administration. Although the latest version of the draft Executive Order referenced in section 3602 has not been made available, we understand that it sets forth a variety of requirements for Federal agencies in the National Capital Region in an effort to reduce the number of employees who drive alone to work.

We understand that the draft Executive Order would require Federal agencies to develop and implement transportation management plans designed to reduce vehicle miles traveled by Federal employees, and various other requirements.

In addition, the draft Executive Order would apparently require all

agencies in the National Capital Region to provide maximum tax-free transit benefits to all employees. This transit benefit alone, Mr. Chairman, is estimated to cost $60 million to $80 million each year for this region and would ultimately be extended to other regions across the country and be even more costly. The cost of complete implementation of the policies set forth in the draft Executive Order may be far greater.

While some of these requirements may have merit, they are, nevertheless, significant policy changes. Not only have no congressional hearings been held on the draft Executive Order, its contents have not even been made known to Congress. Costly and significant policy changes such as these should be subjected to the normal congressional authorization and review process, not approved sight unseen.

Mr. Chairman, clause 2 of Rule XXI of the Rules of the House of Representatives prohibits the reporting of a provision changing existing law in a general appropriations bill, including a supplemental appropriations bill, such as we are dealing with here tonight. In other words, this rule prohibits legislation on an appropriations bill.

For the reasons stated previously, section 3602 of this bill on page 58, lines 9 through 17, constitutes legislation on an appropriations bill in violation of clause 2 of Rule XXI.

Mr. Chairman, I have to insist on my point of order.

The CHAIRMAN. Does the gentleman from Virginia (Mr. WOLF) wish to be heard on the point of order?

Mr. WOLF. Yes, Mr. Chairman, if I may.

Mr. Chairman, in the interest of time, I am not going to go into detail. This was the language that would have allowed people to telework; it would have taken a lot of traffic off of streets. It also would have encouraged car-pooling and done a lot of other things. But in light of the objection that has been made, we will not appeal the point of order.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Tennessee makes a point of order that section 3602 of the bill changes existing law in violation of clause 2(b) of Rule XXI.

The provision mandates that the Executive Draft on Federal transportation in the National Capital Region take effect on the date of enactment of the act. The provision also requires the Secretary of Transportation to transmit a report on implementation of the Executive Draft.

As stated in section 1055 of the House Rules and Manual, a proposition to impose a duty on an executive official is legislation and not in order under clause 2 of Rule XXI.

Accordingly, the point of order is sustained, and section 3602 is stricken.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that the remainder of title III be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill from page 58, line 18 through page 64, line 6 is as follows:

CHAPTER 7

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

HOME INVESTMENT PARTNERSHIPS PROGRAM

For an additional amount for the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), as amended, $36,000,000: *Provided,* That of said amount, $11,000,000 shall be provided to the New Jersey Department of Community Affairs and $25,000,000 shall be provided to the North Carolina Housing Finance Agency for the purpose of providing temporary assistance in obtaining rental housing, and for construction of affordable replacement housing: *Provided further,* That assistance provided under this paragraph shall be for very low-income families displaced by flooding caused by Hurricane Floyd and surrounding events: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

ADMINISTRATIVE PROVISION

SEC. 3701. (a) Subject to subsection (d) and notwithstanding any other provision of law, from any amounts made available for assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) that remain unobligated, the Secretary of Housing and Urban Development shall, for each request described in subsection (b), make a 1-year grant to the entity making the request in the amount under subsection (c).

(b) A request described in this subsection is a request for a grant under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq.) for permanent housing for homeless persons with disabilities or subtitle F of such title (42 U.S.C. 11403 et seq.) that—

(1) was submitted in accordance with the eligibility requirements established by the Secretary and pursuant to the notice of funding availability for fiscal year 1999 covering such programs, but was not approved;

(2) was made by an entity that received such a grant pursuant to the notice of funding availability for a previous fiscal year; and

(3) requested renewal of funding made under such previous grant for use for eligible activities because funding under such previous grant expires during calendar year 2000.

(c) the amount under this subsection is the amount necessary, as determined by the Secretary, to renew funding for the eligible activities under the grant request for a period of only 1 year, taking into consideration the amount of funding requested for the first year of funding under the grant request.

(d) The entire amount for grants under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The entire amount for grants under this section shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an increase in the authority to use unobligated balances specified under this heading in appendix E, title I, chapter 2, of Public Law 106–113, in addition to other amounts made available, up to an additional $77,400,000 may be used by the Director of the Federal Emergency Management Agency for the purposes included in said chapter: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For an additional amount for ''Human Space Flight'' to provide for urgent upgrades to the space shuttle fleet, $25,800,000, to remain available until September 30, 2001: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For an additional amount for ''Science, aeronautics and technology to provide for urgent and unanticipated program needs, $29,000,000, to remain available until September 30, 2001: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

MISSION SUPPORT

For an additional amount for ''Mission Support'' to provide for urgent augmentation of personnel required to support the space shuttle program, $20,200,000, to remain available until September 30, 2001: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced

Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

The CHAIRMAN. Are there further amendments to title III?

Mr. GIBBONS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the distinguished chairman of the Subcommittee on the Interior of the Committee on Appropriations in a colloquy.

Mr. Chairman, I thank the gentleman for fully funding the administration's request in the area of Wildland Fire Management. This is an issue that is of very great importance to rural Nevada and other States in the Great Basin.

The gentleman's bill provides $100 million for wildland fire management on Bureau of Land Management lands and $150 million for lands managed by the U.S. Forest Service. These funds are critical to suppress wildfires and rehabilitate public lands that have been scourged by fires.

The Great Basin region remains particularly susceptible to fire hazards. Just last year my home State of Nevada experienced one of the worst wildfire seasons on record.

Nationwide, more than 4.6 million acres of Federal lands burned in the 1999 fire season. Of that amount, 1.7 million of those acres, nearly half, were in Nevada.

The wildfires damaged critical animal and wildlife habitats, destroyed fences which managed domestic livestock and wild horses, imperiled watersheds, and allowed for the spread of cheatgrass, a very flammable weed and persistent contributor to fire hazards in the Great Basin.

Because of its ability to overwhelm and choke native vegetation, cheatgrass is pushing the sagegrouse to the point of where the bird is on the verge of being listed as a threatened species under the Federal Endangered Species Act. If listed, the sagegrouse will become the Great Basin's very own ''spotted owl'' and virtually destroy Nevada's rural economy.

Mr. Chairman, the emergency fire rehabilitation funding is a tremendous step forward and the people of Nevada are grateful. However, I believe much more can be done with existing Federal funds to better manage these fires and actually prevent their spread in the future.

Mr. Chairman, as you work with the Senate Energy Committee on funding for wildland fire management and on the regular Interior and Agriculture Appropriations bills, I hope we can address the current limitations on the emergency funding and give the Department of Interior more flexibility in rehabilitating public lands with the funds in this supplemental.

I also hope that we can work on language to clarify to the BLM and the Forest Service that emergency wildfire funds contained in this supplemental will be used expeditiously to help rehabilitate the acreage burned in 1999.

Also, for the longer term, I hope we can work together with my colleagues from California, Oregon, Idaho, and Utah to implement the Great Basin Restoration Initiative. This plan would fund restoration work in the Great Basin so the BLM and Forest Service can restore lands and prevent costly fire rehabilitation expenditures in the future.

I thank the chairman for his time.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. GIBBONS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I understand the gentleman from Nevada's concerns. He is correct that this bill provided the requested emergency wildland fire fighting funds. We will work with the gentleman, and the other body, to see that appropriate rehabilitation needs, including those in the Great Basin area, can proceed.

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for his willingness to work with us, and I thank him for his understanding.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will read.

The Clerk read as follows:

**TITLE IV**

**SUPPLEMENTAL APPROPRIATIONS AND OFFSETS**

CHAPTER 1

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For an additional amount for ''Weapons activities'', $55,000,000, to remain available until expended.

CHAPTER 2

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

(TRANSFER OF FUNDS)

For an additional amount for ''State and Private Forestry'', $500,000, to be derived by transfer from unobligated balances in the Forest Service ''Wildland Fire Management'' account and to remain available until expended, for volunteer fire assistance programs in eastern North Carolina.

DEPARTMENT OF ENERGY

ENERGY CONSERVATION

For an additional amount for ''Energy Conservation'', $19,000,000, to become available on October 1, 2000, and to remain available until expended, for weatherization assistance grants.

CHAPTER 3

DEPARTMENT OF LABOR

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by striking ''including not to exceed $750,000 may be collected by the National Mine Health and Safety Academy'' and inserting ''and, in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy''.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For ''Health Resources and Services'' for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, $20,000,000, which shall become available on October 1, 2000, and shall remain available until September 30, 2001: *Provided,* That such amount shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act: *Provided further,* That such amount shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grant: *Provided further,* That such grants shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: *Provided further,* That the funds expended for such evaluations may not exceed 2.5 percent of such amount.

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

Funds appropriated under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) for fiscal year 2000, pursuant to section 414(a) of the Immigration and Nationality Act, shall be available for the costs of assistance provided and other activities through September 30, 2002.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For an additional amount for ''Payments to States for Foster Care and Adoption Assistance'' for payments for fiscal year 2000, $35,000,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by inserting after ''$934,285,000'' the following: '', of which $2,200,000 shall be for the Anchorage, Alaska Senior Center and shall remain available until expended''.

GENERAL PROVISIONS—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 4301. Section 206 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by inserting before the period at the end the following: '': *Provided further,* That this section shall not apply to funds appropriated under the heading 'Centers for Disease Control and Prevention—Disease Control, Research, and Training', funds made available to the Centers for Disease Control and Prevention under the heading 'Public

Health and Social Services Emergency Fund', or any other funds made available in this Act to the Centers for Disease Control and Prevention''.

SEC. 4302. Section 216 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is repealed.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 68, line 22 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman there Florida?

There was no objection.

The CHAIRMAN. Are there further amendments to this portion of title IV?

If not, the Clerk will read.

The Clerk read as follows:

DEPARTMENT OF EDUCATION

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended—

(1) by striking ''North Babylon Community Youth Services for an educational program'' and inserting ''Town of Babylon Youth Bureau for an educational program'';

(2) by striking ''to promote participation among youth in the United States democratic process'' and inserting ''to expand access to and improve advanced education'';

(3) by striking ''Oakland Unified School District in California for an African American Literacy and Culture Project'' and inserting ''California State University, Hayward, for an African-American Literacy and Culture Project carried out in partnership with the Oakland Unified School District in California''; and

(4) by striking ''$900,000 shall be awarded to the Boston Music Education Collaborative comprehensive interdisciplinary music program and teacher resource center in Boston, Massachusetts'' and inserting ''$462,000 shall be awarded to the Boston Symphony Orchestra for the teacher resource center and $370,000 shall be awarded to the Boston Music Education Collaborative for an interdisciplinary music program, in Boston, Massachusetts''.

AMENDMENT OFFERED BY MR. ISAKSON

Mr. ISAKSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Mr. ISAKSON: Page 69, after line 1, insert the following:

HIGHER EDUCATION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Higher Education'' for the Web-Based Education Commission established in part J of title VIII of the Higher Education Amendments of 1998, to be derived from funds made available for fiscal year 2000 under section 458(a)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087h(a)(1)(A)), $225,000, to remind available until expended.

Mr. ISAKSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

The gentleman from Georgia (Mr. ISAKSON) is recognized.

Mr. ISAKSON. Mr. Chairman, I am aware that the Chairman of the Committee on Appropriations has raised a point of order. I respect that, and in just a minute I will have a unanimous consent motion.

However, I would like to ask the chairman to consider, as this bill goes through the conference process and to the Senate, that there is a major issue that this amendment deals with. It is a small amount of money, but a major issue. This would add money to the congressionally created Web Base Commission which was created for the purpose of recommending to this Congress by the end of this calendar year what road map we are going to take in terms of dealing with the digital divide, dealing with technology, and dealing with the role of the Federal Government as it relates to public education.

I understand the point of order is because of a lack of authorization, although the time was expended, and I respect that. But I sincerely hope the chairman will work during the process to see if there is any way to add the additional funding so that the complete work of this commission may be done by the end of this calendar year.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. ISAKSON. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding. I can assure the gentleman that we will be happy to work with him as we go through the balance of the legislative process on this bill and do the best that we can to accommodate him within the confines of this particular legislation.

Mr. ISAKSON. Mr. Chairman, I thank the chairman very much.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 74, line 22 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill from page 70, line 8 through page 74, line 22 is as follows:

SEC. 4303. Section 304 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is repealed.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 4304. Section 513 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by inserting before the period at the end the following: ''*: Provided further,* That the provisions of this section shall not apply to any funds appropriated to the Centers for Disease Control and Prevention or to the Department of Education''.

SEC. 4305. Section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)), as amended by section 806(b) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended—

(1) in subparagraph (F), by striking ''$1,500,000'' and inserting ''$15,000,000'';

(2) in subparagraph (G), by striking ''$900,000'' and inserting ''$9,000,000''; and

(3) in subparagraph (H), by striking ''$300,000'' and inserting ''$3,000,000''.

CHAPTER 4

LEGISLATIVE BRANCH

CONGRESSIONAL OPERATIONS

JOINT ITEMS

CAPITOL POLICE BOARD

SECURITY ENHANCEMENTS

For an additional amount for costs associated with security enhancements to the buildings and grounds of the Library of Congress, as appropriated under chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), $1,874,000, to remain available until expended.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

FIRE SAFETY

For an additional amount for expenses for fire safety, $15,166,000, to remain available until expended, of which $7,039,000 shall be for ''CAPITOL BUILDINGS AND GROUNDS—CAPITOL BUILDINGS—SALARIES AND EXPENSES''; $4,213,000 shall be for ''HOUSE OFFICE BUILDINGS''; $3,000 shall be for ''CAPITOL POWER PLANT''; $26,000 shall be for ''BOTANIC GARDEN—SALARIES AND EXPENSES''; and $3,885,000 shall be for ''ARCHITECT OF THE CAPITOL—LIBRARY BUILDINGS AND GROUNDS—STRUCTURAL AND MECHANICAL CARE'': *Provided,* That section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall not apply to the funds made available under this paragraph.

CHAPTER 6

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

Funds appropriated under this heading in Public Law 106–74 and for fiscal years 2001 and 2002 shall be available for use by the Department of Veterans Affairs to provide assistance with the 2002 Paralympic Games: *Provided,* That such expenditures for fiscal year 2000 shall not exceed $200,000.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS

The referenced statement of the managers in the sixth paragraph under this heading in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Related Agencies Appropriations Act, 2000 (Public Law 106–74), is deemed to be amended by striking the word ''Montgomery'' in reference to the planning and construction of a regional learning center at Spring Hill College, and inserting the word ''Mobile'' in lieu thereof.

HOMELESS ASSISTANCE GRANTS

In the third proviso under this heading in Public Law 106–74, add the words ''and management and information systems'' after the words ''technical assistance''.

FEDERAL HOUSING ADMINISTRATION

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

For an additional amount for FHA—General and special risk program account for the cost of guaranteed loans, as authorized by section 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended), $49,000,000, to remain available until expended.

MANAGEMENT AND ADMINISTRATION

OFFICE OF INSPECTOR GENERAL

Under this heading in Public Law 106–74, add '', to remain available until September 30, 2001'' after the number ''$83,000,000''; and add ''of the amounts provided herein, $6,000,000 shall become available on October 1, 2000: *Provided further,* That'' after the words ''*Provided,* That''.

ADMINISTRATIVE PROVISION—THIS CHAPTER

Title V, subtitle C, section 538 of Public Law 106–74, is amended by striking ''during any period that the assisted family continues residing in the same project in which the family was residing on the date of the eligibility event for the project, if'' and inserting in lieu thereof the following: ''the assisted family may elect to remain in the same project in which the family was residing on the date of the eligibility event for the project, and if, during any period the family makes such an election and continues to so reside,''.

The CHAIRMAN. Are there amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

INDEPENDENT AGENCIES

AMENDMENT NO. 14 OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 14 offered by Mr. HOEKSTRA:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'' for reviews and audits of the State Commissions on National and Community Service (including alternative administrative entities) established under section 178 of the National and Community Service Act of 1990 (42 U.S.C. 12638), $1,000,000, to be derived by transfer from the unobligated balance in the National Service Trust account for educational awards authorized under subtitle D of title I of such Act (42 U.S.C. 12601 et seq.).

□ 2230

The CHAIRMAN. Pursuant to the rule, the gentleman from Michigan (Mr. HOEKSTRA) is recognized for 5 minutes, and a Member opposed shall be recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The Chair would inform the gentleman from Wisconsin (Mr. OBEY) that under the rule, points of order against amendments in Part B are waived.

Mr. OBEY. Mr. Chairman, I stand corrected.

The CHAIRMAN. The gentleman from Michigan (Mr. HOEKSTRA) is recognized for 5 minutes on his amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is an issue about accountability. In 1993, this Congress voted to create the Corporation for National Service. This is not a debate about the merits of the corporation. As a matter of fact, in 1993, I voted for its formation. I voted for its vision of implementing leading edge and best business practices to this new government agency.

The Corporation has fallen short. For 5 years it has never had a clean audit, despite repeated promises from its leadership to improve its accountability, its accountability to Congress and to the American people.

My amendment is very simple. It moves $1 million from the estimated $100,000 overfunding from the Educational Trust Fund to the Inspector General to conduct an audit of State commissions.

Our subcommittee, in the Committee on Education and the Workforce, has received testimony of lax enforcement mechanisms and financial controls at the State level. As we move more than two-thirds of the Corporation for National Service funds through State agencies, we need to ensure that we protect the investment of the American taxpayer, and that we maintain the integrity of the program itself.

Five years is enough time, it is enough patience, to show to the Corporation. It is enough patience to deal with the stories of waste and abuse within the program.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would like to say to the gentleman that we think this is a good amendment. We accept the amendment.

Mr. HOEKSTRA. I thank the chairman for his courtesy.

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

The CHAIRMAN. The Chair not seeing a Member seeking to claim the time in opposition, the question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING TRANSFER)

Of the amount appropriated under this heading in title III of Public Law 106–74, $2,374,900, in addition to amounts made available for the following in prior Acts, shall be and have been available to award grants for work on the Buffalo Creek and other New York watersheds and for aquifer protection work in and around Cortland County, New York, including work on the Upper Susquehanna watershed.

Of the amount appropriated under this heading in title III of Public Law 105–276 to establish a regional environmental data center and to develop an integrated, automated water quality monitoring and information system for watersheds impacting Chesapeake Bay, $2,600,000 shall be transferred to the ''State and tribal assistance grants'' account to remain available until expended for grants for wastewater and sewer infrastructure improvements for Smithfield Township, Monroe County ($800,000); the Municipal Authority of the Borough of Milford, Pike County ($800,000); the City of Carbondale, Lackawanna County ($200,000); Throop Borough, Lackawanna County ($200,000); and Dickson City, Lackawanna County ($600,000), Pennsylvania.

STATE AND TRIBAL ASSISTANCE GRANTS

The referenced statement of the managers under this heading in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Related Agencies Appropriations Act, 2000 (Public Law 106–74), is deemed to be amended by striking the words ''in the town of Waynesville'' in reference to water and wastewater infrastructure improvements as identified in project number 102, and by inserting the words ''Haywood County'' in lieu thereof.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 78, line 17, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill from page 76, line 11, through page 78, line 17, is as follows:

CHAPTER 7

OFFSETS

SEC. 4701. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 793 of Public Law 104–127, the Fund for Rural America.

SEC. 4702. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 106–60, $13,000,000 are rescinded.

OTHER DEFENSE ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 105–277 to implement a United States/Russian accord for the disposition of excess weapons plutonium, $40,000,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

(RESCISSION)

Of the amounts appropriated under this heading in title II of the Departments of Labor, Health, and Human Services, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113), $20,000,000 is rescinded: *Provided,* That the amount rescinded is from the amount designated to become available on October 1, 2000, and to remain available until September 30, 2001.

SEC. 4703. Of the funds transferred to the Department of Transportation for Year 2000 conversion of Federal information technology systems and related expenses pursuant to Public Law 105–277, $26,600,000 of the unobligated balance are hereby rescinded: *Provided,* That the Department of Transportation shall allocate this rescission among the appropriate accounts within the Department and report such allocation to the House and Senate Committees on Appropriations.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

UNANTICIPATED NEEDS

INFORMATION TECHNOLOGY SYSTEMS AND RELATED EXPENSES

Under this heading in division B, title III of Public Law 105–277, strike ''$2,250,000,000'' and insert ''$2,015,000,000''.

The CHAIRMAN. Are there further amendments to this portion of the bill?

AMENDMENT NO. 10 OFFERED BY MR. LARGENT

Mr. LARGENT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. LARGENT:

Page 78, after line 17, insert the following new chapter:

CHAPTER 8

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Of the amount appropriated under this heading in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(1) of Public Law 106–113) (113 Stat. 1537–1), $750,000 shall be available to the Commission on Online Child Protection established under section 1405 of the Child Online Protection Act (47 U.S.C. 231 note) for carrying out the duties of the Commission, to remain available until the termination of the Commission under section 1405(1) of such Act.

The CHAIRMAN. Under the rule, the gentleman from Oklahoma (Mr. LARGENT) will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. LARGENT).

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

Mr. Chairman, I believe the amendment that I am offering tonight is for a righteous effort. I want my colleagues to know that I do not use that term often or loosely. I believe my amendment will receive overwhelming support, if not unanimous support, by my colleagues.

Mr. Chairman, there is a communicable disease coursing through our country. In fact, half our homes and 4 million men, boys, husbands, and fathers will be exposed every single day. That disease is illegal pornography, available without consent or request via the Internet.

In fact, leading porn trade magazines, journals, have proudly boasted that there has never been a better time to be in the adult entertainment business, a business that grosses $14 billion a year, $1.4 billion on the Internet alone.

Why? Because the Department of Justice has chosen to look the other way. Prosecutions for illegal pornography or obscenity have declined 79 percent in the last 6 years.

Mr. Chairman, the porn industry through the Internet has turned every home office, every family room, in fact, every public library, into the worst porn shop imaginable.

Congress, through the Child Online Protection Act, tasked a commission with finding ways to keep our children away from material that is considered harmful to minors. Sadly, Congress has never appropriated any dollars to fund the Commission that is due to report to Congress in October of this year.

My amendment would provide $750,000, taken from the salaries and expenses portion of the general administration account appropriated to the Department of Justice. My hope is that the Commission will supply some hope, some immunization, for our families and for our children, to protect us through technology from this disease that is running rampant in our country.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. LARGENT. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding.

I would like to advise the gentleman that we think this is a very good amendment. We are accepting the amendment.

Mr. LARGENT. Mr. Chairman, I thank the gentleman.

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

The CHAIRMAN. Is there any Member seeking to control time in opposition?

If not, the question is on the amendment offered by the gentleman from Oklahoma (Mr. LARGENT).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this section of the bill?

If not, the Clerk will read.

Mr. YOUNG of Florida. Mr. Chairman I ask unanimous consent that the remainder of the bill through page 80, line 11, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill from page 78, line 18, through page 80, line 11, is as follows:

**TITLE V**

**GENERAL PROVISIONS—THIS ACT**

SEC. 5101. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 5102. Sections 305 and 306 of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of Public Law 106–113, are hereby repealed.

SEC. 5103. Section 1001(a) of Public Law 106–113 is amended by striking ''paragraph 4 of subsection 1000(a)'' and inserting ''paragraph (5) of section 1000(a), and the provisions of titles V, VI, and VII of the legislation enacted in this division by reference in such paragraph (5),''. This section shall be deemed to have taken effect immediately subsequent to the enactment of Public Law 106–113.

SEC. 5104. Notwithstanding section 251(a)(6) of the Balanced Budget and Emergency Deficit Control Act of 1985, there shall be no sequestration under that section to eliminate a fiscal year 2000 breach that might be caused by the appropriations or other provisions in this Act.

SEC. 5105. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 5106. The following provisions of law are repealed: sections 8175 and 8176 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79), as amended by sections 214 and 215, respectively, of H.R. 3425 of the 106th Congress (113 Stat. 1501A–297), as enacted into law by section 1000(a)(5) of Public Law 106–113.

SEC. 5107. No funds appropriated to the Nuclear Regulatory Commission for fiscal year 2000 may be used to relocate, or to plan or prepare for the relocation of, the functions or personnel of the Technical Training Center from its location at Chattanooga, Tennessee.

SEC. 5108. It is the sense of the Congress that the Secretary of State should immediately place the United Self-Defense Forces of Colombia (Autodefensas Unidas de Colombia) on the list of foreign terrorist organizations.

AMENDMENT NO. 11 OFFERED BY MR. WELDON OF PENNSYLVANIA

Mr. WELDON of Pennsylvania. Mr. Chairman, 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:

Part B Amendment No. 11 offered by Mr. WELDON of Pennsylvania:

Page 80, after line 11, insert the following new sections:

SEC. 5109. For an additional amount for the Secretary of Agriculture for carrying out section 306(a)(14) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(14)), $10,000,000, to remain available until expended.

SEC. 5110. (a) For an additional amount for carrying out this section, $10,000,000, to remain available until expended.

(b) The Director of the Federal Emergency Management Agency shall establish an office in the Agency to establish specific criteria of grant recipients and to administer grants under this section.

(c) The Director may make grants, on a competitive basis, to safety organizations

that have experience in conducting burn safety programs for the purpose of assisting those organizations in conducting burn prevention programs or augmenting existing burn prevention programs.

(d) The Director may make grants, on a competitive basis, to hospitals that serve as regional burn centers to conduct acute burn care research.

(e) The Director may make grants, on a competitive basis, to governmental and nongovernmental entities to provide after-burn treatment and counseling to individuals that are burn victims.

SEC. 5111. (a) For an additional amount for carrying out this section, $80,000,000, to remain available until expended.

(b) The Director of the Federal Emergency Management Agency shall establish a program to award grants to volunteer, paid, and combined departments that provide fire and emergency medical services.

(c) Grants awarded under this section may be used—

(1) to acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel;

(2) to acquire additional firefighting equipment, including equipment for communication and monitoring;

(3) to establish wellness and fitness programs for firefighting personnel to reduce the number of injuries and deaths related to health and conditioning problems;

(4) to promote professional development of fire code enforcement personnel;

(5) to integrate computer technology to improve records management and training capabilities;

(6) to train firefighting personnel in firefighting, emergency response, and arson prevention and detection;

(7) to enforce fire codes;

(8) to fund fire prevention programs and public education programs about arson prevention and detection, and juvenile fire setter intervention; and

(9) to modify fire stations, fire training facilities, and other facilitires to protect the health and safety of firefighting personnel.

(d) Applications for grants under this section shall include—

(1) a demonstration of financial need;

(2) evidence of a commitment for at least an equal amount as the amount of the grant sought, to be provided by non-Federal sources;

(3) a cost benefit analysis linking the funds to improvements in public safety; and

(4) a commitment to provide information to the National Fire Incident Reporting System for the period for which the grant is received.

(e) Grant recipients under this section shall be subject to audits to ensure that the funds are spent for their intended purposes.

SEC. 5112. (a) Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (23), by striking the period at the end and inserting a semicolon; and

(2) by inserting after paragraph (23) the following new paragraph:

''(24) provision of assistance to local fire fighting, emergency medical, or rescue services for—

''(A) acquisition, repair, or rehabilitation of equipment (including any accessory, communications, or protective equipment) or vehicles for fire fighting, emergency medical, or rescue services,

''(B) construction, acquisition, rehabilitation, or improvement of facilities for local fire fighting, emergency medical, or rescue services, or

''(C) training or planning involved in providing fire fighting, emergency medical, or rescue services; and''.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Pennsylvania (Mr. WELDON) and a Member opposed each will control 5 minutes.

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, tonight we have an opportunity to do something that this body has never done before. That is to provide some immediate dollar assistance to those brave men and women across America who, day in and day out, have responded to our natural and man-made disasters.

Today I met with all the fire service groups of America, the Fire Fighters Union, the Volunteer Fire Council, the fire chiefs, the arson investigators, the fire instructors, the National Fire Protection Association. All across America tonight, Mr. Speaker, they are watching this vote to see whether or not this Congress will equate fire and emergency services personnel with law enforcement personnel, with teachers, because they have all benefited from our work, but we have done nothing of substance for the brave men and women, largely volunteers, who protect this country from disaster.

Tonight is that opportunity: $100 million of funding to provide assistance for burn research, volunteer fire assistance, an $80 million competitive grant program for the 32,000 fire departments in every district across America, plus a facilitation of the CDBG program to provide flexibility for fire and EMS personnel to use those dollars.

I encourage our colleagues to vote for this important amendment. I will ask for a recorded vote upon the completion of the debate.

Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. SMITH), the cosponsor of this amendment and chairman of the Subcommittee on Basic Research.

Mr. SMITH of Michigan. Mr. Chairman, adopting this amendment is going to demonstrate the firm commitment this House has to those individuals who literally put their lives on the line. Fire fighters, first responders, lost 100 lives last year, half as many as all the law enforcement people in this country. We need to move ahead in this area. There are 32,000 fire departments. They need help.

This allows more research, more funding, and it is going to be the kind of gesture that is really going to put us on the front line.

When we have disasters it is the first responders that are there, whether it is a shooting, whether it is a hurricane, whether it is a tornado or a volcano or earthquake. It is the people who want to help the school when there is a fundraiser, it is the first responders and firemen who come to that assistance.

Let us give them this support. I thank the gentleman from Maryland (Mr. HOYER), the gentleman from New Jersey (Mr. PASCRELL), and certainly the gentleman from Pennsylvania (Mr. WELDON), and many others who have joined in in making this a bipartisan effort.

Mr. Chairman, this Nation is well-served by the 1.2 million men and women who work as fire and emergency services personnel in over 32,000 fire departments across this country. They play a crucial role protecting and preserving our lives and our property . . . a dangerous role—an average of nearly 100 firefighters a year lose those lives in the line of duty. Eighty percent of those who serve do so as volunteers.

This amendment recognizes the contributions of volunteer firefighters by providing $10 million to fully fund the USDA's Volunteer Fire Assistance Program. This program allows the nearly 28,000 rural fire departments nationwide to apply for cost-share grants for training, equipping and organizing their personnel. These rural fire departments represent the first line of defense for rural areas coping with fires and other emergencies.

This amendment also establishes two grant programs at the Federal Emergency Management Agency. The first is an $80 million competitive grant program for volunteer and paid fire and emergency services departments. With these 50/50 matching grants, departments can get assistance acquiring safety equipment, firefighting and communications equipment, funds for training, and assistance funding fire prevention programs.

In addition, this amendment establishes a $10 million burn research grant program through FEMA. Under this program, safety organizations, hospitals, and governmental and nongovernmental entities that are responsible for burn research, prevention, or treatment are eligible for competitive grants to continue their important work.

We see our firefighters and EMS personnel responding to emergencies every day, more than 18 million calls a year. From car accidents, to brush fires, to large scale disasters like the tornadoes that ripped through Ft. Worth last night, emergency responders are first on scene, first to react, first to provide the assistance we've come to take for granted.

Mr. Chairman, adopting this amendment would demonstrate the firm commitment this House has toward these emergency first-responders, to those who literally put their lives on the line each day. I'm thankful for the bipartisan support this amendment enjoys, and I'd like to thank my colleagues Mr. WELDON, Mr. HOYER, Mr. PASCRELL, and Mr. ANDREWS for their work helping bring this to the floor. I urge your support for this important bipartisan amendment.

The CHAIRMAN. Does any Member seek to control the time in opposition?

Mr. HOYER. Mr. Chairman, I ask unanimous consent to take the 5 minutes in support of the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland (Mr. HOYER) controlling 5 minutes reserved for opposition to the bill?

Mrs. MEEK of Florida. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the last word. I want to control time in opposition.

The CHAIRMAN. The gentlewoman from Florida (Mrs. MEEK) seeks to control the time in opposition?

Mrs. MEEK of Florida. Yes, sir.

The CHAIRMAN. The gentlewoman from Florida (Mrs. MEEK) is recognized for 5 minutes.

Mrs. MEEK of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, throughout my history and throughout my service, I have always supported firemen. I have always supported fire services. I have always supported the fine work that they do. But I do not think that this House recognizes what is going on with this particular amendment.

First of all, this amendment should never have come to this floor because it violates everything that makes it eligible for the floor. This has not been heard in any committee. It is substantive legislation. I think if we begin to look at it, regardless of how good the delivery of service is, this is violating the rules of making legislation on appropriations. Therefore, a point of order should have been called by the chairman or someone on the other side.

The second thing is, this particular amendment changes the meaning of low and moderate income in the CDBG legislation. I will read it, Mr. Chairman.

Section 105 of the Housing and Community Development Act is amended by adding at the end the following new paragraph: ''An assisted activity described in subsection A–24 shall be considered to benefit persons of low and moderate income if the service provides such services to all persons in the geographical area served, including any low and moderate income persons.

That is substantive legislation. That is a substantive change in the law which we are allowing them to come to the floor on, and it should be defeated. I have nothing against the fire service, but I think it is duplicitous to bring this to the floor tonight to present to us as good legislation, and it is, because helping firemen is, but why did they want to add another purpose to the Community Development Block Grant fund? And then that other purpose changes the definition of low and moderate income.

I appeal to the House to not pass this piece of legislation, let it go back, and let us look at it. The firemen can stand on their own merits. They do very well for us all. But why should we cut and change the definition to benefit the good low and moderate income people? The firemen are good, as well.

Why could this not have gone through committee, been voted on in VA–HUD and other authorizing committees? Why? It was brought to this floor with this kind of subterfuge in it. We do not need to pass it. We need to stop it right here, and make them go back and change this so that they will not change the low and moderate income.

Think about it, there are already 23 reasons of eligible activities on the CDBG. This adds another one, the 24th, and opens it up by changing the definition. This should not happen in this House, Mr. Speaker. This should not happen on that side of the floor, either. This should be stopped right now, and I am sure the designers of this bill, this amendment, may not have known what they were doing, but they had to because they added a new section which eliminated or changed low and moderate income.

So I appeal on this House to hold up on this, not to vote for it, because it brings in a new level. It should have gone through committees.

What about the cities and the small communities and the small CDBG groups? All Members have community-based groups in their districts. What about those community-based groups when they find out a new purpose has been put to this particular amendment and that low and moderate income definition has been changed?

So I am appealing to all who know what is right and what is wrong, this is wrong. They have done the wrong thing. They need to hold it up and come before a committee and look at this.

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself 30 seconds to respond.

Mr. Chairman, first of all, the Community Development Block Grant program monies have been eligible to be used for fire and EMS for years. This is not a new use. The money has been used for impoverished people in cities for years. It is not a new use.

Secondarily, the decision as to whether or not to use CDBG monies for local purposes is not mandated by any legislation. That is a decision made by local elected officials, county commissioners, and members of city councils across America. This provision does nothing to change that.

Furthermore, thirdly, we have met with the chairman of the appropriate subcommittee, the gentleman from New York (Mr. LAZIO). We have promised to work with him through the entire process. There is no attempt to undermine the commitment of the CDBG fund for poor people.

□ 2245

Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. HOYER), coauthor of this amendment, for any comments he would like to make.

Mr. HOYER. Mr. Chairman, I regret that I have not had the opportunity to talk to the gentlewoman from Miami, Florida (Mrs. MEEK) who is my great friend and whom I deeply respect. I had understood that this question had been discussed with the committee and did not know about this particular problem.

I would assure the gentlewoman as a strong supporter of this amendment, which I think is an important amendment, that I will work strenuously to make sure that we protect each and every community. Because my own community, Prince George's County, obviously cares a great deal about the CDBG and the integrity of its provisions. What this amendment does, it provides a portion of what the gentleman from New Jersey (Mr. PASCRELL) has been working on very, very hard, as well as the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Michigan (Mr. SMITH), the gentleman from New Jersey (Mr. ANDREWS), and others on behalf of the fire fighters of America, both paid and volunteer.

This money will be also used for burn victims, $10 million of it will be for victims of fire and fire research. Frankly, I regret that I did not know of the concern of the gentlewoman from Florida until just now. I was surprised. But at some point in time I would like to have the gentleman from New Jersey (Mr. PASCRELL), who is really the author of much of this, have some time.

The CHAIRMAN. The Chair would inform Members that the gentleman from Pennsylvania (Mr. WELDON) has 1½ minutes remaining, and the gentlewoman from Florida (Mrs. MEEK) has 1 minute remaining.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. WELDON) for his leadership in our efforts to make America safe from fire.

Mr. Chairman, I support this amendment because it will help rural fire fighters in Oregon and throughout the country fight fires before they become big, expensive, and dangerous. Each year in my district, fires destroy countless acres of forest and rangeland and threaten homes and even the lives of my constituents. In many cases, small volunteer fire departments are the first line of defense against these killer fires. These departments are located near where fires start, and they are uniquely situated to fight and contain fires before they grow out of control.

But the men and women who give their time to bravely serve and protect their communities need our help. They need training and equipment to help them fight wildfires safely and effectively. That is why I have worked to increase the funding for the Volunteer Fire Assistance Program to $10 million. This money will go a long way in preparing volunteer fire departments to fight wildfires.

Mr. Chairman, I am pleased that the amendment offered by the gentleman from Pennsylvania addresses the crucial need for increased funding for VFAP. Volunteer fire fighters in Prineville, Spray, Boardman, Baker City and other communities deserve no less.

Mrs. MEEK of Florida. Mr. Chairman, I yield 1 minute to the gentleman from New York (Chairman WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentlewoman from Florida for yielding me this time. As chairman of the subcommittee of jurisdiction on the Committee on Appropriations, I rise to express some concern about this amendment. It is a well-intended amendment aimed toward helping fire fighters throughout the country. But I would caution on several points.

One point is on FEMA. FEMA is not prepared to do burn studies. That is clearly an area where they do not have the expertise to perform.

Secondly, and even of more concern, the issue of Community Development Block Grants, as I understand it this amendment would waive the requirement that Community Development Block Grants go to low- and moderate-income recipients only. This has never been attempted before. This change in the Community Development Block Grant, legislation has never been attempted to change this before.

So I would express caution on this amendment. I would hope that as we go through the process, the gentleman from Pennsylvania (Mr. WELDON) would be willing to work with us to try to resolve some of these issues. Clearly, the intent of the amendment is good, but the effect may not be.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself 30 seconds to answer some of the questions raised.

Mr. Chairman, I thank my colleagues. And I would just say that first of all, the gentleman from New York (Chairman LAZIO) and I had discussions about the CDBG provisions, and we have given him full assurance that we would work with him to protect the program as I explained.

Further, FEMA Director James Lee Witt called me today and offered his unequivocal support for this entire provision. He said it was the right thing to do, and publicly he was solidly behind this as the head of FEMA. So we have the administration on the record saying it is positive legislation. They support it thoroughly. They are not going to be administering burn programs; they are going to be providing funding for burn research centers across America.

Mr. Chairman, I hope our colleagues will support this legislation.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Time is controlled on this amendment, and it is not permissible. By unanimous consent the gentleman may revise and extend his remarks.

Mr. GILMAN. Mr. Chairman, I rise in support of the measure.

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

Mr. GILMAN. Mr. Chairman, I would like to commend my colleagues, the gentleman from Pennsylvania, Mr. WELDON along with Congressmen HOYER, SMITH, PASCRELL, SHUSTER and ANDREWS for their dedication to our Nation's firefighters and the work they have done to bring this amendment before the House this evening.

Each year, thousands of firefighting men and women risk their lies to defend the citizens and properties of communities throughout our Nation. However, too many of our Nation's firefighters have been seriously injured or killed because tight budgets have forced municipalities to cut funding. Personal protective gear goes unpurchased, dangers in fire stations go uncorrected, staffing shortages go unaddressed, and firefighters are forced to rely on antiquated equipment, due to a lack of funding. The nationwide increase in the use of hazardous materials and the recent rise in both natural and man-made disasters pose new threats to our Nation's firefighters.

The Congress now has an opportunity to provide the support necessary to address this national crisis. For the first time, we can fully fund the Volunteer Fire Fighter Assistance Program, fund grants for burn research, allow community development block grants to be used for fire and emergency services and authorize a competitive grant program, which will allow our Nation's firefighters to acquire vital equipment.

As a Member of the Congressional Fire Caucus, I am dedicated to assisting our local communities in their efforts to protect their firefighters. Let us provide funding for personal protective gear, communications and monitoring equipment, firefighter wellness and fitness programs, and other vital uses. Let's join together in letting our Nation's firefighters know that their health and safety is a national priority deserving national support.

Accordingly, I urge my colleagues to support this important amendment for our firefighters and for our communities throughout our Nation.

Mr. HOYER. Mr. Chairman, I ask unanimous consent for 5 additional minutes in support of the amendment.

The CHAIRMAN. Five minutes on each side?

Mr. HOYER. Yes, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, the gentleman has requested 5 minutes?

Mr. HOYER. If the gentleman would yield, yes, 5 and 5.

Mr. YOUNG of Florida. For what purpose?

Mr. HOYER. Mr. Chairman, in support of the amendment. And the reason is the gentleman from New Jersey (Mr. PASCRELL), has been a major sponsor of this legislation and has been unable to speak. That is not fair to him as one of the major sponsors of this legislation. It is the way the rule runs, and I would hope the Chairman would allow us the 5 minutes to do that.

Mr. YOUNG of Florida. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

Mr. OBEY. Mr. Chairman, reserving the right to object, I simply did not hear it. I understand the request is 5 and 5. Who will be controlling the time?

Mrs. MEEK of Florida. Mr. Chairman, I claim the time.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

Mr. WELDON of Pennsylvania. Mr. Chairman, reserving the right to object, I would like to know what is happening. What are we doing? I want to see the gentleman from New Jersey (Mr. PASCRELL) have an opportunity to speak also. What are we agreeing to?

Mr. HOYER. Mr. Chairman, if the gentleman would yield, the agreement is that it be 5 and 5. Obviously, if we are asking for 5 additional minutes as proponents, the gentlewoman from Florida (Mrs. MEEK), who is not objecting to the request, correctly observes that she ought to have 5 minutes in opposition and I think that is fair.

Mr. WELDON of Pennsylvania. Mr. Chairman, further reserving the right to object, there are some Members on our side who would like to have part of that 5 minutes. Is the gentleman prepared to yield?

Mr. HOYER. Mr. Chairman, I have spoken to the gentleman from New Jersey (Mr. ANDREWS) and he wants to speak, and I have ½ minute left.

Mr. WELDON of Pennsylvania. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) and the gentlewoman from Florida (Mrs. MEEK) each will control 5 additional minutes on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON).

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

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL), whose bill will be heard on April 12, which is a major fire service bill. He has worked very closely with the gentleman from Pennsylvania (Mr. WELDON) and I and others on this and we have worked very closely with him on the major piece of legislation which we hope it see move forward as well.

Mr. PASCRELL. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, nearly 2 years ago I proudly introduced H.R. 4229, the 21st Century Fire and Public Safety Act. It was a bill to provide competitive grants directly to over 32,000 paid, part-time, part-paid volunteer fire departments across America.

The money could be used for personnel, equipment, vehicles, training, health and safety initiatives, and prevention programs.

At that time, I stated that our fire fighters were the forgotten part of our public safety equation. I said that the Congress should make a commitment to those who make a commitment to us every day. I put a large authorization on this bill because I wanted to

send the message that we were serious. There was a legitimate and overwhelming need. We needed to show that it was no longer acceptable to pay lip service to the fire fighters in our districts on the weekends, and not put our money where our mouth is during the week.

Mr. Chairman, I proudly reintroduced this legislation in the 106th Congress, the fire bill. We are today a far cry from that day in July of 1998 when only three of us put our name on the bill. Today, there are over 206 cosponsors in the House of Representatives, over 20 sponsors in the Senate. The administration has announced their full support of this measure and will work to see it passed. We are making progress and this is part of a process and a procedure to get us to our final goal.

Last night I was presented with this amendment modeled after the concept in the fire bill. This amendment does some very, very important things. It provides funding for protective equipment, for modifying fire stations, for prevention, and wellness programs.

We are here today because considering this amendment, the work we did on the fire bill has brought us to this point. And 260 Members have gotten us here, because of the strong voice of fire fighters across America. We would not be considering this otherwise. Let me be clear in the details. It is very important, very different than the bill we are going to have before committee on April 12.

This bill does not allow the grant funds to be used to hire needed fire personnel. These are big ticket items. They are what the fire folks back home talked to us about in paid departments and in volunteer. Unlike the fire bill which requires a 10 percent match, this amendment requires an equal match. This is where we are today. Between now and April 12, hopefully we will come home and hopefully this amendment which I support will pass.

Mrs. MEEK of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to tell the group that I have no objection to the money and what they are using it for. My objection is to changing the definition of low- and moderate-income.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. LAZIO), who is chairman of the Subcommittee on Housing and Community Opportunity.

Mr. LAZIO. Mr. Chairman, I thank the gentlewoman from Florida (Mrs. MEEK), and I thank the House for allowing me to speak to this.

What is at stake here is really the future of the Community Development Block Grant. The CDBG is not a revenue sharing measure; it is a measure that is supposed to be addressed to moderately low-income people. It is meant to build housing, to provide safe, healthy housing for people who cannot afford market rents. It is meant to help provide economic development and jobs for people who are low- and moderately low-income. It is not meant to simply redistribute money from the Federal Government to the State and local governments for any purposes whatsoever.

My concern with this amendment, and I think the gentleman from New Jersey (Mr. PASCRELL) spoke to a separate bill which is probably the appropriate vehicle in which to do this. And I think virtually everyone in this House is supportive of volunteer fire services, but the question is whether we would undermine the primary mission of the Community Development Block Grant program in order to try and speak to an admittedly popular public works issue, which is the development of fire houses and related services.

It is true that I have been speaking to the gentleman from Pennsylvania (Mr. WELDON), and I do not think in this House is a better advocate for men and women who protect our homes and our businesses through fire services. But it is also true that this is an overly broad amendment, that it needs work, and it simply does undermine the basic mission of the Community Development Block Grant program, which is to serve the neediest among us. The neediest among us.

Mrs. MEEK of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, let me simply take 30 seconds to say I think that the observations of the gentleman from New York (Chairman WALSH) should be recognized, and that language has to be fixed in conference if a lot of people who would like to support this are going to be able to support it. We cannot divert these funds away from the poorest and the neediest low-income people who are supposed to be the primary beneficiaries of it.

□ 2300

Mrs. MEEK of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, first I want to congratulate the Republican Party for bringing forward to this House an expansion of the Federal Government's role on American society.

As we have heard today, this is a new venture to get the Federal Government involved in helping local fire fighters. I congratulate the Republican Party on sloughing off that old notion that the Federal Government was something whose influence should be resisted and restricted.

Having the Republican Party bring forward a new Federal program, putting the Federal Government into a new area where it had not previously been, helping local fire fighting, shows a degree of intellectual growth on which I congratulate them.

Now, as to this amendment, there is one problem with it. Most of the amendment, the part of the Republican Party getting us into the fire fighting business for the time, which I am glad to see, the problem is not how they do it.

There is a mistake in the end where it says, I think a mistake in policy, it says, and here is the problem that the gentlewoman from Florida (Mrs. MEEK) quite cogently pointed out to some of us who had not seen it: ''An activity shall be considered to benefit persons of low and moderate income if the service provides such services to all persons in the geographical area served, including any low and moderate income persons.''

In other words, a wealthy area with live-in help, that would then be covered. If one has got maids who live in a rich area, they are covered. That is the problem with the definition. That is what has to be changed.

Mrs. MEEK of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentlewoman from Florida for yielding me this time.

Mr. Chairman, those of us who are from rural areas certainly support our rural firemen, and we do not want to be put in the position of making an election between our rural poor and our rural firemen. Certainly those who support rural firemen should not want to be seen doing it at the expense of the poorest of the poor.

Community development, scarce funds are limited now for the design eligible activities; and adding another activity really siphons off those resources that go to rural citizens. Small cities, rural communities depend on community development. Disadvantaged communities depend on community development.

To have our needed fire activities now put in, choosing between the poorest and the poor and a needy service, I think is a wrong way to go. We need to amend this. Find other sources to do this. This is a good and honorable activity, but not at the expense of the poorest of the poor.

Mrs. MEEK of Florida. Mr. Chairman, may I ask how much time remains on each side.

The CHAIRMAN. The gentlewoman from Florida (Mrs. MEEK) has 30 seconds remaining. The gentleman from Maryland (Mr. HOYER) has 2 minutes remaining.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I rise in strong support of this amendment because I believe there are two important points of view that can be reconciled here.

I think there is broad support for $100 million of support for America's first line of defenders in the fire service. I

believe it is the intent of those of us who drafted this amendment that it can be expressed in conference.

The point of view of the gentlewoman from Florida (Mrs. MEEK) can be accommodated in the following way: to the extent that community development block grant funds are used for fire protection, they must be focused on communities which would otherwise qualify under CDBG rules. I think that that correction and clarification would solve the problem. I would recommend in conference it be done that way.

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

Mr. Chairman, I think everybody agrees, and the gentlewoman from Florida (Mrs. MEEK) has said, the gentlewoman from North Carolina (Mrs. CLAYTON) has said, and I certainly agree with what both of them have said, and I have discussed with the gentleman from Pennsylvania (Mr. WELDON), as the gentleman from New Jersey (Mr. ANDREWS) said, not only can we fix this, but I would hope we would all pledge, as I will, to fix this.

What the concern is, correct, nobody had any intention to divert from low-economic or medium-income areas assistance. Clearly, it was my intent, I think the intent of the gentleman from Pennsylvania (Mr. WELDON), the intent of the gentleman from New Jersey (Mr. PASCRELL), I know that the assistance here would go, CDBG funds are for, as the gentleman from New York (Mr. LAZIO) correctly pointed out, for low- and moderate-income areas.

We need in conference to make sure that that is made very explicit; not implied, explicit. The gentlewoman from Florida (Mrs. MEEK) is correct. I hope the gentleman from Pennsylvania (Mr. WELDON) will agree with that. In conference, we will make sure that language explicitly limits such expenditures to areas currently eligible for CDBG.

Mrs. MEEK of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO. Mr. Chairman, I would say in response to the gentleman from Maryland (Mr. HOYER), I believe the gentleman is sincere that he feels like this bill will be fixed. But if we really believe it is going to be fixed, why do we not just do a unanimous consent request right now and fix it right here on the floor.

Why do we not make sure that we do not eviscerate the income targeting, and if one wants to provide for, if this is an eligible activity, I think we can probably agree to that. But let us not make sure that we are building fire houses in upper middle-income areas as a complete income transfer.

Mr. TERRY. Mr. Chairman, I rise in support of this amendment to aid the fire and emergency services of this country.

The men and women who risk their lives day in and day out to protect life and property deserve our full support and I believe this amendment recognizes this by proving substantial federal funding in several areas.

First, it provides $10 million to fully fund the volunteer fire assistance program.

It makes $10 million available for burn research.

It makes $80 million available to the Federal Emergency Management Agency for grants to volunteer, paid, and combination departments that provide fire and emergency medical services.

I should point out that matters relating to FEMA fall within the jurisdiction of the Transportation and Infrastructure Committee. As vice chairman of the Subcommittee on Oversight Investigations and Emergency Management of that committee, I note that we fully support this amendment which would set up new grant programs within FEMA.

The amendment also makes community development block grant funds (currently at $4.75 billion) available for use by local authorities for the fire service.

The amendment before us will strengthen the local capability to deal with fires and other emergency situations.

Mr. Chairman, the Weldon-Smith amendment is a substantial step forward to help protect the health and safety of the public and firefighting personnel.

I urge my colleagues to support it.

The CHAIRMAN. All time for debate on this amendment has again expired.

Mrs. MEEK of Florida. Mr. Chairman, I ask unanimous consent for 5 additional minutes.

The CHAIRMAN. On each side. Is there objection to the request of the gentlewoman from Florida?

Mr. YOUNG of Florida. There is an objection, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mrs. MEEK of Florida. Mr. Chairman, I ask unanimous consent for even 1 minute. I will go back to 1. I will take whatever I can get.

The CHAIRMAN. On each side. Is there objection to the request of the gentlewoman from Florida that each side have 1 additional minute?

Mr. YOUNG of Florida. There is objection, Mr. Chairman.

The CHAIRMAN. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. HOYER. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, having had the time expire, would it nevertheless, notwithstanding the fact that the time has expired, be possible for the gentleman from New York (Mr. LAZIO) to offer the unanimous consent for the amendment that he suggests be in order at this time?

The CHAIRMAN. Is the inquiry of the gentleman from Maryland whether it would be in order to offer a new amendment or a modification to the existing amendment?

Mr. HOYER. Mr. Chairman, as I understand the intention of the gentleman from New York (Mr. LAZIO), it would be a modification of the existing amendment.

The CHAIRMAN. Such a request for a modification would be entertained only from the proponent of the amendment, in this case the gentleman from Pennsylvania (Mr. WELDON).

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Subsequent to the closure of debate on this subject, the vote being rolled, would it be in order, then, for a Member to strike the last word and ask unanimous consent to offer an amendment to the amendment after the debate? Without extending the debate time, under the 5-minute rule, could a Member then rise and offer a unanimous consent amendment to offer the modification the gentleman from New York (Mr. LAZIO) has in mind?

The CHAIRMAN. Under the rule, the pending part B amendment is not subject to amendment.

Mr. FRANK of Massachusetts. But the parliamentary inquiry is that, subsequent, by unanimous consent, could an amendment to that be offered if the body gave a unanimous consent to a modification such as the gentleman from New York (Mr. LAZIO) has proposed?

The CHAIRMAN. The Chair would respond to the gentleman from Massachusetts that the Chair would entertain a request only from the proponent of the amendment to modify his amendment.

PARLIAMENTARY INQUIRY

Mr. WELDON of Pennsylvania. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman from Pennsylvania will state his parliamentary inquiry.

Mr. WELDON of Pennsylvania. Mr. Chairman, is the Chair ruling that I could offer a perfecting amendment when we return for the vote on this amendment? Is that what the Chair is stating?

The CHAIRMAN. The Chair responded that the gentleman from Pennsylvania could ask unanimous consent of the Committee of the Whole to modify his pending amendment.

Mr. WELDON of Pennsylvania. At the time of the vote, Mr. Chairman. Very good.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Chairman, would that be in order at any time prior to the vote? That is, could he offer that, if he was not ready to offer it immediately, prior to the vote being taken?

The CHAIRMAN. The gentleman is correct.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 450, further proceedings on

the amendment offered by the gentleman from Pennsylvania (Mr. WELDON) will be postponed.

□ 2310

AMENDMENT NO. 13 OFFERED BY MR. SCHAFFER

Mr. SCHAFFER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 13 offered by Mr. SCHAFFER:

At the appropriate place in the bill, insert the following new section:

SEC. . Within 6 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct and complete a comprehensive fraud audit of the Department of Education and submit a report setting forth the results of the audit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

The CHAIRMAN. Pursuant to House Resolution 450, the gentleman from Colorado (Mr. SCHAFFER) and a Member opposed each will control 5 minutes.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman from Wisconsin will state his parliamentary inquiry.

Mr. OBEY. Mr. Chairman, I think there is some confusion about what is before us. This next amendment has nothing whatsoever to do with the fire issue that we have just disposed of.

My understanding is that the Schaffer amendment goes to the question of conducting an audit of the Department of Education. Would it be in order to modify that amendment to also include an audit for the Department of Defense?

The CHAIRMAN. The Chair would respond that the same situation exists for the Schaffer amendment as existed for the previous amendment. Only modifications offered by unanimous consent by the proponent of the amendment would be entertained under this rule.

Mr. OBEY. Mr. Chairman, may I ask the Chair when would that modification be in order; at any time during the consideration of the amendment or would that modification have to occur at this moment?

The CHAIRMAN. It would not have to be at this moment. It could be requested before the disposition of the amendment.

Mr. OBEY. I thank the Chair, and I would at the proper time ask to control the time in opposition to the amendment.

The CHAIRMAN. The gentleman will be recognized.

The gentleman from Colorado (Mr. SCHAFFER) is recognized for 5 minutes on his amendment.

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

This amendment is one that is offered to the emergency supplemental and directs the comptroller general of the General Accounting Office to conduct a comprehensive audit of the Department of Education, following up on previous investigations and reports of a more narrow focus with respect to waste, fraud, and abuse. The education Inspector General and the GAO have previously identified instances of waste, fraud, and abuse. This study would delve deeper and is more comprehensive.

The Department has issued over the last 2 years over $50 million in duplicate payments. The Inspector General and the Department of Justice are currently investigating an alleged computer theft ring within the agency that has been operating for more than 5 years. We are concerned that these examples are but the tip of the iceberg. And with that in mind, Mr. Chairman, I would urge the adoption of the amendment.

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

Mr. OBEY. Mr. Chairman, may I ask the gentleman from Colorado, through the Chair, if the gentleman would be willing to modify his amendment to include also an audit for the Department of Defense?

Mr. SCHAFFER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Colorado.

Mr. SCHAFFER. This amendment is crafted carefully in cooperation with the GAO. The dollar amount and the establishment of the priority has been limited to the discussion on the Department of Education. Being unsure as to the full impact, effect, and cost of the suggestion the gentleman is offering, I would regretfully decline and say that I would be opposed to broadening the amendment.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, what is going on is that some of the folks in this institution, including some who wanted to abolish the Department of Education just a few years ago, are now trying to selectively ask for additional audits of agencies and they have zeroed in on the Department of Education. Yet under this rule I am denied the opportunity to offer a substitute amendment which would ask for the same audit of the Department of Defense which is being asked of the Department of Education.

I would point out that yesterday the Inspector General of the Department of Education testified that the Department of Education's financial management has improved this year compared to last year and stands in stark contrast to the Department of Defense. If we take a look at the Department of Defense, the GAO said the following:

Despite recent steps to improve financial management, DOD continues to face serious weaknesses. These weaknesses undermine DOD's ability to manage an estimated $280 billion and $1 trillion in assets. No major part of DOD is able to pass the test of an independent financial statement audit.

If my colleagues do not believe what the GAO says, the DOD Deputy Inspector General said that, ''The DOD financial statements for fiscal 1998 were less timely than ever, and a record $1.7 trillion,'' trillion dollars, ''of unsupported adjustments were identified by auditors.''

We waste more money at the Defense Department each year than the entire budget for the Department of Education, and yet we are not being allowed to ask for an additional audit of the largest agency in the government. I think that that indicates that there is clearly an imbalance in people's concern about the waste of taxpayers' money.

I am perfectly willing to support audits across the board at agencies that require it. I am not interested in participating in an ideological attack on one agency, which some people in this House have targeted for extinction since the day they got here.

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

Mr. SCHAFFER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

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

Mr. Chairman, I would say to my colleague from Wisconsin that we are developing a bill to do exactly what he has asked for, which will include comprehensive audits of all the agencies that have failed their audits in 1999. I believe that is 12 out of the 24 Federal agencies. We hope to work together with the gentleman on that bill.

As it relates to the Department of Education, my colleague from Colorado and I share oversight responsibilities for the Department of Education. What we have experienced is 2 years of failed audits, 3 years where the Department of Education has made over $50 million in duplicate payments and the misprinting of 3.5 million forms. Currently there is a vigorous investigation going on into computer theft at the Department of Education. And recently the Department of Education awarded 39 scholarships to young people called the Jacob Javits scholarship. The disappointing thing is that these 39 students did not actually qualify for the awards.

The Department has told us that there will be 2 more years of failed audits and perhaps in 3 years is when there will be a clean audit. Any company in the private sector that had this kind of performance would have the trading of its stock suspended. It would be in major trouble. That is exactly where the Department of Education is today. It has created an environment ripe for fraud, waste, and abuse.

Now is the time to step in and do an aggressive investigation of that Department to make sure that the 35 to $38 billion that we give to that agency each and every year makes it to the

place where the dollars are supposed to go: Helping our kids learn. Making sure that the dollars get to local classrooms so that our kids are learning exactly what they need to learn.

Now is the time for a vigorous fraud audit of the Department of Education.

Mr. OBEY. Mr. Chairman, it is my understanding that I have the right to close?

The CHAIRMAN. The gentleman is correct.

Mr. OBEY. Has all time on that side expired?

The CHAIRMAN. The gentleman from Colorado (Mr. SCHAFFER) has 2 minutes remaining, and the gentleman from Wisconsin has 2½ minutes remaining.

Mr. SCHAFFER. Mr. Chairman, I yield myself the balance of my time.

□ 2320

Mr. Chairman, this is an important amendment. I am wholly sympathetic to the desires of the gentleman from Wisconsin (Mr. OBEY), who would like broader, more comprehensive audits of other agencies and departments. I suspect that last night the Committee on Rules would have considered those, just as they did this amendment.

I, along with my colleague from Michigan, serve on the Subcommittee on Education Oversight and Investigation, and this is the focus of our concern and the only portion we brought to the body.

Simply speaking, and I will finish with this, the gentleman from Wisconsin (Mr. OBEY) referred to the GAO and its recent report. Twenty-eight days ago, GAO testified in front of our subcommittee: ''The Education Department continues to be plagued by serious internal deficiencies that need to be addressed to reduce the potential for waste, fraud, and abuse within the Department.''

With that, I think it fully explains the necessity of the amendment. Those who are concerned about getting dollars out of the bureaucracy of Washington and toward the more noble purpose of educating children in classrooms ought to stand strong behind this amendment.

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

Mr. OBEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 2½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I would simply assert that this is not a request for an audit tonight. This, in my view, is simply another ideological attack against an agency that a number of people in this House have never liked and would abolish if they had the votes to do so.

We have been told that we cannot ask for a similar audit for a department which wastes far more money than any agency of government. And we are told that somehow we are supporting the taxpayers' interest to ask for this audit by the GAO.

The fact is we currently spend $34 million each year of taxpayers' money to pay for 285 people who work for the Inspector General's Office of the Department of Education, and their full-time job is to investigate and audit the financial and management practices of the Department of Education. We are already spending $34 million to do that.

Now, the gentleman from Colorado (Mr. SCHAFFER) wants us to duplicate that effort. I do not think it is for financial reasons. I think it is because this is just another way to harass an agency that they do not like.

I would point out, maybe the Department of Education would have done a bit better in managing its operation if this Congress had not eliminated $65 million of the Department's request for program management funds since fiscal year 1996. And if the majority party had had its way, those fiscal management cuts would have exceeded $112 million. I think we understand what the target is. It is not waste; it is the agency itself.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. FOWLER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 8 offered by the gentlewoman from Florida (Mrs. FOWLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 232, not voting 19, as follows:

[Roll No 88]

AYES—183

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Bono
Boswell
Brady (TX)
Bryant
Burr
Buyer
Callahan
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cubin
Cunningham
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Ewing
Fletcher
Foley
Fowler
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Greenwood
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Norwood
Nussle
Ose
Oxley
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pryce (OH)
Radanovich
Ramstad
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wolf

NOES—232

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonilla
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Calvert
Campbell
Capps
Capuano
Cardin
Carson
Clayton
Clement
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gonzalez
Gordon
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntosh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Porter
Portman
Price (NC)
Rahall
Rangel
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Roybal-Allard
Sabo

| | | |
|---|---|---|
| Sanchez | Stabenow | Velazquez |
| Sanders | Stark | Visclosky |
| Sandlin | Strickland | Walsh |
| Sawyer | Stupak | Waters |
| Saxton | Sweeney | Watt (NC) |
| Schakowsky | Tanner | Weiner |
| Scott | Tauscher | Wexler |
| Sensenbrenner | Thompson (CA) | Weygand |
| Serrano | Thompson (MS) | Wicker |
| Sherman | Thurman | Wilson |
| Skelton | Tierney | Wise |
| Slaughter | Towns | Woolsey |
| Smith (NJ) | Traficant | Wu |
| Smith (WA) | Turner | Wynn |
| Snyder | Udall (CO) | Young (AK) |
| Spratt | Udall (NM) | Young (FL) |

NOT VOTING—19

| | | |
|---|---|---|
| Boehner | Hall (OH) | Rush |
| Clay | Herger | Shuster |
| Clyburn | Klink | Spence |
| Crane | Martinez | Vento |
| Everett | Mink | Waxman |
| Franks (NJ) | Quinn | |
| Granger | Rothman | |

□ 2354

Mrs. KELLY, Mr. SWEENEY and Mr. MCCOLLUM changed their vote from ''aye'' to ''no.''

Messrs. SHOWS, KASICH, and RAMSTAD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first, I would announce that as we conclude the business on this bill tomorrow, that the subcommittees of the Committee on Appropriations that were scheduled for hearings, because of the rule, those hearings will not be held tomorrow, inasmuch as we will be in session trying to conclude this bill.

Secondly, Mr. Chairman, I will shortly move that the committee rise, and once we rise and go back into the House, I will have a unanimous consent request to propose; in fact, two unanimous consents, one having to do with legislative days to revise and extend, and then before I make this motion to rise, Mr. Chairman, I would ask my colleagues to give the chairman a round of applause for having conducted this day's activities in a very, very excellent and professional way.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

## GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3908, and that I may include tabular and extraneous material.

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

There was no objection.

## LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 3908, 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3908 in the Committee of the Whole, pursuant to House Resolution 450, no further amendment shall be in order except as follows:

One, pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations for the purpose of debate;

Two, the amendment printed in Part B of House Report 106–549 and numbered 12; and

Three, the following further amendments:

Amendment offered by the gentleman from Texas (Mr. PAUL) regarding certain reductions and limitations;

Amendment offered by the gentleman from Florida (Mr. STEARNS) regarding an across-the-board cut;

Amendment offered by the gentleman from Mississippi (Mr. TAYLOR) regarding U.S. military in Colombia;

Amendment offered by the gentleman from Ohio (Mr. TRAFICANT) regarding buy America;

Amendment offered by the gentleman from Maine (Mr. BALDACCI) regarding building technology assistance conservation activities;

Amendment offered by the gentleman from Colorado (Mr. TANCREDO) regarding the Food and Drug Administration;

And an amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) regarding the Strategic Petroleum Reserve.

Each further amendment may be offered only by the Member designated in this request or a designee, shall be considered as read, shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

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

Mr. OBEY. Reserving the right to object, Mr. Speaker, I think Members need to understand that the reason they were kept here until midnight tonight is because there was an expectation and a hope that we would be able, by holding Members here this late this evening, to get Members out roughly around noon tomorrow so that all Members of the House, not just a few, could catch planes back to their districts.

That would have necessitated, in my judgment, a number of the amendments just described being at least debated tonight. A number of those amendments would not even have been in order if the committee had not worked with Members in order to help them get them in order, and so I think it would have been fair to ask those Members to debate those amendments tonight, because if we had not helped them, they would not have been able to debate them at all.

Secondly, there is at least one committee chairman in the House who has an amendment which is going to take longer than the others. It would have been very helpful if we could have had that amendment debated tonight and the vote coming tomorrow.

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That is what happened with a lot of people. An awful lot of people had their amendments debated late tonight, but evidently he does not want to take it up tonight.

So I think Members need to know that it is my judgment that under this agreement, they had probably better not plan on being out of here much before 2 o'clock. I regret that. I wish some of these amendments would be considered tonight. I am sorry that the authors would not be willing to do that, but I want Members to understand the problem.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I would like to say to the gentleman, when we were here at 9 o'clock, we were told it was unlikely that the amendment on Kosovo, in fact, we were not going to get to the amendment on Kosovo, and people on the gentleman's side of the aisle sent some staff home. We were under the impression it was not coming up tonight.

And then when we came back to the floor, we were told we might consider it at 11 o'clock. Some of the cosponsors of the amendment had dismissed their people. They did not have all of their material, and I suggested that we come in fresh and get right on it. I did not care what time it was.

So I would say to the gentleman if it inconvenienced the House, I want to apologize for that. But we were operating under the assumption that it would not be considered tonight and we wanted to make sure it was considered when Members were prepared and we could have a full debate. So I wanted the gentleman to understand what the confusion was.

Mr. OBEY. Mr. Chairman, reclaiming my time, I thank the gentleman from Ohio. Let me simply say that I had intended to vote for his amendment, and I still do. But the fact is that I have been asking people all night long to enable us to finish the gentleman's amendment and a number of others. No one ever talked to me about the assumption that the gentleman's amendment was not going to be considered

tonight. We have had a lot of people have their amendments offered tonight. We did not intend in any way to truncate the debate.

But since a lot of other Members had been asked to consider their amendment in other than ideal conditions, I did not think it was too much to ask the gentleman to do the same thing.

Mr. KASICH. Mr. Chairman, if the gentleman would continue to yield, I would say to the gentleman it is not just an understanding on the cosponsors on this side of the aisle. It was also that understanding from Members who were helping on the amendment on the other side of the aisle. We just had misinformation and miscommunication.

But I would say to the gentleman, I am certainly not going to argue with him if he might vote for the amendment. Whatever we need to do, let us get it up in the morning and give it good consideration.

Mr. OBEY. Mr. Chairman, again reclaiming my time, all I will say is that Members should, for purposes of planning, understand that this delay means they are probably not going to get out of here until around 2 o'clock instead of noon.

Mr. Chairman, with that I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROTHMAN (at the request of Mr. GEPHARDT) for today after 7:00 p.m on account of a family event.

Mr. EVERETT (at the request of Mr. ARMEY) for today and for the balance of the week on account of family medical reasons.

Ms. GRANGER (at the request of Mr. ARMEY) for today and the balance of the week on account of to be with those affected by the tornadoes in Fort Worth, Texas.

## ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5. An act to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

## ADJOURNMENT

Mr. YOUNG of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 3 minutes a.m.), the House adjourned until today, Thursday, March 30, 2000, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6837. A letter from the Administrator, Food and Consumer Service, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Certification Integrity (RIN: 0584–AC76) received February 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6838. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Cable Television Consumer Protection Act of 1992 [CS Docket No. 98–82] Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996 [CS Docket No. 96–85] Review of the Commission's Cable Attribution Rules—received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6839. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to Egypt (Transmittal No. 04–00), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

6840. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to French Guiana (Transmittal No. DTC–003–00), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6841. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes [Docket No. 99–NM–247–AD; Amendment 39–11542; AD 2000–02–24] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6842. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Twin Commander Aircraft Corporation 600 Series Airplanes [Docket No. 99–CE–51–AD; Amendment 39–11548; AD 2000–02–30] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6843. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 99–CE–50–AD; Amendment 39–11547; AD 2000–02–29] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6844. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes [Docket No. 99–CE–64–AD; Amendment 39–11549; AD 2000–02–31] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6845. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Model MU–2B Series Airplanes Airplanes [Docket No. 99–CE–38–AD; Amendment 39–11543; AD 2000–02–25] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6846. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Models EMB–110P1 and EMB–110P2 Airplanes [Docket No. 99–CE–42–AD; Amendment 39–11545; 2000–02–27] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6847. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AeroSpace Technologies of Australia Pty Ltd. Models N22B and N24A Airplanes [Docket No. 99–CE–47–AD; Amendment 39–11546; AD 2000–02–28] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6848. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 98–NM–282–AD; Amendment 39–11529; AD 2000–02–10] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6849. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers and Harland Ltd. Models SC–7 Series 2 and SC–7 Series 3 Airplanes [Docket No. 97–CE–99–AD; Amendment 39–11534; AD 2000–02–16] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6850. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 65–90, 65–A90, B90, and C90 Airplanes [Docket No. 99–CE–92–AD; Amendment 39–11533; AD 2000–02–15] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6851. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–100, –200, and –300 Series Airplanes [Docket No. 2000–NM–08–AD; Amendment 39–11525; AD 2000–02–06] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6852. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB211 Trent 768–60, 772–60, and 772B–60 Series Turbofan Engines [Docket No. 99–NE–60–AD; Amendment 39–11535; AD 2000–02–17] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6853. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–262–AD; Amendment 39–11463; AD 99–26–03 C1] (RIN: 2120–AA64) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6854. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Beaumont, TX [Airspace Docket No. 99–ASW–25] received February 11, 2000, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6855. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Jet Routes J–78 and J–112; Evansville, IN [Airspace Docket No. 99–AGL–48] (RIN: 2120–AA66) received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6856. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D Airspace; NAS JRB (Carswell Field), Fort Worth, TX [Airspace Docket No. 99–ASW–19] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6857. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Norfolk, NE [Airspace Docket No. 99–ACE–45] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6858. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Mountain View, MO [Airspace Docket No. 99–ACE–46] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6859. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Iowa City, IA [Airspace Docket No. 99–ACE–50] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6860. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Regulations Governing Agencies for Issue of United States Savings BOND—received January 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6861. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Capital Expenditures [Rev. Rul. 2000–7] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6862. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Ahadpour v. Commissioner [CC–2000–02] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3039. A bill to amend the Federal Water Pollution Control Act to assist in the restoration of the Chesapeake Bay, and for other purposes (Rept. 106–550). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1359. A bill to designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the ''Frank J. Battisti and Nathaniel R. Jones Federal Building and United States Courthouse'' (Rept. 106–551). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1567. A act to designate the United States courthouse located at 223 Broad Street in Albany, Georgia, as the ''C.B. King United States Courthouse''; with amendments (Rept. 106–552). Referred to the House Calendar.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 1776. A bill to expand homeownership in the United States; with an amendment (Rept. 106–553). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BALLENGER (for himself, Mr. KUYKENDALL, Mr. DAVIS of Virginia, Mr. MORAN of Virginia, Mr. OWENS, Mr. ROEMER, Mr. BOEHNER, Mr. DOOLEY of California, Mr. GOODLING, Ms. ESHOO, Mr. BLUNT, Mr. KIND, Mr. CONDIT, Mr. ADERHOLT, Mr. ARMEY, Mr. SAM JOHNSON of Texas, Mr. EHRLICH, and Mr. HOEKSTRA):

H.R. 4109. A bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act; to the Committee on Education and the Workforce.

By Mr. HORN (for himself, Mr. TURNER, Mr. BLUNT, Mr. WALDEN of Oregon, Mr. OWENS, Mr. GILMAN, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. WAXMAN, Mr. MCHUGH, Mr. LANTOS, and Mr. PRICE of North Carolina):

H.R. 4110. A bill to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005; to the Committee on Government Reform.

By Mr. SENSENBRENNER (for himself, Mr. COBURN, Mr. PAUL, and Mr. MALONEY of Connecticut):

H.R. 4111. A bill to amend the Internal Revenue Code of 1986 to suspend all motor fuel taxes for six months, and to permanently repeal the 4.3-cent per gallon increases in motor fuel taxes enacted in 1993; to the Committee on Ways and Means.

By Mr. EWING (for himself, Mr. GOODLING, Mr. WELLER, Mr. BOEHNER, Mr. BARRETT of Nebraska, Mr. POMBO, Mr. SMITH of Michigan, Mr. LUCAS of Oklahoma, Mr. CHAMBLISS, Mr. LAHOOD, Mr. MORAN of Kansas, Mr. FLETCHER, Mr. HAYES, Mr. SIMPSON, Mr. PETERSON of Minnesota, Mr. CANADY of Florida, Mr. COOKSEY, Mr. JENKINS, Mr. WELDON of Florida, Mr. MANZULLO, Mr. COBURN, Mr. HOEKSTRA, Mr. SCHAFFER, Mr. SAXTON, Mr. THUNE, Mr. SESSIONS, Mr. SKEEN, Mr. BILIRAKIS, Mr. WALDEN of Oregon, Mr. BUYER, Mr. CALVERT, Mr. LUCAS of Kentucky, Mr. DREIER, Mrs. BIGGERT, Mr. ENGLISH, Mr. BEREUTER, Mr. HUTCHINSON, Mr. TIAHRT, Mr. GREEN of Wisconsin, Mr. WHITFIELD, and Mr. LATOURETTE):

H.R. 4112. A bill to amend the Internal Revenue Code of 1986 to increase the unified credit against estate and gift taxes to an exclusion equivalent of $10,000,000 and to provide for an inflation adjustment of such amount; to the Committee on Ways and Means.

By Mr. ARMEY (for himself and Mr. DOOLEY of California):

H.R. 4113. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for health insurance costs, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADY of Texas (for himself and Mr. MILLER of Florida):

H.R. 4114. A bill to require that United States assistance may be provided to the government of a foreign country only if a treaty of extradition between that country and the United States is in force, or the government of that country and the United States have entered into negotiations to conclude a treaty of extradition; to the Committee on International Relations.

By Mr. CANNON (for himself, Mr. FROST, Mr. GILMAN, Mr. LANTOS, Mr. LATOURETTE, Mr. BERMAN, Mr. ACKERMAN, Mr. GEJDENSON, Mr. FILNER, Mr. HOYER, Mr. POMBO, Mr. LEACH, Mr. DEUTSCH, Mrs. LOWEY, Mr. WAXMAN, Mr. CROWLEY, Mr. ROTHman, Mr. SISISKY, Mr. KENNEDY of Rhode Island, Mr. FRANKS of New Jersey, Mr. WEXLER, Mr. NADLER, Mrs. MALONEY of New York, Ms. BERKLEY, and Mr. WEINER):

H.R. 4115. A bill to authorize appropriations for the United States Holocaust Memorial Museum, and for other purposes; to the Committee on Resources.

By Mr. DUNCAN:

H.R. 4116. A bill to provide that no insurer which is engaged in interstate commerce may exercise any right under a subrogation or reimbursement clause in an insurance policy until the insured has received full compensation; to the Committee on Commerce.

By Mr. MEEKS of New York (for himself, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. FORD, Mr. LARSON, and Mr. CROWLEY):

H.R. 4117. A bill to provide collegiate student-athletes who attend NCAA-member institutions the same rights and privileges afforded to all citizens; to the Committee on Education and the Workforce.

By Ms. ROS-LEHTINEN (for herself, Mr. DIAZ-BALART, Mr. DELAY, Mr. BURTON of Indiana, Mr. HYDE, Mr. ROHRABACHER, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. BURR of North Carolina, Mr. MCCOLLUM, Mr. BARTLETT of Maryland, and Mr. JONES of North Carolina):

H.R. 4118. A bill to prohibit the rescheduling or forgiveness of any outstanding bilateral debt owed to the United States by the Government of the Russian Federation until the President certifies to the Congress that the Government of the Russian Federation has ceased all its operations at, removed all personnel from, and permanetly closed the intelligence facility at Lourdes, Cuba; to the Committee on International Relations.

By Mr. SHADEGG (for himself and Mr. LIPINSKI):

H.R. 4119. A bill to amend the Public Health Service Act to expand health care access and choice of coverage through Individual Membership Associations (IMAs); to the Committee on Commerce.

By Mr. SHADEGG:

H.R. 4120. A bill to amend section 211 of the Clean Air Act to permit any State to waive the oxygenate content requirement for reformulated gasoline if the State implementation plan for the State is adequate to attain and maintain the national ambient air quality standards in the absence of that requirement, and for other purposes; to the Committee on Commerce.

By Mr. SIMPSON (for himself, Mr. WALDEN of Oregon, Mr. GIBBONS, Mr. HILL of Montana, Mr. RADANOVICH, Mrs. CHENOWETH-HAGE, Mr. HERGER, Mr. PETERSON of Pennsylvania, Mr. OSE, Mr. HASTINGS of Washington, Mr. CANNON, Mr. STUMP, Mr. TANCREDO, Mrs. CUBIN, Mr. YOUNG of

Alaska, Mr. HANSEN, Mr. THOMAS, Mr. HAYWORTH, Mr. DOOLITTLE, Mr. METCALF, Mr. POMBO, Mr. SCHAFFER, and Mr. BARTLETT of Maryland):

H.R. 4121. A bill to amend the Antiquities Act of 1906 regarding the establishment by the President of certain national monuments; to the Committee on Resources.

By Mr. STUPAK (for himself and Mr. POMEROY):

H.R. 4122. A bill to amend the Communications Act of 1934 to encourage broadband deployment to rural America, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 4123. A bill to modify the project for flood control, Yazoo Backwater Area, Yazoo Basin, Mississippi, to authorize the Secretary of the Army to make payments to local interests as compensation for certain reductions in local tax revenues; to the Committee on Transportation and Infrastructure.

By Mr. THORNBERRY:

H.R. 4124. A bill to amend title 10, United States Code, to improve the access to military treatment facilities for retired members of the uniformed services, and their dependents, who are over 65 years of age, to provide for Medicare reimbursement for health care services provided to such persons, to permit such persons to enroll in the Federal Employees Health Benefits program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Armed Services, Commerce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 4125. A bill to provide a grant under the urban park and recreation recovery program to assist in the development of a Millennium Cultural Cooperative Park in Youngstown, Ohio; to the Committee on Resources.

By Mr. UDALL of New Mexico (for himself, Mrs. WILSON, Ms. ROYBAL-ALLARD, Mr. ROMERO-BARCELO, Ms. VELAZQUEZ, Mr. GONZALEZ, Mr. HINOJOSA, Mr. REYES, and Mr. BACA):

H.R. 4126. A bill to authorize funding for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest, and for other purposes; to the Committee on Resources.

By Mr. VITTER:

H.R. 4127. A bill to amend the Individuals with Disabilities Education Act to provide increased authority for school personnel to discipline children with disabilities who engage in certain dangerous behavior; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WELDON of Pennsylvania, Mr. BISHOP, Mr. BOEHLERT, Mr. EHLERS, Mr. SHERWOOD, Mr. LARSON, and Mr. BARCIA):

H.R. 4128. A bill to authorize appropriations to address the needs of State and local emergency responders, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, Commerce, Banking and Financial Services, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRABACHER (for himself, Mr. ROYCE, and Ms. ROS-LEHTINEN):

H. Con. Res. 295. Concurrent resolution relating to continuing human rights violations and political oppression in the Socialist Republic of Vietnam 25 years after the fall of South Vietnam to Communist forces; to the Committee on International Relations.

By Mr. GILMAN (for himself, Mr. LANTOS, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. TRAFICANT, Ms. VELAZQUEZ, Mr. RANGEL, and Mr. LEWIS of Georgia):

H. Res. 451. A resolution calling for lasting peace, justice, and stability in Kosova; to the Committee on International Relations.

By Ms. LOFGREN:

H. Res. 452. A resolution recognizing the efforts of the National Association of Letter Carriers for its annual food drive; to the Committee on Agriculture.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOSWELL:

H.R. 4129. A bill for the relief of Jose Gualalupe Telliz Pinales; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 4130. A bill to authorize the use of a vessel to transport the former naval medium harbor tug U.S.S. *HOGA* to Port Everglades, Florida, for use as a memorial to veterans and for providing vocational seamanship training; to the Committee on Transportation and Infrastructure.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 61: Mrs. MCCARTHY of New York.
H.R. 110: Mr. BACHUS.
H.R. 137: Mrs. NAPOLITANO and Mr. RODRIGUEZ.
H.R. 252: Mr. GOODLING.
H.R. 371: Mr. MCCOLLUM.
H.R. 455: Mr. SANDLIN and Mr. BECERRA.
H.R. 460: Ms. SCHAKOWSKY.
H.R. 534: Mrs. CUBIN and Mrs. NAPOLITANO.
H.R. 566: Mrs. THURMAN.
H.R. 632: Mr. BACA and Mr. MICA.
H.R. 654: Mr. GREEN of Wisconsin.
H.R. 670: Mr. WELDON of Pennsylvania and Mr. BARTLETT of Maryland.
H.R. 709: Mr. BONIOR.
H.R. 731: Mr. GONZALEZ.
H.R. 802: Mr. PRICE of North Carolina, Mr. KIND, and Mr. UNDERWOOD.
H.R. 860: Mr. MALONEY of Connecticut.
H.R. 1046: Mr. BLUMENAUER, and Mr. COOK.
H.R. 1055: Mr. CRAMER, Mr. SKELTON, Mr. MCHUGH, and Mr. LUCAS of Oklahoma.
H.R. 1070: Mr. SCOTT, Mr. TRAFICANT, Mr. PICKETT, Mr. TURNER, Mr. STENHOLM, and Mr. SCHAFFER.
H.R. 1071: Mr. OWENS.
H.R. 1093: Mr. STEARNS.
H.R. 1102: Ms. CARSON.
H.R. 1163: Mr. ENGEL.
H.R. 1217: Mr. WALSH.
H.R. 1285: Mr. WEYGAND.
H.R. 1304: Ms. CARSON.
H.R. 1322: Mr. ARMEY, Mr. PICKETT, Mr. TANCREDO, Mr. SALMON, Mr. SOUDER, Mrs. MORELLA, Mr. HINCHEY, Mr. NORWOOD, Mr. WHITFIELD, Mr. SAXTON, Mr. PACKARD, Mr. TALENT, Mr. GILLMOR, Mr. TRAFICANT, Mr. CANNON, and Mr. SERRANO.
H.R. 1413: Mr. KUCINICH.
H.R. 1495: Mr. BAIRD.
H.R. 1604: Mr. WELDON of Pennsylvania.
H.R. 1622: Mr. UDALL of Colorado.
H.R. 1704: Mr. TANCREDO.
H.R. 1770: Mr. OWENS.
H.R. 1816: Mrs. CLAYTON, Ms. WOOLSEY, and Mr. FILNER.
H.R. 1885: Ms. DANNER, Mr. ANDREWS, and Mr. HOLDEN.
H.R. 1899: Mr. SAXTON.
H.R. 1926: Mr. KLECZKA.
H.R. 2002: Mr. TRAFICANT, Mr. DICKS, Mr. BERMAN, and Mr. BACA.
H.R. 2059: Mrs. MCCARTHY of New York and Mr. GORDON.
H.R. 2120: Mr. PAYNE, Mrs. CHRISTENSEN, Mr. COYNE, Mr. GONZALEZ, and Mr. WYNN.
H.R. 2258: Mr. FRANK of Massachusetts and Mr. OWENS.
H.R. 2289: Mr. MCCOLLUM.
H.R. 2298: Mr. BRADY of Pennsylvania.
H.R. 2420: Mr. TIAHRT, Mr. RANGEL, and Mr. CLEMENT.
H.R. 2498: Mr. SPENCE and Ms. BERKLEY.
H.R. 2499: Mr. FRELINGHUYSEN.
H.R. 2511: Mr. KING, Mr. BRYANT, and Mrs. CUBIN.
H.R. 2538: Mr. CHAMBLISS.
H.R. 2573: Mr. OWENS.
H.R. 2620: Mr. CARDIN, Mr. STARK, and Ms. KILPATRICK.
H.R. 2635: Mr. BLUMENAUER.
H.R. 2676: Mr. FRANK of Massachusetts.
H.R. 2713: Ms. NORTON and Mr. ENGEL.
H.R. 2738: Ms. MCKINNEY.
H.R. 2739: Mr. WAXMAN and Mr. TOWNS.
H.R. 2764: Mr. ENGEL.
H.R. 2814: Mr. EHRLICH.
H.R. 2842: Mr. OWENS.
H.R. 2870: Mr. LANTOS and Ms. BROWN of Florida.
H.R. 2919: Mrs. CHRISTENSEN.
H.R. 2982: Ms. JACKSON-LEE of Texas and Mr. ENGEL.
H.R. 3000: Mr. PAYNE and Ms. MCKINNEY.
H.R. 3004: Mr. HOLT, Mr. TIAHRT, Mr. FILNER, Mr. WEXLER, Ms. MCCARTHY of Missouri, Mr. NADLER, Mr. BLUMENAUER, Ms. JACKSON-LEE of Texas, Mr. WEINER, Mr. LANTOS, Mr. DEUTSCH, Mr. CARDIN, and Mr. MCNULTY.
H.R. 3044: Ms. MCKINNEY.
H.R. 3115: Mr. SPENCE.
H.R. 3132: Mr. MEEKS of New York.
H.R. 3136: Mr. ENGEL.
H.R. 3143: Mr. NADLER and Mr. FROST.
H.R. 3192: Ms. ROS-LEHTINEN, Mr. KILDEE, Mr. LANTOS, Ms. RIVERS, Mr. WYNN, and Mr. LAFALCE.
H.R. 3193: Mr. WU, Mr. SAWYER, Mr. BACA, Mr. PETRI, Mr. CAMP, Mr. NUSSLE, Mr. UPTON, Mr. YOUNG of Alaska, Mr. WICKER, and Mr. WOLF.
H.R. 3202: Ms. MCKINNEY.
H.R. 3256: Mr. BONIOR.
H.R. 3295: Mr. OWENS.
H.R. 3375: Mr. CUNNINGHAM and Mr. CALVERT.
H.R. 3405: Mr. LEWIS of Georgia, Mr. PRICE of North Carolina, and Mr. OWENS.
H.R. 3430: Mr. ENGEL, Mr. WAXMAN, Ms. SCHAKOWSKY, and Ms. HOOLEY of Oregon.
H.R. 3500: Mr. BRADY of Pennsylvania, Mrs. NAPOLITANO, Mr. UDALL of New Mexico, Ms. BERKLEY, and Mr. BAIRD.
H.R. 3514: Mr. ACKERMAN.
H.R. 3542: Mr. UNDERWOOD, Mr. LEWIS of Georgia, Ms. WATERS, Mr. CLYBURN, and Mrs. CLAYTON.
H.R. 3573: Mrs. BIGGERT, Mr. DAVIS of Illinois, Mr. GORDON, and Ms. NORTON.
H.R. 3628: Mrs. KELLY, Mr. MINGE, Mr. SANDERS, and Ms. SLAUGHTER.
H.R. 3631: Mr. BARRETT of Wisconsin.

H.R. 3634: Mr. WU and Mr. ENGEL.

H.R. 3663: Mr. SWEENEY, Mrs. BIGGERT, Mr. JONES of North Carolina, Mr. HALL of Texas, Mr. HORN, Mr. LEACH, Mr. TRAFICANT, Mr. BILIRAKIS, Mr. DICKEY, Mr. SESSIONS, Mr. REGULA, Mr. SHERWOOD, Mr. WALSH, Mr. HAYES, Mr. CALLAHAN, Mrs. FOWLER, Mr. BUYER, Mr. COBURN, Mr. TAYLOR of Mississippi, Mr. COLLINS, Mr. CAPUANO, Mr. STUMP, Mr. HYDE, Mr. CANADY of Florida, Mr. DUNCAN, Mr. RILEY, Mr. ABERCROMBIE, Mr. KASICH, Mr. LAHOOD, Mr. PETRI, Mr. SHOWS, and Mr. FLETCHER.

H.R. 3670: Mr. BORSKI, Mr. LATOURETTE, Mr. LIPINSKI, Mr. ENGLISH, Mr. BONIOR, Mr. MCHUGH, Mr. GUTIERREZ, Ms. KAPTUR, Mr. CONYERS, Mr. BARRETT of Wisconsin, Mr. STUPAK, Ms. SLAUGHTER, and Mr. BROWN of Ohio.

H.R. 3686: Mr. OWENS.

H.R. 3710: Mr. RANGEL, Mr. LATOURETTE, Mrs. MCCARTHY of New York, Mrs. THURMAN, Mr. LANTOS, Ms. BROWN of Florida, Mr. FARR of California, and Mr. CAPUANO.

H.R. 3732: Mr. WHITFIELD, Mrs. THURMAN, Mr. LAFALCE, Mr. FROST, Mr. OWENS, Mr. TRAFICANT, Mr. ALLEN, and Mr. HILLEARY.

H.R. 3766: Mr. LUCAS of Kentucky, Ms. BERKLEY, Mr. BRADY of Pennsylvania, Ms. WOOLSEY, Mr. BORSKI, and Mr. SISISKY.

H.R. 3823: Mr. WAXMAN and Mr. ENGEL.

H.R. 3849: Mr. HEFLEY.

H.R. 3861: Mr. ENGEL, Mr. BARRETT of Wisconsin, and Mr. BRADY of Pennsylvania.

H.R. 3866: Mr. PAUL.

H.R. 3887: Mr. WEXLER, Ms. ROYBAL-ALLARD, and Mr. SANDERS.

H.R. 3909: Mr. SHIMKUS, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. EVANS, Mr. LAHOOD, Mr. EWING, Mr. BLAGOJEVICH, Mr. WELLER, Mr. LIPINSKI, Mr. HYDE, and Mr. COSTELLO.

H.R. 3981: Mr. BRADY of Pennsylvania.

H.R. 3983: Mr. INSLEE, Mrs. MYRICK, Mr. MCDERMOTT, Mr. CROWLEY, Mr. HOYER, Mr. PETERSON of Pennsylvania, Mr. SUNUNU, Mr. ETHERIDGE, Mr. WELLER, and Mrs. BIGGERT.

H.R. 3998: Mr. GONZALEZ.

H.R. 4003: Mr. MCCRERY.

H.R. 4006: Mr. HEFLEY.

H.R. 4007: Mr. CROWLEY, Mr. EVANS, Ms. DELAURO, and Ms. RIVERS.

H.R. 4011: Mr. EMERSON, Mr. SWEENEY, Ms. KAPTUR, Mr. FRELINGHUYSEN, and Mr. BASS.

H.R. 4025: Mr. PITTS.

H.R. 4033: Mr. WALSH, Mr. MCNULTY, Mr. SAWYER, Mr. KUCINICH, Mr. ROEMER, Mr. GOODE; Mr. KLECZKA, Mr. UDALL of Colorado, Mr. LUCAS of Kentucky, Mr. FOLEY, Mr. NEY, Mrs. EMERSON, Mr. BILBRAY, Mr. NETHERCUTT, Mrs. NORTHUP, Mr. PORTER, and Mr. DOOLEY of California.

H.R. 4040: Mr. BLUMENAUER, Mr. MORAN of Virginia, Mr. MCCOLLUM, Mr. HALL of Ohio, Mr. OSE, and Mr. MCHUGH.

H.R. 4046: Mr. BOEHLERT and Mr. ABERCROMBIE.

H.R. 4047: Mr. LIPINSKI and Mrs. MYRICK.

H.R. 4051: Mr. HILLEARY, Mr. GOSS, and Mr. CHABOT.

H.R. 4057: Mr. COOK and Ms. ROYBAL-ALLARD.

H.R. 4069: Mr. NEY and Mr. NEAL of Massachusetts.

H.R. 4076: Mr. RILEY, Mr. LUCAS of Kentucky, and Mr. PETERSON of Minnesota.

H.R. 4090: Mr. COBURN, Mr. PETERSON of Minnesota, Mr. BORSKI, and Mr. MOORE.

H.R. 4100: Mr. EVANS.

H.R. 4101: Mr. EVANS.

H.R. 4102: Mr. ROHRABACHER, Mr. ROGAN, and Mr. NEY.

H.J. Res. 64: Mr. SCHAFFER, Mr. DEMINT, Mr. SAM JOHNSON of Texas, Mr. TIAHRT, Mr. SOUDER, Mr. LARGENT, Mrs. CHENOWETH-HAGE, Mr. TANCREDO, Mr. COBURN, Mr. HOEKSTRA, and Mr. DOOLITTLE.

H. Con. Res. 115: Mr. WEYGAND.

H. Con. Res. 119: Mr. BACHUS.

H. Con. Res. 226: Mr. MENENDEZ, Mr. KUCINICH, Mr. DAVIS of Illinois, Ms. RIVERS, and Mr. PASCRELL.

H. Con. Res. 243: Mr. STRICKLAND, Mr. HOLT, Mr. CUMMINGS, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. KENNEDY of Rhode Island, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. LEWIS of Georgia, Ms. WATERS, Mr. BISHOP, Mr. CLYBURN, Mrs. CLAYTON, Ms. KAPTUR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STARK, and Mr. BACA.

H. Con. Res. 252: Mr. MATSUI, Mr. CAMP, Mr. BARCIA, Mr. GOSS, and Mrs. FOWLER.

H. Con. Res. 253: Mr. GEORGE MILLER of California.

H. Con. Res. 286: Mrs. MORELLA.

H. Res. 213: Mr. EVANS.

H. Res. 448: Mr. LARGENT.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3908

OFFERED BY: MR. CARDIN

AMENDMENT NO. 12: Page 56, after line 12, insert the following:

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The limitation on administrative expenses under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is increased by an additional $336,000,000: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

H.R. 3908

OFFERED BY: MS. KILPATRICK

AMENDMENT NO. 13: Page 53, after line 5 add the following:

**CHAPTER 3A—BILATERAL ECONOMIC ASSISTANCE**

AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

For an additional amount for ''Child Survival and Disease Programs Fund'', $20,000,000, to remain available until expended, for flood recovery efforts in the Republic of Mozambique and surrounding affected countries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that at an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $20,000,000, to remain available until expended, for flood recovery efforts in the Republic of Mozambique and surrounding affected countries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that at an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $20,000,000, to remain available until expended, for flood recovery efforts in the Republic of Mozambique and surrounding affected countries: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that at an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

H.R. 3908

OFFERED BY: MR. PAYNE

AMENDMENT NO. 14: Page 53, after line 5, insert the following new chapter:

CHAPTER 3A

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'' for assistance for Mozambique and other areas of Southern Africa affected by flooding and other natural disasters in January and February, 2000, $350,000,000, to remain available until expended: *Provided,* That, of such amount, $200,000,000 shall be for assistance for Mozambique and $150,000,000 shall be for assistance for other areas of Southern Africa: *Provided further,* That such assistance shall include the establishment of the Famine early warning system and repair and reconstruction of farm structures and equipment: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

H.R. 3908

OFFERED BY: MR. STEARNS

AMENDMENT NO. 15: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. (a) ACROSS-THE-BOARD REDUCTION.—Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 10 percent.

(b) EXCEPTIONS.—Subsection (a) shall not apply to any amount designated by this Act as an emergency requirement, or any amount appropriated or otherwise made

available by this Act for the Department of Defense.

H.R. 3908

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 16: At the end of the bill, add the following section.

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES—Food and Drug Administration Buildings and Facilities by $20 million.

H.R. 3908.

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 17: At the end of the bill, add the following new section:

**SEC. ___. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE**

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under this Act shall report any expenditures on foreign-made items to the Congress within 180 days of the expenditure.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, MARCH 29, 2000 No. 37

# Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Let us pray:

Loving Father, You open Your heart to us. You assure us of Your unqualified, unlimited love. In spite of all the changes in our lives, You never change. We hear Your assurance, ''I love you. I will never let you go. You are mine. I have you chosen and called you to know, love, and serve Me.''

In response, we open our hearts to You. We choose to be chosen. We accept Your love and forgiveness and turn our lives over to Your control. We confess anything we have said or done that deserves Your judgment. Cleanse our memories of any failure that would haunt us today and give us the courage to act on the specific guidance You have given that we have been reluctant to put into action. We commit to You our families, friends, and those with whom we work. Help us to communicate Your creative delight in each person's uniqueness and potential.

We dedicate today's work in the Senate. Bless the Senators with a renewed sense of Your presence, a rededication to their calling to serve You and our Nation, and a reaffirmation of their dependence on You. You are our Lord and Saviour. Amen.

f

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. ALLARD). The acting majority leader is recognized.

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SCHEDULE

Mr. HATCH. Mr. President, today the Senate will resume consideration of the pending flag desecration resolution for 30 minutes prior to a cloture vote on the resolution. Therefore, Senators can anticipate the cloture vote to occur at approximately 10 a.m. Following the vote, the Senate will be in a period of morning business until 12:30 p.m. with the time under the control of Senators BROWNBACK, COVERDELL, and DURBIN.

It is hoped an agreement regarding final passage of the flag resolution can be made so that the vote can occur during today's session. As a reminder, cloture on the motion to proceed to the gas tax legislation was filed on Tuesday, and that vote will occur on Thursday at a time to be determined. Also on Thursday, the Senate is expected to begin consideration of the loan guarantees legislation.

I thank all Members for their attention.

f

MEASURE PLACED ON THE CALENDAR—S.J. RES. 43

Mr. HATCH. Mr. President, I understand there is a joint resolution at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A joint resolution (S.J. Res. 43) expressing the sense of the Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru.

Mr. HATCH. I object to further proceeding on the resolution at this time.

The PRESIDING OFFICER. The resolution will be placed on the calendar.

FLAG DESECRATION CONSTITUTIONAL AMENDMENT—Resumed

Mr. HATCH. I ask unanimous consent that the oversized posters we use this morning be permitted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, during the past 2 days, we have heard several Senators who oppose the flag desecration amendment speak about the American flag as only a symbol or a piece of cloth that should not be confused with the real freedoms that we as Americans enjoy. They want to know why we get so worked up over a symbol, a mere piece of cloth. They want to know why we should care if someone urinates or defecates on the American flag. They ask: Aren't we strong enough as a nation to overlook such behavior?

The U.S. flag is a lot more than a symbol and a lot more than a piece of cloth. Don't take my word for it. Listen to the story of how Mike Christian feels about the American flag. Mike Christian was one of Senator John MCCAIN's cellmates at the ''Hanoi Hilton'' during the Vietnam war. He sewed an American flag on the inside of his shirt, and he often led his prisoners of war in the Pledge of Allegiance to the flag. One day, his captors found that flag and they beat him severely for possessing it. Despite the risk of even more life-threatening abuse, Mr. Christian sharpened a little piece of bamboo into a needle and painstakingly made another flag out of bits of cloth. His new flag, and the heroics it inspired, helped the other American prisoners survive their prolonged captivity under brutal conditions.

If a makeshift flag can stir such emotions, it is illogical for the Senate to ignore the feelings of the overwhelming number of Americans who support flag protection. The flag is not just a piece of cloth or a symbol. It is the embodiment of our heritage, our liberties, and indeed our sovereignty as

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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a nation. The American flag unites Americans because it embodies shared values and history.

Gen. Norman Schwarzkopf, commander of the U.S. and allied forces during the gulf war, summed this up eloquently in his letter supporting the flag amendment. General Schwarzkopf wrote:

> We are a diverse people living in a complicated fragmented society. I believe we are imperiled by a growing cynicism by certain traditions that bind us, particularly service to our Nation. The flag remains the single preeminent connection to each other and to our country. Legally sanctioning flag desecration only serves to undermine this national unity and identity which must be preserved.

That was General Schwarzkopf, one of the great heroes of our country.

I have a few flags that will help illustrate what the flag means to our shared history. These flags tell part of the story of how this Nation we all call ours came to be so great.

The flag with the circle of 13 stars was the first official flag of the United States. It was adopted by an act of Congress on June 14, 1777. According to legend, a group headed by George Washington came up with this design and commissioned seamstress Betsy Ross to execute it for presentation to Congress. It is a beautiful flag.

Let me go to the next flag. This design is believed by many authorities to be the stars and stripes used by the American land troops during the Revolutionary War. A flag such as this was flown over the military stores at Bennington, VT, on August 16, 1777, when Gen. John Stark's militia led Americans to victory over a British raiding force. The original of that flag is preserved in the Bennington, VT, museum.

The 15 stars and 15 stripes design was adopted prior to the War of 1812 after two States were added to the Union. Notice that it not only has 15 stars but also 15 stripes. This is the design that flew over Fort McHenry during a naval bombardment and inspired Francis Scott Key to compose what later became our national anthem. The actual flag that survived that night over Fort McHenry has been restored and now hangs in the Smithsonian.

Today's flag has 50 stars and 13 stripes. Its design was born of the need for a more practical way of adding states than adding both a star and a stripe for each one. Congress approved this design—seven red and six white stripes, and a star for each state—on April 4, 1818. The 50-star flag has been in use since July 4, 1960. It's a flag like this that Mike Christian tried to fashion from his cell in the Hanoi Hilton. It's a flag like this that flies over the Capitol and our Federal buildings around the world. It is a flag like this that we pledge allegiance to every day when we open the Senate.

Mr. President, do we mean what we say when we stand here each morning and pledge allegiance to the flag, or is it simply a hollow gesture? I fear that the significance of these flags, and their meaning to Americans, is being belittled by some who suggest the Senate's time is too important for the flag protection constitutional amendment.

Listen to the American people. That is what I would like to say to the Members of the Senate. The vast majority of our citizens support amending the Constitution to protect our Nation's flag. To us, protecting the flag as the symbol of our national community—and utilizing the constitutional amendment process to do so—is no trivial matter.

There are tens of thousands of veterans living on our country today who have put their lives on the line to defend our flag and the principles for which it stands. Those are the fortunate ones who were not required to make the ultimate sacrifice, as did my brother and my brother-in-law. For every one of those, there is someone who has traded the life of a loved one for a flag, folded at a funeral. Let's think about that trade—and about the people who made that sacrifice for us—before deciding whether the flag is important enough to be addressed in the Senate.

Would it really trivialize the Constitution, as some critics suggest, to pass an amendment that is supported by a vast majority of Americans? Is it somehow frivolous to employ the amendment process that our Founding Fathers wrote into Article V of the Constitution? Are we irresponsible if we simply restore the law as it existed for centuries prior to two recent Supreme Court decisions?

The Constitution itself establishes the process for its own amendment. It says that the Constitution will be amended when two-thirds of Congress and three-fourths of the states want to do so. It does not say that this procedure is reserved for issues that some law professors think are important, or for an issue that would immediately crush the foundations of our great republic if left unaddressed. If ''government by the people'' means anything, it means that the people can decide the fundamental questions concerning the checks and balances in our government. It means the people can choose whether it is Congress or the Supreme Court that decides whether flag desecration is against the law. The people have said that they want Congress to decide it in the state legislatures.

I urge my colleagues to think hard about what they consider ''important'' before they conclude that the Senate should ignore the people's desire to make decisions about the government which governs them. The flag amendment is the very essence of ''government by the people'' because it reflects the people's decision to give Congress a power that the Supreme Court has taken away. This question is very important. It involved the separation of power doctrine of our Constitution.

I think we all have a pretty good idea of where the votes are on this amendment. The question is why my colleagues wish to delay a vote on this important measure. Perhaps they feel the need to turn a few more votes . . . I don't know. Whatever the reason, I urge all my colleagues, whether they support the flag amendment or not, to vote for cloture so we can then have an up and down vote on the merits of S.J. Res. 14.

Finally, all this amendment does is give Congress the power to prohibit the physical desecration of the flag of the United States. I happen to think that is a wise thing to do. The vast majority of the American people think it is a wise thing to do. A vast majority of the House of Representatives think it is a wise thing to do. And a majority here—although, alas, probably not enough—do believe it is a wise thing to do as well.

I reserve the remainder of my time.

Mr. LEAHY. Mr. President, how much time is available to the Senator from Utah and the Senator from Vermont?

The PRESIDING OFFICER. The Senator from Utah has 3 minutes remaining. The Senator from Vermont has 13 minutes remaining.

Mr. LEAHY. Thirteen? I thought the Senator from Vermont had half the time, which would have been 15 minutes.

The PRESIDING OFFICER. Half the time is 13 minutes to the side since the Senate started at 9:30.

Mr. HATCH. Mr. President, I ask unanimous consent we extend debate for 30 minutes so he can have 15.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I note we had discussion about whether people want to prolong this debate. We do want to have debate on the constitutional amendment. People have given tremendous speeches, pro and con, on this issue. I hope everybody will vote for cloture, for example. But let us not have any suggestion that anybody here is trying to stop a vote on this constitutional amendment. We all want it. But most Senators believe, if you are going to amend the Constitution, it requires at least more debate and more time than we might give to a simple resolution.

I yield 5 minutes to the distinguished Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Senator for his tremendous leadership in opposition to this constitutional amendment. I thank him for his leadership on this whole issue.

THE BILL OF RIGHTS AND FREEDOM OF EXPRESSION

Honoring the flag demands that we consider carefully the history of the Bill of Rights before we choose to alter it. Many of our Founders sought a Bill of Rights because, in their view, the Constitution failed properly to consider and protect the basic and fundamental rights of individuals.

Although many Federalists, including James Madison, felt that the limited powers conferred on the government by the Constitution were sufficiently narrow so as to leave those rights unquestioned, the Bill of Rights was adopted in order to provide reluctant states with the assurances necessary for approval of the Constitution.

From this beginning in compromise 209 years ago, the Bill of Rights has evolved into the single greatest protector of individual freedom in history. It has done so, in large measure, because attempts to narrow it have, to date, been rejected.

It was fundamental to the founding of this Nation that individuals should be free to express themselves, secure in the knowledge that government will not suppress their expression because of its content. Our Nation's Founders created this new country to escape oppression at the hands of the state. They firmly believed that government should not limit one's ability to speak out. They wrote into our fundamental charter the ten simple words: ''Congress shall make no law . . . abridging the freedom of speech.''

Over time, this Nation has grappled with the boundaries of free speech, regulating defamation or obscenity. That government may regulate some expression, however, does not change the law's presumption against content-based regulation. In the words of Justice Scalia: ''[T]he government may proscribe libel; but it may not make the further content discrimination of proscribing only libel critical of the government.''

We need not concern ourselves with the parameters of speech that can be proscribed, because the expression in question—political expression—is clearly protected under the first amendment. The defining standard that has marked the history of free expression in this Nation is that speech may not be regulated based upon its content.

The presumptive invalidity of content regulation protects all forms of speech—that with which we agree, as well as that to which we object. To do otherwise would make hollow, at best, the promise of free speech. As the Supreme Court held in Street v. New York: ''[F]reedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order.''

My colleagues, this amendment departs from that noble and time-honored standard. It seeks instead to prohibit expression solely because of its content.

Proponents of this amendment have made plain that they direct their effort at expression that they deem ''disrespectful.'' Even more troubling is that this amendment leaves the determination of what is disrespectful to the government.

For the promise of free expression to be fulfilled, the first amendment must protect those who rise to challenge the existing wisdom—to raise those views that may anger or offend. As Justice William O. Douglas observed, free speech, ''may indeed serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger.''

Adherence to this ideal is what separates America from oppressive regimes across the world. We tolerate dissent and protect dissenters. They suppress dissent and jail dissenters, or condemn dissenters to a fate still more grave.

The first amendment to the United States Constitution is not infallible. It cannot sanitize free expression any more than it can impart wisdom to thoughts which otherwise have none. Nor can the first amendment ensure that free expression will always comport with the views of a majority of the American people or the American government.

What the first amendment does promise, however, is the right of each individual in this Nation to stand and make a case, regardless of particular point of view, and to do so absent fear of government censor. This right is worthy of preserving. It is this right that is at risk today. When we start down the road to distinguishing between whose message is appropriate and whose is not, we risk something far greater than the right to burn a flag as political expression.

Much of what is clearly protected expression can easily be deemed objectionable. So it is with flag burning. As the Supreme Court has repeatedly stated, the act of flag burning cannot be divorced from the context in which it occurs—that of political expression. This Nation has a proud and storied history of political expression—much of which could easily be characterized as objectionable.

Does any Member of this body believe that if the question had been put to the crown as to whether or not the speech and expression emanating from the colonies, in the form of Thomas Paine's ''Common Sense'' or the Articles of Confederation, should be sustained, the answer would have been anything but a resounding no? Could not the same be said of messages of the civil rights and suffrage movements?

This Nation was born of dissent. Contrary to the view that it weakens our democracy, this Nation stands today as the leader of the free world because we tolerate these varying forms of dissent—not because we persecute them.

In seeking to protect the American flag, this amendment asks us to depart from the fundamental ideal that government shall not suppress expression solely because it is disagreeable. As Justice Brennan wrote for the majority in Texas v. Johnson:

> If there is a bedrock principle underlying the first amendment, it is that the government may not prohibit expression of an idea simply because society finds the idea itself offensive or disagreeable. We have not recognized an exception to this principle even where our flag has been involved.

So this amendment runs counter to the very premise of the Bill of Rights—that the rights of individuals should remain beyond the purview of unwarranted government intervention. That is what lead to the adoption of the Bill of Rights. In the words of Justice Jackson, speaking for the Supreme Court in 1943:

> The very purpose of the Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials, to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.

Yet, this amendment would do exactly that. It would subject the fate of one of our most fundamental rights to turn upon the outcome of elections. What comfort is a first amendment that tells the people that the appropriateness of their political expression will be left to the government?

In charting a divergent course, this amendment would create that exception—an exception at odds with free expression and with our history of liberty. If adopted, this amendment would for the first time in our history, signal an unprecedented, misguided, and troubling departure from our history as a free society.

VALUES

During this debate and debates like it that often occur in years divisible by four, we often hear a great deal about values. We often hear a great deal about the kinds of things we are teaching our children. We often hear aspirations for this amendment that appear at least a little exaggerated: that it's going to stop the downward slide that our culture has supposedly been on since the 1940s, that it's going to improve our schools, that it even might help get rid of bad movies. All kidding aside, when some proponents of the amendment start talking about this amendment as a fight over values, I get nervous. It reminds me of the ''culture war'' that some have invoked in the past decade. We do not need to create one more source of division and divisiveness. We need understanding and tolerance and community.

In any event, I am skeptical as to whether the alleged increased incidence of disrespect for the flag, supposedly stemming from a Supreme Court decision in 1989, has caused the purported deterioration in our culture that some have cited. If it is, passing this amendment is surely not going to stop it.

What this amendment will do is abridge the most precious freedom and the most important principle that our country stands for, the right of free speech. I do not say ''most precious'' and ''most important'' lightly. What message is curtailing that freedom going to send to our children? What

values are we upholding by taking this extreme step to deal with a problem that by all accounts is not severe at all?

A fine piece in the March 22 Milwaukee Journal Sentinel reported that ''[o]ne academic research found fewer than 45 flag burnings between 1777, when the flag was adopted, and 1989.''

Similarly, when the Judiciary Committee examined the issue last year, the Congressional Research Service found 36 reported cases of flag burning or other physical acts of disrespect to the flag. And for that we are going to amend, with unknown consequences, the most basic right of our citizens?

I respectfully disagree with the supporters of the amendment about the effect that this issue has on children. We can send no better, no stronger, no more meaningful message to our children about the principles and the values of this country than to explain to them that the beauty and the strength of this country is in its freedoms, not in its symbols. When we uphold first amendment freedoms despite the efforts of misguided and despicable people who want to provoke our wrath, we send a message to our children of what America is really about. Our country is far too strong to be threatened by those who burn the flag. We need to teach our children, and we should teach our children, and virtually all of us do teach our children, that it is wrong to burn the flag. We don't need to empower the government to put people in jail for doing it in order to make that lesson plain and powerful.

Ironically, some supporters of the amendment have said that the amendment was going to help create community in this country. As if a law that attempts to legislate patriotism can create community. As if bringing the full wrath of the criminal law and the power of the state down on political dissenters is going to do anything other than encourage more people who want to grandstand their dissent and imagine themselves ''martyrs for the cause.''

We all know that's what will happen the minute this amendment goes into force. More flag burnings and other despicable acts of disrespect to the flag, not fewer. Will the amendment make these acts any more despicable than they are today? Certainly not. Will it make us love the flag any more than we do today? No. Will the new law deter these acts? I doubt it.

I particularly doubt it in light of the testimony we heard before the Judiciary Committee that supporters of the amendment think that the punishment for violators of the statute that this amendment will allow Congress to pass ought to be a citation and a fine, or maybe some community service or required classes, not jail time. So now it turns out we are going to amend the Bill of Rights, the very heart of the Constitution, in order to give the Congress of the United States the power to issue what the ranking Democratic member of the Judiciary Committee, Senator LEAHY, aptly called ''traffic tickets'' to people who burn the flag. To me that makes no sense at all.

General Brady of the Citizens Flag Alliance told the Judiciary Committee that the government ought to require flag burners to attend classes on the meaning and importance of the flag. Frankly that sanction is even more troubling. As a sanction for expressing political dissent, the government is going to force people to take classes to understand the ''politically correct'' way to think about the flag. Are ''re-education'' programs to become the American way?

What this debate is really about is not whether flag burning is a good idea, not whether we love and respect our flag, but whether the threat to our country from those who would burn the flag is so great that we must sacrifice the power and majesty of the first amendment to the Constitution in order to prosecute them.

IS FLAG BURNING A PROBLEM?

Some argue that we must amend the Constitution in order to preserve the symbolic value of the U.S. flag. They do so, however, in the absence of any evidence that flag burning is rampant today, or that it may be in the future. Perhaps more importantly, this amendment is offered in the absence of any evidence that the symbolic value of the flag has in any way been compromised.

No evidence has been offered to show that the handful of misguided individuals who may burn a flag each year have any effect whatsoever on this Nation's love of the flag or our democratic way of life. Respect of this Nation for the flag is unparalleled. The citizens of this Nation love and respect the flag for varied and deeply personal reasons—not because the Constitution imposes this responsibility upon them. As an editorial in the Lacrosse, Wisconsin, Tribune pointed out:

> Allegiance that is voluntary is something beyond price. But allegiance extracted by statute—or, worse yet, by Constitutional fiat—wouldn't be worth the paper the amendment was drafted on. It is the very fact that the flag is voluntarily honored that makes it a great and powerful symbol.

The suggestion that we can mandate, through an amendment to the Constitution, respect for the flag or any other symbol ignores the premise underlying patriotism. More importantly, it belies the traditional notions of freedom found in our Constitution.

CONCLUSION

Mr. President, the rights at the heart of this debate are far too fundamental and far too important to be subjected to the uncertainty created by this amendment. We must not abandon two centuries of free expression in favor of an unwarranted and ill-defined standard which allows government to choose whose political message is worthy of protection and whose is not. This is counter to the very freedoms the flag symbolizes.

The very idea that a handful of misguided people could cause this Nation—a Nation which has, from its inception been a beacon of individual liberty, a Nation which has defended, both at home and abroad, the right of individuals to be free—to retreat from the fundamental American principle that speech should not be regulated based upon its content is cause for great concern.

We will be paying false tribute to the flag if in our zeal to protect it we diminish the very freedoms it represents. The true promise of this great Nation is rooted in our Constitution. Ultimately, the fulfillment of this promise lies in preservation of this great covenant, not just our symbols. If we sacrifice our principles, ultimately our symbols will represent something less than they should.

The Capitol dome is not our Constitution. The national anthem is not our form of government. And the flag, by itself, is not our Nation.

Yes, let us honor the ''broad stripes and bright stars * * * so gallantly streaming.'' But we best honor that for which our flag stands when we protect the Constitution and its Bill of Rights. In that way, we will best ensure that our Star Spangled Banner shall yet wave over a land that is still free.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from Wisconsin, the ranking Democrat on the Constitution Subcommittee. He has been a leader on this issue and so many other constitutional issues that protect the rights of all of us. He has done that ever since he came to the Senate. I applaud him, not only for what he said here but for his active work in the committee.

I yield 5 minutes to the distinguished Senator, and my friend, from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from Vermont. I know this letter has been referenced previously, but I want to re-reference it in light of what the Senator read from General Schwarzkopf. No less a distinguished general, Gen. Colin Powell, has written a letter to Senator LEAHY:

> I love our flag, our Constitution and our country with a love that has no bounds. I defended all three for 35 years as a soldier and was willing to give my life in their defense.

I am skipping down a paragraph:

> I understand how strongly so many of my fellow veterans and citizens feel about the flag and I understand the powerful sentiment in state legislatures for such an amendment. I feel the same sense of outrage. But I step back from amending the Constitution to relieve that outrage. The First Amendment exists to insure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which we found outrageous.
>
> I would not amend that great shield of democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

Mr. President, I ask unanimous consent to print in the RECORD this letter from Gen. Colin Powell.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GEN. COLIN L. POWELL, USA (RET),
*Alexandria, VA, May 18, 1999.*

Hon. PATRICK LEAHY,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR LEAHY: Thank you for your recent letter asking my views on the proposed flag protection amendment.

I love our flag, our Constitution and our country with a love that has no bounds. I defended all three for 35 years as a soldier and was willing to give my life in their defense.

Americans revere their flag as a symbol of the Nation. Indeed, it is because of that reverence that the amendment is under consideration. Few countries in the world would think of amending their Constitution for the purpose of protecting such a symbol.

We are rightfully outraged when anyone attacks or desecrates our flag. Few Americans do such things and when they do they are subject to the rightful condemnation of their fellow citizens. They may be destroying a piece of cloth, but they do no damage to our system of freedom which tolerates such desecration.

If they are destroying a flag that belongs to someone else, that's a prosecutable crime. If it is a flag they own, I really don't want to amend the Constitution to prosecute someone for foolishly desecrating their own property. We should condemn them and pity them instead.

I understand how strongly so many of my fellow veterans and citizens feel about the flag and I understand the powerful sentiment in state legislatures for such an amendment. I feel the same sense of outrage. But I step back from amending the Constitution to relieve that outrage. The First Amendment exists to insure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which we find outrageous.

I would not amend the great shield of democracy to hammer a few miscreants. The flag will still be flying proudly long after they have slunk away.

Finally, I shudder to think of the legal morass we will create trying to implement the body of law that will emerge from such an amendment.

If I were a member of Congress, I would not vote for the proposed amendment and would fully understand and respect the views of those who would. For or against, we all love our flag with equal devotion.

Sincerely,

COLIN L. POWELL.

P.S. The attached 1989 article by a Vietnam POW gave me further inspiration for my position.

WHEN THEY BURNED THE FLAG BACK HOME: THOUGHTS OF A FORMER POW

(By James H. Warner)

In March of 1973, when we were released from a prisoner of war camp in North Vietnam, we were flown to Clark Air Force base in the Philippines. As I stepped out of the aircraft I looked up and saw the flag. I caught my breath, then, as tears filled my eyes, I saluted it. I never loved my country more than at that moment. Although I have received the Silver Star Medal and two Purple Hearts, they were nothing compared with the gratitude I felt then for having been allowed to serve the cause of freedom.

Because the mere sight of the flag meant so much to me when I saw it for the first time after 5½ years, it hurts me to see other Americans willfully desecrate it. But I have been in a Communist prison where I looked into the pit of hell. I cannot compromise on freedom. It hurts to see the flag burned, but I part company with those who want to punish the flag burners. Let me explain myself.

Early in the imprisonment the Communists told us that we did not have to stay there. If we would only admit we were wrong, if we would only apologize, we could be released early. If we did not, we would be punished. A handful accepted, most did not. In our minds, early release under those conditions would amount to a betrayal, of our comrades of our country and of our flag.

Because we would not say the words they wanted us to say, they made our lives wretched. Most of us were tortured, and some of my comrades died. I was tortured for most of the summer of 1969. I developed beriberi from malnutrition. I had long bouts of dysentery. I was infested with intestinal parasites. I spent 13 months in solitary confinement. Was our cause worth all of this. Yes, it was worth all this and more.

Rose Wilder Lane, in her magnificent book ''The Discovery of Freedom,'' said there are two fundamental truths that men must know in order to be free. They must know that all men are brothers, and they must know that all men are born free. Once men accept these two ideas, they will never accept bondage. The power of these ideas explains why it was illegal to teach slaves to read.

One can teach these ideas, even in a Communist prison camp. Marxists believe that ideas are merely the product of material conditions; change those material conditions, and one will change the ideas they produce. They tried to ''re-educate'' us. If we could show them that we would not abandon our belief in fundamental principles, then we could prove the falseness of their doctrine. We could subvert them by teaching them about freedom through our example. We could show them the power of ideas.

I did not appreciate this power before I was a prisoner of war. I remember one interrogation when I was shown a photograph of some Americans protesting the war by burning a flag. ''There,'' the officer said, ''People in your country protest against your cause. That proves that you are wrong.''

''No,'' I said, ''That proves that I am right. In my country we are not afraid of freedom, even if it means that people disagree with us.'' The officer was on his feet in an instant, his face purple with rage. He smashed his fist onto the table and screamed at me to shut up. While he was ranting I was astonished to see pain, compounded by fear, in his eyes. I have never forgotten that look, nor have I forgotten the satisfaction I felt at using his tool, the picture of the burning flag, against him.

Aneurin Bevan, former official of the British Labor Party, was once asked by Nikita Khrushchev how the British definition of democracy differed from the Soviet view. Bevan responded, forcefully, that if Khrushchev really wanted to know the difference, he should read the funeral oration of Pericles.

In that speech, recorded in the Second Book of Thucydides' ''History of the Peloponnesian War,'' Pericles contrasted democratic Athens with totalitarian Sparta. Unlike, the Spartans, he said, the Athenians did not fear freedom. Rather, they viewed freedom as the very source of their strength. As it was for Athens, so it is for America—our freedom is not to be feared, but our freedom is our strength.

We don't need to amend the Constitution in order to punish those who burn our flag. They burn the flag because they hate America and they are afraid of freedom. What better way to hurt them than with the subversive idea of freedom? Spread freedom. The flag in Dallas was burned to protest the nomination of Ronald Reagan, and he told us how to spread the idea of freedom when he said that we should turn America into ''a city shining on a hill, a light to all nations.'' Don't be afraid of freedom, it is the best weapon we have.

Mr. KERRY. Mr. President, I have enormous respect for the patriotism and the passion which so many of my fellow veterans bring to the effort to protect the flag of our country. Many of them are my friends, and it is never easy to disagree with friends on issues of conscience and emotion. While, obviously, out of approximately 250 million Americans there are a few miscreants, as Gen. Colin Powell says, who might choose to desecrate the flag, the vast majority of Americans know better.

Americans rightfully love the Stars and Stripes for all it symbolizes, for all the history, the glory, the promise, and the possibilities that are carried within its four corners. As most Americans, I feel the long honor roll of battles won and lost when I see Old Glory marched in for the presentation of colors. I feel unbridled pride watching her ripple in the breeze when we join together to sing the national anthem. I feel the cloak of patriotism draped over the coffin of a veteran to whom we bid farewell. Our flag is a stunning symbol of all that has made us who we are.

In the end, it is a symbol. It is not who we are. Who we are is embodied in the rights and obligations in the Constitution itself. A desecrated flag is replaceable. Desecrated rights are lost forever to those who experience the loss. What makes the United States different and, in many ways, stronger than any other nation is our aspiration for tolerance and diversity. Thanks to our Constitution, we are the leading proponent on the face of this planet for the greatest experiment in freedom that is set forth in words and in practice.

At the close of our national anthem, we sing, ''land of the free and home of the brave.'' Were this amendment to pass, make no mistake about it, we would certainly be a little less free and a lot less brave.

In the final analysis, there are eight powerful reasons for anyone, but I think particularly for a veteran, to vote against this constitutional retreat. They are: Iran, Iraq, Libya, North Korea, China, Cuba, Syria, and Sudan. These are the nations of the world that have laws banning flag desecration. They used to be joined by the South Africa of apartheid and Nazi Germany.

I ask my fellow Senators: Is that what we want to do with the freedom of the United States of America? Is this in keeping with all that our great Stars and Stripes stands for? Is this for what soldiers fought and died, so we could join this list of discredited, dictatorial regimes?

Does the United States of America, in response to an occasional act of defiance, ignorance, stupidity, and insolence, want to tremble and, for the first time in an extraordinary 224 years

of challenges, alter the Constitution to diminish someone's right to be stupid?

Our flag is stronger than any of those individual acts will ever be, quite simply because our country is bigger and stronger than any of those acts, and our country is bigger and stronger because of our Constitution and particularly the Bill of Rights.

This vote is not a test of patriotism because patriotism is, after all, love of country and loyal support of one's country. Our country is defined by the rights we protect, and my oath as a Senator is to defend the Constitution which defines those rights. That is how I will vote, and that is how I think my colleagues should vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from Vermont has 3 minutes. The Senator from Utah has 5 minutes.

Mr. LEAHY. Mr. President, I applaud the distinguished Senator from Massachusetts for his statement as a decorated war veteran. He does not have to prove his courage or his commitment to our country or our symbols. He has already done that. He has done that in combat, and he has done it to honor himself but also the country.

Everybody is talking about when we will come to this vote and whether we should cut off debate. That will be a nonissue. I urge all Senators to vote for cloture.

I also point out that if this is so important—we are going to set aside all kinds of time today to do other things—we ought to spend time on this. We are talking about amending the Constitution, and we are talking about amending the Bill of Rights, contrary to what has been said on this floor, to amend the Bill of Rights for the first time in our 200-year history. I hope we will not do it.

There has been reference to one of our first flags, a flag that was designed in my State of Vermont and flew in battles there. I have that same flag in my office. As we all know, any flag, once used by the United States, can be used as a legitimate symbol of our country. I chose to fly the flag in Vermont.

Like all Vermonters, I revere the symbol. Every day when I am home in Vermont, that flag flies bravely and safely because nobody would touch it. Nobody would seek to destroy it. Nobody would burn the flag that flies in my front yard. We revere it and we praise it, not because we are required by law to do so, but because we want to as Americans, as Vermonters.

Every town hall in Vermont flies the American flag. Every one of our public meetings shows the Vermont flag. But I point out to all Senators, that one of the first flags of the country came from the State of Vermont. I will also tell you, Vermont is the only State in the Union that has not asked for a constitutional amendment on burning the flag. Why? Because we Vermonters do not need to be told by law or Constitution that we should show respect for the symbols of our country. We do it because we want to. We do not do it because the law requires us.

We are not like Cuba or China or Libya or Iraq or Iran or those countries that require a law to make people respect their flags and their symbols. We do it from our heart and from our sense of patriotism. That is the way most Americans are. We do not need a law to tell us to be patriotic.

Mr. President, yesterday, the Senate finally began the debate on S.J. Res. 14, the proposal to amendment the First Amendment of the Constitution to cut back on political protest and expression for the first time in our history. Earlier this week, on Monday and Tuesday morning, the debate was focused on the Hollings amendment and the McConnell amendment in accordance with the Senate agreement governing this matter.

Only Senator HATCH and I spoke for any length of time at all on the underlying proposed amendment on Tuesday morning. The debate then resumed after the votes on Tuesday afternoon. By my estimate, the Senate has spent less than 3 hours debating the proposed constitutional amendment.

Rather than continue that debate and conclude it, the majority is insisting that we now divert ourselves with an unnecessary cloture vote. The interruption of debate for this vote is unfortunate. I have said to the Republican manager from the outset that I did not believe the debate would be extended unnecessarily, but that I wanted to ensure that Senators had their rights protected so that any Senator who wished to be heard on this proposal to amend the Constitution, could be heard.

On Monday, the Senate heard from Senators MCCONNELL, BENNETT, DORGAN, CONRAD, HOLLINGS, SMITH and SESSIONS. Yesterday, thoughtful statements were made by Senators FEINGOLD, DURBIN, WELLSTONE, KENNEDY, KERREY, ROBB and MOYNIHAN articulating a number of reasons for opposing the amendment. In addition, the Senate heard from Senators HATCH and FEINSTEIN in favor of the amendment. Today, I expect to hear from Senators BYRD, DASCHLE, KERRY, FEINGOLD, CHAFEE and perhaps others.

At the outset we were confronted by a demand that we agree to limit statements in opposition to the proposed constitutional amendment to a total of 2 hours. Amending the Constitution is a serious matter, entitled to more time than the Senate spends on ceremonial resolutions. Two hours seemed unnecessarily restrictive.

Had we so limited the debate we may not have had the benefit of the extraordinary moments on the Senate floor last night when Senator BOB KERREY, who was awarded the Congressional Medal of Honor for his valor in Vietnam, spoke to us from his heart about our country, our values and our flag. We may not have heard a riveting address from Senator CHARLES ROBB, himself a Marine highly-decorated for his service in Vietnam, in which he demonstrated his strength and consistency as one who fights for the Constitution and the values that make this country great.

We may have missed the opportunity to hear from Senator DANIEL PATRICK MOYNIHAN, a veteran of World War II, and the most knowledgeable of Senators, whom we will sorely miss when he retires at the end of this Congress after his extraordinary service to this nation. I urge those who were not here to experience that debate to read their thoughts and wise counsel.

I have every expectation that we could conclude the debate today in an orderly fashion. I know of no Senator who has threatened a filibuster on this matter. I know of no Senator who intends to engage in dilatory tactics. I know of no Senator who intends to offer any additional amendments or series of amendments. I know of no Senator who is using the rules of the Senate to delay the final vote on this matter. Accordingly, I know of no reason for the Republican leadership to have filed this petition for cloture and know of no reason for them to persist in insisting on this cloture vote this morning.

The Republican majority's timing of this debate has been strange for a long time. Last Congress, there was a half-hearted attempt to have the Senate consider the proposed constitutional amendment toward the end of a session when the majority knew that Senator Glenn was necessarily absent in connection with his NASA mission. Last year there was a rush to report the proposed constitutional amendment from the Judiciary Committee in April and then no effort to consider it before the full Senate. Indeed, while the matter was voted out of the Committee on April 29, 1999, the Committee Report was not filed until 11 months later. The Republican leadership took almost a year to decide to turn to the matter, then filed a cloture petition on the first day of debate and now insists on a vote on cloture after just 3 hours of debate on the merits of the proposed constitutional amendment.

In fact, this cloture vote and our debate on it only diverts us from finishing the debate on the merits of the proposed constitutional amendment. This cloture petition and vote say more about the lack of seriousness of the Republican leadership with regard to this debate than anything else.

I have no doubt that the Senate will invoke cloture this morning. I also have no doubt that this hour would have been better spent debating the merits of the proposal.

Does the Senate know what we will do after cloture is invoked this morning? Lest anyone think that we will be staying on the proposed constitutional amendment to conclude debate and proceed to vote on the merits, let me

disabuse them of any such notion. No, following the cloture vote, the Senate is scheduled to proceed to two hours of unrelated debate and the introduction of other matter in morning business.

We will not be resuming debate on the proposed constitutional amendment until at least 12:30 this afternoon. At that time many of us in the Senate leadership are scheduled to be meeting with the President of Egypt. So this closing debate on the amendment will take place later this afternoon and possibly into this evening.

Just as the Bill of Rights serves to protect the minority in the country and the First Amendment protects even unpopular speech, so it is the role of the minority manager to protect the rights of those who wish to be heard in opposition to a Senate proposal. The rules of the Senate accord us at least that right. I know of at least five Senators who still wish to be heard in opposition to the amendment. As the minority manager of the bill, I am seeking to accommodate them and then to proceed to the final vote. I fully expect that we will reach the appropriate time for the vote long before the 30 hours of post-cloture debate would be consumed. I look forward to cooperating with the Democratic leader, the majority leader, and the Republican manager of the proposed constitutional amendment to bring this matter to conclusion at the earliest appropriate time after the completion of debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I have been interested in these arguments because, if I recall it correctly, the distinguished Senator from Massachusetts has said that basically America is different from the long list of repressive regimes or dictatorial regimes—from Cuba, to North Korea, to Nazi Germany—because we do not have a law prohibiting flag desecration.

But until 1989, we had State laws, in nearly all of the States, prohibiting flag desecration. If I recall it correctly, I believe the distinguished Senator from Massachusetts is saying we should not have a State law protecting the flag. If I recall it correctly, he voted for the flag statute to protect the flag back in 1989, and just yesterday voted for the McConnell amendment which would have done the same thing.

Now look, there is a certain ''elitism'' around here in this country that literally is saying: We are above having to protect the flag of the United States. If somebody defecates on it or urinates on it, we do not want to give them any publicity for that.

It is kind of the ''high society'' approach to things. If you want to be a member of the ''high society'' group, then don't do the ''unintellectual'' thing to protect our flag. That is what is getting me about this.

We had, for 200 years, in 48 States, anti-flag-desecration statutes that protected the flag. These very people who are saying we cannot do this in a constitutional amendment, to give the Congress the power, the coequal right, to protect our flag, and ignore the Supreme Court, that is wrong in these 5–4 decisions, these two decisions—they said we cannot do this in this constitutional amendment—yet many of them voted for an anti-flag-desecration statute back in 1989, and yesterday many of them voted for the McConnell amendment.

Until the Supreme Court struck down these 48 States' statutes in 1990, we had a Federal statute protecting the flag. I cannot believe the distinguished Senator from Massachusetts was arguing that in those days, when we had flag protection statutes in the States and the Federal Government, we were like Nazi Germany or Cuba or North Korea or Iran or Iraq. That is something that really bothers me.

I look at those marines risking their lives in raising the flag on Iwo Jima. They revered that flag, just as we do today. Eighty percent of the people in this country revere this flag—in fact, I hope everybody does—and want this constitutional amendment.

If we had any sense of proportion, we Members of Congress should want to overrule those two Supreme Court decisions. The only way we can do it is with a constitutional amendment. In that process, we prove we are coequal to the judicial branch of Government and will protect our flag in the process. We will be a better Nation for it.

If we do it, we will create a debate on morals and values around this country in all 50 States that, sadly, is lacking at this particular time. We will, for once in our lives, stand up and say to our children, there are some values and some symbols—at least one symbol in our country that is extremely important to us, and that happens to be this flag of the United States of America.

I think there are very sincere people on the other side of this issue. I do not mean to malign them. But I have to say, I get particularly upset when I hear these arguments, as I have heard this morning, when, in fact, they vote for statutes that would protect the flag, the very thing they are arguing against. It seems a little inconsistent to me.

All we are saying is, give the Congress the power to do this, and then we will enact a statute for which they voted.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator's time has expired.

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 98, S. J. Res. 14, an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

Trent Lott, Orrin Hatch, Bill Roth, Peter Fitzgerald, Rod Grams, Ted Stevens, Chuck Hagel, Thad Cochran, Paul Coverdell, Pat Roberts, Phil Gramm, Frank H. Murkowski, Don Nickles, Bob Smith of New Hampshire, Susan Collins, and Tim Hutchinson.

The PRESIDING OFFICER. By unanimous consent, the quorum call under the rule is waived.

The question is, Is it the sense of the Senate that debate on S.J. Res. 14, a joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The senior assistant bill clerk called the roll.

The yeas and nays resulted—yeas 100, nays 0, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—100

| | | |
|---|---|---|
| Abraham | Feingold | Mack |
| Akaka | Feinstein | McCain |
| Allard | Fitzgerald | McConnell |
| Ashcroft | Frist | Mikulski |
| Baucus | Gorton | Moynihan |
| Bayh | Graham | Murkowski |
| Bennett | Gramm | Murray |
| Biden | Grams | Nickles |
| Bingaman | Grassley | Reed |
| Bond | Gregg | Reid |
| Boxer | Hagel | Robb |
| Breaux | Harkin | Roberts |
| Brownback | Hatch | Rockefeller |
| Bryan | Helms | Roth |
| Bunning | Hollings | Santorum |
| Burns | Hutchinson | Sarbanes |
| Byrd | Hutchison | Schumer |
| Campbell | Inhofe | Sessions |
| Chafee, L. | Inouye | Shelby |
| Cleland | Jeffords | Smith (NH) |
| Cochran | Johnson | Smith (OR) |
| Collins | Kennedy | Snowe |
| Conrad | Kerrey | Specter |
| Coverdell | Kerry | Stevens |
| Craig | Kohl | Thomas |
| Crapo | Kyl | Thompson |
| Daschle | Landrieu | Thurmond |
| DeWine | Lautenberg | Torricelli |
| Dodd | Leahy | Voinovich |
| Domenici | Levin | Warner |
| Dorgan | Lieberman | Wellstone |
| Durbin | Lincoln | Wyden |
| Edwards | Lott | |
| Enzi | Lugar | |

The PRESIDING OFFICER. On this vote, the yeas are 100, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. HATCH. Mr. President, I ask unanimous consent that a number of letters and other statements pertaining to this amendment be printed in the RECORD at a cost of $1,300.00.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 22, 2000.

Hon. ORRIN G. HATCH,
*Chairman, Senate Judiciary Committee, U.S. Senate, Washington, DC.*

DEAR SENATOR HATCH: As you prepare for the introduction of the flag protection amendment in the United States Senate, on behalf of the Citizens Flag Alliance and our millions of members and supporters, I want

to again extend our thanks and commend you for the commitment you made, long ago, in support of the right of the people to protect our flag. Thanks to the leadership of you and Senator Max Cleland we are very close to victory.

Of all the horrors of combat, none is greater than the loneliness. In death and near death experiences, the warrior is ultimately alone with his fears and hopes. In their loneliness, soldiers look to symbols for comfort—a letter, a photo, a holy medal, a lock of hair. And they look to the greatest conqueror of fear, the greatest symbol of hope, the constant companion of our warriors and their supreme inspiration—Old Glory. No other symbol, nothing, says better, ''you are not alone.''

For many veterans much of what they have, their very dignity, is based on their service and sacrifice under that flag. It was the defining moment of their life. An attack on Old Glory is an attack on their dignity. These great men and women know how important speech is in a democracy, many have died for it. What they do not understand is that defecating on our flag is ''speech.'' And neither did the author of the Bill of Rights, James Madison and his colleague, Thomas Jefferson. Both denounced flag burning.

Abraham Lincoln warned, ''Don't interfere with anything in the Constitution. That must be maintained, for it is the only safeguard of our liberties.'' It is not the colored cloth that is at the core of the flag amendment debate, it is our sacred Constitution. All veterans once raised their hand and swore to protect and defend the Constitution. Each of us does the same when we pledge allegiance to the flag. The Supreme Court has interfered with our Constitution and we have an obligation to correct their error. The flag amendment does not change the Constitution, it restores it.

To those of your colleagues who are yet to join in support of the measure, we hope they would come to recognize as we have, that there are good and learned people on both sides of this issue, as well as varying opinions. There is, however, only one fact and that is that the people of America want returned to them the right to protect their flag.

In the final analysis this issue is truly about free speech, the right of the people to speak, to be heard and to be heeded.

Sincerely,

PATRICK H. BRADY,
*Major General (USA Ret),*
*Chairman of the Board.*

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THE CITIZENS FLAG ALLIANCE, INC.,
*Indianapolis, IN, April 22, 1999.*

BALTIMORE SUN,
*Baltimore, MD.*

TO THE EDITOR: This is in response to your editorial on April 10 titled, ''Burning Issue; Constitutional Ban: Flag Desecration Amendment Would Chip Away At Free-Speech Rights.''

The scarcity of flag burning has nothing to do with the evil of flag burning. People do not frequently shout, ''fire'' in a crowded theater or burn crosses, but we still should, and do, have laws against these evils. Laws in our society have never been based on frequency but on right and wrong.

Flag desecration is conduct not speech. One could make the argument that defacing the Washington Monument or spray painting graffiti on the Vietnam Veterans Memorial is a form of ''political demonstration or protest.'' That argument, however, would not hold up in a court of law. And it's wrong to hold that defacing the Flag of the United States is any different.

If free speech is to truly flourish, we must protect the bond that unites us, including the substantive parameters of the right of free expression. We must strengthen the bonds that hold us together, and so make it possible to engage in robust disagreement with each other. Protecting the flag lays the foundation for this objective.

The great strength of our democratic system is that we have the ability to determine the laws that govern our society. Our forefathers had the insight to create a document that allowed for WE THE PEOPLE to determine the future of our country. As George Washington admitted, ''The Constitution is an imperfect document made more perfect by the amendment process.'' Apparently the editors mistrust the good judgment of the American people. And George Washington.

Sincerely,

MARTY JUSTIS,
*Executive Director.*

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THE CITIZENS FLAG ALLIANCE, INC.,
*Indianapolis, IN, April 23, 1999.*

WASHINGTON POST,
*Letters to the Editor,*
*Washington, DC.*

TO THE EDITOR: The Clinton Administration apparently was miffed at the thought of a Justice Department official being upstaged by a Harvard Law Professor and a Medal of Honor Recipient (''In The Loop,'' April 21).

On Tuesday, April 20 I was seated in the Senate Judiciary Committee hearing room, flanked by five Medal of Honor Recipients from World War II and Korea. All were awarded our nation's highest award for valor. In most cases, the Medal of Honor is presented to its recipient by the President of the United States of America in the name of Congress. So it is ironic that the Administration would consider it ''inappropriate'' to testify on the same panel as our nation's Recipients.

But the irony does not stop there. At the same time our President is sending men and women into Kosova to serve under the flag, our Administration is testifying against protecting the very same symbol that will drape the coffins of those whose final earthly embrace will be in the folds of Old Glory. If our flag is not deserving of protection, then it is not worthy to be draped on the coffins of our dead soldiers.

Several months ago, the fate of our President resided in the hands of Congress. But the American people ultimately had the final voice in the debate. Polls show that the American people consistently and overwhelmingly want to see their flag protected. If polling figures saved the President, then they can save our flag. Ultimately, the American people will decide this issue. That is justice even the Justice Department cannot ignore.

Sincerely,

DANIEL S. WHEELER,
*President.*

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GRAND LODGE, BENEVOLENT AND PROTECTIVE ORDER OF ELKS,
*Gainesville, FL, May 4, 1999.*

Senator ORRIN HATCH,
*Chairman, Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.*

DEAR SENATOR HATCH: It was a pleasure meeting you last week just prior to the start of the hearing on the Flag Amendment. You were most kind to make time in your busy schedule to speak with me. As the National President of the Elks, I can tell you that our million plus membership is fiercely patriotic and hard at work seeking the passage of an Amendment which would prohibit the desecration of our beloved American Flag. In our Order's Ritual we refer to the flag as follows:

''This is the flag of our Country, the emblem of freedom and the symbol of unity. As Americans and patriots we first place it beside our Altar. And as the American Flag typifies the glory of our nation we have adopted it as emblematic of the cardinal principle of our Order—Charity.''

Please know that the Elks are among your greatest supporters. We admire your even temperament and your outstanding leadership and take comfort in knowing men of your caliber are at the reins of our government.

Thank you and God bless you.

Sincerely,

C. VALENTINE BATES,
*Grand Exalted Ruler.*

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KNIGHTS OF COLUMBUS,
*New Haven, CT, March 16, 1999.*

Hon. ORRIN G. HATCH,
*Senate Judiciary Committee,*
*U.S. Senate, Washington, DC.*

DEAR SENATOR HATCH: As Supreme Knight of the Knights of Columbus, with approximately one million members—plus our families—in the United States, and one of the 137 member organizations of the Citizens Flag Alliance, Inc., I ask you to support the Hatch Flag Protection Constitutional Amendment. I urge you to follow the wisdom of the American people who, in poll after poll, have indicated strong support for protection of ''The Stars and Stripes.''

This issue is not about freedom of speech, nor is it about protecting a piece of colored cloth. It is about the American people reclaiming the right to protect their flag. This is a right we enjoyed for 200 years prior to the 1989 Supreme Court decision in Texas v. Johnson.

Nearly eveyone agrees that desecration of the flag is wrong, but the lesson it teaches our children is worse. Therefore, when you consider your vote, I ask that you think about not just America's flag, but America's young people. The support you give to this issue will determine the legacy we leave for our children—a nation of respect and pride in country, or a society void of responsibility and moral compass.

With best wishes, I am,

Sincerely,

VIRGIL C. DECHANT,
*Supreme Knight.*

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FRATERNAL ORDER OF POLICE,
NATIONAL LEGISLATIVE PROGRAM,
*Washington, DC, April 13, 1999.*

Hon. ORRIN HATCH,
*Chairman, Senate Committee on the Judiciary,*
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing this letter on behalf of the more than 277,000 members of the Grand Lodge, Fraternal Order of Police to advise you of the strong support of S.J. Res. 14, which would amend the Constitution to give Congress to power to prohibit the physical desecration of our nation's flag.

Attempts by the Congress to protect the flag statutorily have failed to withstand judicial review. The Supreme Court has, in two narrow 5–4 decisions, overturned statutes prohibiting physical desecration of the flag. Amending the Constitution is the only way to return to the American people the right to protect their flag.

Flag burning is not free speech; it is an act of vandalism—a hate crime, pure and simple. What is the difference in the political statement made by a vandal torching the American flag and a terrorist who makes his political statement by blowing up government buildings? Quite simply, there is no difference. The American people recognize that, and Congress ought to recognize it by passing this amendment.

When we bury a hero, a brother or sister from the ranks of our military or our police

departments, a flag is draped over the coffin. It is folded solemnly and presented to the surviving members of the family in remembrance of the one who gave his or her life. Whether a soldier fighting a foreign enemy on a foreign shore, or a police officer killed in the line of duty—the sacrifice of each is symbolized by the flag. To desecrate this symbol is to dishonor that sacrifice. To use freedom or liberty as a shield to commit a crime is no more than base cynicism and a very real miscomprehension of the American concept of liberty.

I salute you, Mr. Chairman, for your sponsorship of Senate Joint Resolution 14, and join you in urging all members of the United States Senate to protect our flag from those who would dishonor our nation and its heroes.

If we can be of any further assistance to you in moving this bill forward, please do not hesitate to contact me or Executive Director Jim Pasco at my Washington office, (202) 547–8189.

Sincerely,

GILBERT GALLEGOS,
*National President.*

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THE AMERICAN LEGION,
WASHINGTON OFFICE,
*Washington, DC, April 14, 1999.*

Hon. ORRIN HATCH,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR HATCH: On behalf of the 4 million members of the American Legion family, I want to personally thank you for sponsoring S.J. Res. 14, the Flag Protection Constitutional Amendment. We truly realize how important passage of this amendment is to the future of our children. It is imperative that we return to the American people the right to protect the U.S. Flag. I can assure you that Legionnaires and their families will do everything possible throughout our great nation to assist you in getting S.J. Res. 14 passed this year.

The majority of Americans support this amendment. Polling during the past 10 years has consistently shown nearly 80 percent of voters believe protecting the U.S. Flag through a constitutional amendment is the right thing to do. They do not believe such protection is a threat to freedom of speech.

I am certain you were as touched as I in reading the reports of our stealth pilot rescued from Yugoslavia. He carried an American flag, folded under his flight suit. The flag was given to him by an airman before he took off from Aviano Air Base in Italy. Following his rescue the pilot told reporters, ''For me, it (the flag) was representative of all the people who I knew were praying. It was a piece of everyone and very comforting. It helped me not go of hope. Hope gives you strength * * * it gives you endurance.''

My heart also swelled with pride when I saw an Associated Press photo of a flyer from the 31st Air Expeditionary Wing at Aviano waving an American flag to boost morale as U.S. war planes prepared to launch another series of strikes in support of NATO's Operation ALLIED FORCE.

The U.S. Flag is a powerful symbol. A living symbol of our great nation. Providing a special place in the U.S. Constitution that protects our flag is what Americans want and deserve.

I stand ready to assist you in any way that will help assure passage of this amendment. I know that your encouragement of your fellow Senators will make the crucial difference.

Thank you again for your sponsorship of S.J. Res. 14.

Sincerely,

HAROLD L. ''BUTCH'' MILLER,
*National Commander.*

AIR FORCE SERGEANTS ASSOCIATION,
*Temple Hills, MD, April 14, 1999.*

Hon. ORRIN HATCH,
*Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: I respectfully request that you permit consideration of and introduction into the record the attached statement concerning Flag Protection. The statements reflects the position of the 150,000 members of this association which represents active and retired enlisted members of the active and reserve components of the United States Air Force.

The statement would coincide with the hearing scheduled before your committee for April 20, 1999, concerning the same project. Thank you for the opportunity to share the concerns of our members with your committee.

Sincerely,

JAMES D. STATON,
*Executive Director.*

Attachment.

STATEMENT BY JAMES D. STATON, CHIEF MASTER SERGEANT, USAF (RET.), EXECUTIVE DIRECTOR, AIR FORCE SERGEANTS ASSOCIATION

Mr. Chairman and distinguished committee members, numerous polls in recent times have shown that over 80 percent of the American people say that they should have the right to decide the question of flag protection through the constitutional amendment process. In fact, all but one state have passed memorializing resolutions asking Congress to send the flag protection amendment question to the states. Senate Joint Resolution 14 would give the American people the opportunity they desire to protect their flag through law. S.J. Res. 14 would send to the people a very simple article: ''The Congress shall have power to prohibit the physical desecration of the flag of the United States.'' The 150,000 members of the Air Force Sergeants Association urge you to support this resolution. AFSA represents the millions of active duty and retired enlisted Air Force, Air Force Reserve, and Air National Guard members and their families. These Americans, perhaps more than any others, have a vested interest in that they put their lives on the line under the banner of this sacred symbol of greatness and sovereignty.

All members of the 106th Congress should support this resolution in order to put this important decision in the hands of the people. If the congressional representatives truly represent the will of the people, there should be no delay in acting upon the wishes of the people by allowing them to rule on this question. The personal feelings and opinions of elected representatives on this issue should be subordinated to opinions held by those to whom the elected officials are responsible—those who own the process. Our members have strongly communicated their concern over the need to protect the flag and, at the same time, to have a role in deciding the laws governing that protection.

For enlisted military members, whose work is characterized by dedicated sacrifice, the flag is a reminder of why they serve. For those stationed overseas, it is a symbol of America, seen every day. For all military members, the flag represents the principles for which they are prepared to sacrifice. Supreme Court Justice John Paul Stevens once wrote:

''A country's flag is a symbol of more than nationhood and national unity. It also signifies the ideas that characterize the society that has chosen that emblem as well as the special history that has animated the growth and power of those ideas. * * * So, too, the American flag is more than a proud symbol of the courage, the determination, and the gifts of a nation that transformed 13 fledgling colonies into a world power. It is a symbol of freedom, of equal opportunity, of religious tolerance, and of goodwill for other people who share our aspirations.''

Military members serve so that they can protect this country, putting their lives on the line if necessary, and they revere our nation's most visible symbol—Old Glory. It is the one hallowed symbol all patriots hold sacred. Most importantly, the flag plays a central role in ceremonies that honor those who have fought, suffered and died. They know full well that this very flag may drape their coffins as a result of their unselfish service. Denying protection and, thereby allowing desecration, of this important symbol of sacrifice insults the memories of those who are honored in these ceremonies.

The American people, especially those in the military, deserve the opportunity to make the decision if they want to put flag protection into the law. Through their sacrifice and dedication, those who have served have earned your support in giving them the ability to make this decision.

Mr. Chairman and committee members, we urge your full support of S.J. Res. 14. Some questions of governance and law are of such importance to a people that they deserve the opportunity to speak directly to those issues. This is one such question. We thank you for this opportunity to present our views on this important matter. As always, AFSA is ready to support you on matters of mutual concern.

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THE AMERICAN LEGION,
NATIONAL HEADQUARTERS,
*Indianapolis, April 23, 1999.*

Hon. ORRIN HATCH,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR HATCH: On September 5, 1989, American Legion delegates at the National Convention in Baltimore, Maryland, unanimously adopted a resolution seeking adoption and ratification of a flag-protection amendment. In every year since, the issue has been debated at every national convention and at every meeting of the National Executive Committee, and a new resolution authorizing continuation of the campaign has been adopted. Each resolution supporting a flag-protection amendment passed unanimously with all Past National Commanders having a right to be heard. Past National Commander Keith Kreul, who, as a PNC and delegate to the National Conventions, has both a voice and a vote in the making of Legion policy, has never publicly uttered a word in opposition.

As National Commander, it is my duty, and privilege, to serve a one-year term as the executive head of The American Legion with full power to enforce the provisions of the National Constitution and by-laws as well as the resolutions of the National Convention. And this national commander fervently supports the flag-protection amendment, as do all living Past National Commanders of The American Legion, save one.

In honor of their service, I would like to enter into the record the 28 Past National Commanders of The American Legion who have given of themselves for God and Country and who stand with me in their support of an amendment which would return to the American people the right to protect their flag. They are listed below in order of service.

E. Roy Stone, Jr.—South Carolina
Erle Cocke, Jr.—Georgia
J. Addington Wagner—Michigan
Preston J. Moore—Oklahoma

William R. Burke—California
Hon. Daniel F. Foley—Minnesota
Donald E. Johnson—Iowa
William E. Galbraith—Nebraska
John H. Geiger—Illinois
Joe L. Matthews—Texas
James M. Wagonseller—Ohio
William J. Rogers—Maine
John M. Carey—Michigan
Frank I. Hamilton—Indiana
Michael J. Kogutek—New York
Clarence M. Bacon—Maryland
Hon. James P. Dean—Mississippi
John P. Comer—Massachusetts
Hon. H.F. Gierke—North Dakota
Miles S. Epling—West Virginia
Robert S. Turner—Georgia
Dominic D. DiFrancesco—Pennsylvania
Roger A. Munson—Ohio
Bruce Thiesen—California
William M. Detweiler—Louisiana
Daniel A. Ludwig—Minnesota
Joseph J. Frank—Missouri
Anthony G. Jordan—Maine

Their service spans nearly five decades. Many served in their position in an era when our flag was protected under law. Only ten of us have served since the erroneous 1989 Texas v. Johnson Supreme Court decision which invalidated flag protection laws in 48 states and the District of Columbia.

I am proud to be among this elite group of distinguished gentlemen who stand united in a common goal—passage of a flag-protection amendment.

Sincerely,

HAROLD L. ''BUTCH'' MILLER,
*National Commander.*

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THE OHIO AMERICAN LEGION,
DEPARTMENT HEADQUARTERS,
*Columbus OH, March 10, 1999.*

Hon. ORRIN HATCH,
*U.S. Senate, Senate Office Building, Washington, DC.*

DEAR SENATOR HATCH: The Ohio American Legion, consisting of 165,000 members, is supportive of a Constitutional Amendment to protect the U.S. Flag from physical desecration.

We urge your favorable consideration and vote for a measure that will allow the American people what polls have shown for years they favor, the right to have their flag protected by laws of the land.

Sincerely,

CARL SWISHER,
*Department Commander.*

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LOS ANGELES DODGERS,
*Los Angeles, CA, March 22, 2000.*

Senator ORRIN HATCH,
*U.S. Senate, Washington, DC.*

DEAR SENATOR HATCH: As I have said many, many times before, we live in the land of opportunity and the United States flag represents a strong bond between the States and the diversity of the greatest nation on the fact of the earth. At no time, should our flag be destroyed in any manner.

During my career, I was fortunate to be involved in many exciting baseball games. Yet, one of the proudest moments occurred in 1976 when Rick Monday saved the American flag from being burned by a pair of protestors at Dodger Stadium. This act was one of the most recognizable moments of the Bicentennial Celebration and remains one of the great moments in stadium history.

I tell this story to every patriotic group whenever the subject of the American flag arises. Therefore, I lend my full support to the SJR–14, The Hatch-Cleland Flag Protection Constitutional Amendment, which will protect and defend our flag as it was designed by the framers of the Constitution.

Sincerely,

TOMMY LASORDA,
*Senior Vice President.*

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SALON NATIONAL LA BOUTIQUE,
*Washington, UT, March 13, 1999.*

To: The U.S. Senate Judiciary Committee, Washington, DC.

GENTLEMEN: I am writing as the National Chapeau of the Eight and Forty a subsidiary organization of the American Legion Auxiliary, consisting of 17,144 Partners (members). We are asking that when the measure to pass a constitutional amendment to protect our flag comes before you that you unanimously approve the bill.

I have just recently had the opportunity to help judge girls who are in their Junior year of High School to attend the American Legion Auxiliary Girls State. One of the questions we asked each applicant was how they felt regarding a bill to protect our flag and each and every girl said she felt that there should be a law protecting our flag from desecration.

So for both the young people of our country and the older people who have fought to protect our country, we of the Eight and Forty ask you to support this bill.

Yours in Service to our Country,

WANDA S. NORTH,
*Le Chapeau National.*

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NCOA,
*Alexandria, VA, April 15, 1999.*

Hon. ORRIN G. HATCH,
*U.S. Senate, Senate Russell Office Building, Washington, DC.*

DEAR SENATOR HATCH: The Noncommissioned Officers Association of the USA (NCOA) has joined with the Citizens Flag Alliance (CFA) to support the efforts of many in Congress to pass a Flag protection amendment. NCOA's 148,000 members are solidly committed to the passage of Flag protection legislation and have placed the issue among their very highest legislative priorities. In this regard NCOA is delighted with the recent introduction of S.J. Res. 14 in the U.S. Senate.

On behalf of NCOA's noncommissioned and petty officer members, I fully expect the members of Senate Judiciary Committee to approve legislation and pave the way for the matter of Flag protection to be brought to the Senate floor for vote in an expeditious manner. NCOA urges your support of S.J. Res. 14.

In closing allow me to reiterate the importance of this matter to NCOA members and their families. The will never give up on this issue and look to you to support their desires to see Flag protection legislation passed during the 1st Session of the 106th Congress.

Sincerely,

ROGER W. PUTNAM,
*President/CEO.*

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THE RETIRED OFFICERS ASSOCIATION,
*Alexandria, VA, March 23, 2000.*

Hon. ORRIN G. HATCH,
*U.S. Senate, Washington, DC.*

DEAR SENATOR HATCH: On behalf of The Retired Officers Association, I am writing to urge you to cosponsor and vote for final passage of S.J. Res. 14, ''Proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.''

The fundamental principle in supporting the Resolution is that it will allow the people to exercise their will. This is a very important distinction. We do not believe it's appropriate that a minority in Congress, in this case 34 Senators, should have the power to keep this important decision from being considered by the people. Consistent with the democratic principles that have governed this country for more than two centuries, the Flag Amendment restores the decision on flag desecration to the people and if ratified by 38 states, flag desecration could be prohibited.

That's a second important distinction. The proposed amendment will not change the Constitution to prohibit flag desecration. It would authorize Congress to pass a law prohibiting physical desecration of the flag and as is the case with any law, it would be subject to Presidential veto. This language is a change from the 104th Congress when the resolution said Congress, or the states, may pass laws prohibiting flag desecration. That could have led to 50 different laws resulting in consistent standards of respect for the flag.

Based on the foregoing, I urge you to vote for passage of S.J. Res. 14 to return control of the flag to the people where it resided for more than 200 years before the United States Supreme Court ruled in 1989 that flag desecration was essentially freedom of speech.

Sincerely,

MICHAEL A. NELSON,
*President.*

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CONGRESS OF THE UNITED STATES,
*Washington, DC, March 28, 2000.*

DEAR SENATOR HATCH: We appreciate your efforts in bringing S.J. Res. 14 through the Senate Judiciary Committee and to the Senate floor. We recognize the importance of this important legislation to protect the flag of the United States.

Many people are concerned that such an amendment would limit our prized right of free speech. However, the right of free speech is not an absolute right. The Supreme Court unanimously ruled in Chaplinsky v. New Hampshire, 315 U.S. 568 (1942):

''Allowing the broadest scope to the language and purpose of the Fourteenth Amendment, it is well understood that the right of free speech is not absolute at all times and under all circumstances. There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any Constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or 'fighting' words—those which by their very utterance inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.''

Burning the Nation's flag is anything but a necessary part of a political speech or exposition of ideas. It seems that little can be gained by burning or spitting on a flag which could not be accomplished through words, signs, newspapers, rallies, buttons, bullhorns, or petitions. The act of burning the nation's flag by its very nature antagonizes and incites violent reaction. It is conduct, not speech.

This amendment authorizes legislative bodies to prohibit physical desecration with regard to one object, and one object only, our nation's flag. We can protect this one unique object from physical desecration without damaging our freedom of speech in any way.

In the words of Chief Justice Rehnquist, ''The American flag . . . throughout more than 200 years of our history, has come to be the visible symbol embodying our Nation. It

does not represent the views of any particular political party, and it does not represent any particular political philosophy. The flag is not simply another ''idea'' or ''point of view'' competing for recognition in the marketplace of ideas.'' Let us act now to protect the symbol of our nation's liberty and freedom.

Sincerely,

JAMES V. HANSEN.
CHRIS CANNON.
MERRILL J. COOK.

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GEORGE W. BUSH,
GOVERNOR OF TEXAS,
*Austin, TX, March 24, 2000.*

Greetings to: The Members of the American Legion.

Congratulations as you gather with family and friends in the capital of a grateful nation that you served so bravely. Coming together in Washington, D.C., is a powerful reminder that those who want to lead America accept two important obligations. One is to use our military power wisely, remembering the costs of war. The other is to remember our soldiers who have paid those costs.

The American Legion helps us to carry out those obligations. You defend and recall America's history of sacrifice. You stand as a friend to the families of our fallen soldiers. You serve America's communities in countless ways—an example of true service in a comfortable age.

One of the most enduring symbols of your sacrifice and service is our nation's flag. Brave Americans have fought and died to protect the ideals of democracy that it represents. That is why I strongly support a constitutional amendment protecting the flag from desecration—to honor our courageous veterans and to send the unmistakable message that Old Glory is a sacred symbol of freedom to all Americans.

I believe our government should honor our commitments to our veterans as you have honored yours.

Laura joins me in sending our best wishes to each and every one of you.

Sincerely,

GEORGE W. BUSH.

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APRIL 5, 1999.

DEAR SENATOR HATCH: I am writing to express my support and gratitude for your sponsorship of the flag protection constitutional amendment (S.J. Res. 14), which I understand may come before the Senate for a vote in the near future. Like you, I regard legal protections for our flag as an absolute necessity and a matter of critical importance to our nation. The American flag, far from a mere symbol or a piece of cloth, is an embodiment of our hopes, freedoms and unity. The flag is our national identity.

I am honored to have commanded our troops in the Persian Gulf War and humbled by the bravery, sacrifice and ''love of country'' so many great Americans exhibited in that conflict. These men and women fought and died for the freedoms contained in the Constitution and the Bill of Rights and for the flag that represents these freedoms, and their service and valor are worthy of our eternal respect. Most of these great heroes share my view that there is no threat to any right or freedom in protecting the flag for which they fought. Perhaps as much as any American, they embrace the right to free speech. Indeed, they risked death to protect it.

I do see a very real threat in the defilement of our flag. We are a diverse people, living in a complicated, fragmented society. And I believe we are imperiled by a growing cynicism toward certain traditions that bind us, particularly service to our nation. The flag remains the single, preeminent connection among all Americans. It represents our basic commitment to each other and to our country. Legally sanctioned flag desecration can only serve to further undermine this national unity and identity that must be preserved.

I am proud to lend my voice to those of a vast majority of Americans who support returning legal protections for the flag. This is an effort inspired by our nation's history and our common traditions and understanding, under which, until a very recent and controversial Supreme Court decision, the American flag was afforded legal protection from acts of desecration. The flag protection constitutional amendment is the only means of returning to the people the right to protect their flag, and your leadership will undoubtedly help to ensure the success of this important campaign.

Sincerely,

H. NORMAN SCHWARZKOPF,
*General, U.S. Army, Retired.*

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THE CITIZENS FLAG ALLIANCE, INC.,
*Indianapolis, IN, April 22, 1999.*

USA TODAY,
*Arlington, VA.*

TO THE EDITOR: To say that to, ''ban flag burning gains ground by hiding risks,'' (''Don't Amend Bill Of Rights,'' editorial, April 21, 1999) hides the truth. You also hide the truth by saying the First Amendment has never been amended. The truth is Americans had the right to protect their flag from our birth until 1989 when the Supreme Court amended the First Amendment by calling flag burning ''speech.'' What were the risks? You denigrate the ''political opportunists who want to rewrite the wisdom of James Madison.'' Those political opportunists are the vast majority of the American people, and James Madison agrees with them. He denounced flag burning, as did another founding father, Thomas Jefferson.

This issue has nothing to do with ''feel-good politics.'' Flag burning is wrong but what it teaches our children about respect, about our values, about who owns the Constitution and the demeaning of the will of the majority, is worse.

The majority of Americans understand the importance of free speech; many have died for it. What they do not understand is that defecating on the flag is ''speech.'' The only majority in America who feel good about the freedom to burn the American flag are the media and 5 out of 9 judges on the Supreme Court.

Sincerely,

Maj. Gen. PATRICK BRADY,
*U.S. Army, Ret.,*
*Chairman of the Board.*

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APRIL 26, 1999.

ST. LOUIS POST DISPATCH,
*Attention: Letters to the Editor,*
*Reached via fax: (314) 340–3139.*

DEAR EDITOR: The recent editorial, ''Desecrating the Constitution'' (April 21), is a clear example of the complete disregard by a slim minority of the media to follow the good judgement of the American people.

The editors of the Post Dispatch should undertake a more studied analysis of the flag amendment before jumping to conclusions. The first line of the editorial reads, ''Our nation has made it through 208 years without amending the First Amendment.'' The U.S. Flag, which predates the Constitution, was protected under our nation's law and traditions for 200 years. A razor thin, five-Justice majority of the Supreme Court wrested this right from the American people in 1989 when they invalidated flag-protection laws in 48 states and the District of Columbia.

This tradition and precedent has been recognized by Justices on five previous Supreme Courts. In fact, Justice Hugo Black, perhaps the staunchest defender of individual rights ever to sit on the Supreme Court, stated, ''It passes my belief that anything in the Federal Constitution bars . . . making the deliberate burning of the American flag an offense.''

In every sense, an amendment to return to the American people the right to protect their flag would change nothing in the Constitution. Nor would it infringe our precious First Amendment rights. On the contrary, it would restore the Constitution and the First Amendment to a time-honored interpretation and understanding that existed for all but the last ten years of our history.

The editors mention an invisible ''slippery slope'' if a flag-protection amendment passes. Over 10,000 amendments have been proposed and only twenty-seven have been ratified—the first ten are the Bill of Rights. If there is any ''slope'' in amending the Constitution, it is a steep incline.

Finally, for the record, burning a cross on anyone's lawn is a hate crime punishable under law. Burning a flag is a hate crime against all Americans and should also be punishable under law.

If our flag is not deserving of protection, then it is not worthy to be draped on the coffins of our dead soldiers. Senator Ashcroft understands the intrinsic value of the flag. Unfortunately, its meaning is lost on the editors of the Post-Dispatch.

Sincerely,

JOSEPH J. FRANK,
*Past National Commander,*
*The American Legion.*

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## MILLENNIUM DIGITAL COMMERCE ACT

Mr. LOTT. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and other purposes,

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 761) entitled ''An Act to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and other purposes'', do pass with the following amendments:

Strike out all after the enacting clause and insert:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Electronic Signatures in Global and National Commerce Act''.*

***TITLE I—VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES FOR COMMERCE***

***SEC. 101. GENERAL RULE OF VALIDITY.***

*(a) GENERAL RULE.—With respect to any contract, agreement, or record entered into or provided in, or affecting, interstate or foreign commerce, notwithstanding any statute, regulation, or other rule of law, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied—*

*(1) on the ground that the contract, agreement, or record is not in writing if the contract, agreement, or record is an electronic record; or*

*(2) on the ground that the contract, agreement, or record is not signed or is not affirmed by a signature if the contract, agreement, or*

*record is signed or affirmed by an electronic signature.*

*(b) AUTONOMY OF PARTIES IN COMMERCE.—*

*(1) IN GENERAL.—With respect to any contract, agreement, or record entered into or provided in, or affecting, interstate or foreign commerce—*

*(A) the parties to such contract, agreement, or record may establish procedures or requirements regarding the use and acceptance of electronic records and electronic signatures acceptable to such parties;*

*(B) the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied because of the type or method of electronic record or electronic signature selected by the parties in establishing such procedures or requirements; and*

*(C) nothing in this section requires any party to use or accept electronic records or electronic signatures.*

*(2) CONSENT TO ELECTRONIC RECORDS.—Notwithstanding subsection (a) and paragraph (1) of this subsection—*

*(A) if a statute, regulation, or other rule of law requires that a record be provided or made available to a consumer in writing, that requirement shall be satisfied by an electronic record if—*

*(i) the consumer has affirmatively consented, by means of a consent that is conspicuous and visually separate from other terms, to the provision or availability (whichever is required) of such record (or identified groups of records that include such record) as an electronic record, and has not withdrawn such consent;*

*(ii) prior to consenting, the consumer is provided with a statement of the hardware and software requirements for access to and retention of electronic records; and*

*(iii) the consumer affirmatively acknowledges, by means of an acknowledgement that is conspicuous and visually separate from other terms, that—*

*(I) the consumer has an obligation to notify the provider of electronic records of any change in the consumer's electronic mail address or other location to which the electronic records may be provided; and*

*(II) if the consumer withdraws consent, the consumer has the obligation to notify the provider to notify the provider of electronic records of the electronic mail address or other location to which the records may be provided; and*

*(B) the record is capable of review, retention, and printing by the recipient if accessed using the hardware and software specified in the statement under subparagraph (A)(ii) at the time of the consumer's consent; and*

*(C) if such statute, regulation, or other rule of law requires that a record be retained, that requirement shall be satisfied if such record complies with the requirements of subparagraphs (A) and (B) of subsection (c)(1).*

*(c) RETENTION OF CONTRACTS, AGREEMENTS, AND RECORDS.—*

*(1) ACCURACY AND ACCESSIBILITY.—If a statute, regulation, or other rule of law requires that a contract, agreement, or record be in writing or be retained, that requirement is met by retaining an electronic record of the information in the contract, agreement, or record that—*

*(A) accurately reflects the information set forth in the contract, agreement, or record after it was first generated in its final form as an electronic record; and*

*(B) remains accessible, for the period required by such statute, regulation, or rule of law, for later reference, transmission, and printing.*

*(2) EXCEPTION.—A requirement to retain a contract, agreement, or record in accordance with paragraph (1) does not apply to any information whose sole purpose is to enable the contract, agreement, or record to be sent, communicated, or received.*

*(3) ORIGINALS.—If a statute, regulation, or other rule of law requires a contract, agreement, or record to be provided, available, or retained in its original form, or provides consequences if the contract, agreement, or record is not provided, available, or retained in its original form, that statute, regulation, or rule of law is satisfied by an electronic record that complies with paragraph (1).*

*(4) CHECKS.—If a statute, regulation, or other rule of law requires the retention of a check, that requirement is satisfied by retention of an electronic record of all the information on the front and back of the check in accordance with paragraph (1).*

*(d) ABILITY TO CONTEST SIGNATURES AND CHARGES.—Nothing in this section shall be construed to limit or otherwise affect the rights of any person to assert that an electronic signature is a forgery, is used without authority, or otherwise is invalid for reasons that would invalidate the effect of a signature in written form. The use or acceptance of an electronic record or electronic signature by a consumer shall not constitute a waiver of any substantive protections afforded consumers under the Consumer Credit Protection Act.*

*(e) SCOPE.—This Act is intended to clarify the legal status of electronic records and electronic signatures in the context of writing and signing requirements imposed by law. Nothing in this Act affects the content or timing of any disclosure required to be provided to any consumer under any statute, regulation, or other rule of law.*

***SEC. 102. AUTHORITY TO ALTER OR SUPERSEDE GENERAL RULE.***

*(a) PROCEDURE TO ALTER OR SUPERSEDE.—Except as provided in subsection (b), a State statute, regulation, or other rule of law may modify, limit, or supersede the provisions of section 101 if such statute, regulation, or rule of law—*

*(1)(A) constitutes an enactment or adoption of the Uniform Electronic Transactions Act as reported to the State legislatures by the National Conference of Commissioners on Uniform State Laws; or*

*(B) specifies the alternative procedures or requirements for the use or acceptance (or both) of electronic records or electronic signatures to establish the legal effect, validity, or enforceability of contracts, agreements, or records; and*

*(2) if enacted or adopted after the date of the enactment of this Act, makes specific reference to this Act.*

*(b) LIMITATIONS ON ALTERATION OR SUPERSESSION.—A State statute, regulation, or other rule of law (including an insurance statute, regulation, or other rule of law), regardless of its date of the enactment or adoption, that modifies, limits, or supersedes section 101 shall not be effective to the extent that such statute, regulation, or rule—*

*(1) discriminates in favor of or against a specific technology, process, or technique of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures;*

*(2) discriminates in favor of or against a specific type or size of entity engaged in the business of facilitating the use of electronic records or electronic signatures;*

*(3) is based on procedures or requirements that are not specific or that are not publicly available; or*

*(4) is otherwise inconsistent with the provisions of this title.*

*(c) EXCEPTION.—Notwithstanding subsection (b), a State may, by statute, regulation, or rule of law enacted or adopted after the date of the enactment of this Act, require specific notices to be provided or made available in writing if such notices are necessary for the protection of the public health or safety of consumers. A consumer may not, pursuant to section 101(b)(2), consent to the provision or availability of such notice solely as an electronic record.*

***SEC. 103. SPECIFIC EXCLUSIONS.***

*(a) EXCEPTED REQUIREMENTS.—The provisions of section 101 shall not apply to a contract, agreement, or record to the extent it is governed by—*

*(1) a statute, regulation, or other rule of law governing the creation and execution of wills, codicils, or testamentary trusts;*

*(2) a statute, regulation, or other rule of law governing adoption, divorce, or other matters of family law;*

*(3) the Uniform Commercial Code, as in effect in any State, other than sections 1-107 and 1-206 and Articles 2 and 2A;*

*(4) any requirement by a Federal regulatory agency or self-regulatory organization that records be filed or maintained in a specified standard or standards (including a specified format or formats), except that nothing in this paragraph relieves any Federal regulatory agency of its obligations under the Government Paperwork Elimination Act (title XVII of Public Law 105–277);*

*(5) the Uniform Anatomical Gift Act; or*

*(6) the Uniform Health-Care Decisions Act.*

*(b) ADDITIONAL EXCEPTIONS.—The provisions of section 101 shall not apply to—*

*(1) any contract, agreement, or record entered into between a party and a State agency if the State agency is not acting as a market participant in or affecting interstate commerce;*

*(2) court orders or notices, or official court documents (including briefs, pleadings, and other writings) required to be executed in connection with court proceedings; or*

*(3) any notice concerning—*

*(A) the cancellation or termination of utility services (including water, heat, and power);*

*(B) default, acceleration, repossession, foreclosure, or eviction, or the right to cure, under a credit agreement secured by, or a rental agreement for, a primary residence of an individual; or*

*(C) the cancellation or termination of health insurance or benefits or life insurance benefits (excluding annuities).*

***SEC. 104. STUDY.***

*(a) FOLLOWUP STUDY.—Within 5 years after the date of the enactment of this Act, the Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall conduct an inquiry regarding any State statutes, regulations, or other rules of law enacted or adopted after such date of the enactment pursuant to section 102(a), and the extent to which such statutes, regulations, and rules comply with section 102(b).*

*(b) REPORT.—The Secretary shall submit a report to the Congress regarding the results of such inquiry by the conclusion of such 5-year period.*

*(c) ADDITIONAL STUDY OF DELIVERY.—Within 18 months after the date of the enactment of this Act, the Secretary of Commerce shall conduct an inquiry regarding the effectiveness of the delivery of electronic records to consumers using electronic mail as compared with delivery of written records via the United States Postal Service and private express mail services. The Secretary shall submit a report to the Congress regarding the results of such inquiry by the conclusion of such 18-month period.*

***SEC. 105. DEFINITIONS.***

*For purposes of this title:*

*(1) ELECTRONIC RECORD.—The term ''electronic record'' means a writing, document, or other record created, stored, generated, received, or communicated by electronic means.*

*(2) ELECTRONIC SIGNATURE.—The term ''electronic signature'' means information or data in electronic form, attached to or logically associated with an electronic record, and executed or adopted by a person or an electronic agent of a person, with the intent to sign a contract, agreement, or record.*

*(3) ELECTRONIC.—The term ''electronic'' means of or relating to technology having electrical, digital, magnetic, optical, electromagnetic, or similar capabilities regardless of medium.*

*(4) ELECTRONIC AGENT.—The term ''electronic agent'' means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records in whole or in part without review by an individual at the time of the action or response.*

*(5) RECORD.—The term ''record'' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.*

*(6) FEDERAL REGULATORY AGENCY.—The term ''Federal regulatory agency' means an agency, as that term is defined in section 552(f) of title 5, United States Code, that is authorized by Federal law to impose requirements by rule, regulation, order, or other legal instrument.*

*(7) SELF-REGULATORY ORGANIZATION.—The term ''self-regulatory organization'' means an organization or entity that is not a Federal regulatory agency or a State, but that is under the supervision of a Federal regulatory agency and is authorized under Federal law to adopt and administer rules applicable to its members that are enforced by such organization or entity, by a Federal regulatory agency, or by another self-regulatory organization.*

***TITLE II—DEVELOPMENT AND ADOPTION OF ELECTRONIC SIGNATURE PRODUCTS AND SERVICES***

***SEC. 201. TREATMENT OF ELECTRONIC SIGNATURES IN INTERSTATE AND FOREIGN COMMERCE.***

*(a) INQUIRY REGARDING IMPEDIMENTS TO COMMERCE.—*

*(1) INQUIRIES REQUIRED.—Within 180 days after the date of the enactment of this Act, and biennially thereafter, the Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall complete an inquiry to—*

*(A) identify any domestic and foreign impediments to commerce in electronic signature products and services and the manners in which and extent to which such impediments inhibit the development of interstate and foreign commerce;*

*(B) identify constraints imposed by foreign nations or international organizations that constitute barriers to providers of electronic signature products or services; and*

*(C) identify the degree to which other nations and international organizations are complying with the principles in subsection (b)(2).*

*(2) SUBMISSION.—The Secretary shall submit a report to the Congress regarding the results of each such inquiry within 90 days after the conclusion of such inquiry. Such report shall include a description of the actions taken by the Secretary pursuant to subsection (b) of this section.*

*(b) PROMOTION OF ELECTRONIC SIGNATURES.—*

*(1) REQUIRED ACTIONS.—The Secretary of Commerce, acting through the Assistant Secretary for Communications and Information, shall promote the acceptance and use, on an international basis, of electronic signatures in accordance with the principles specified in paragraph (2) and in a manner consistent with section 101 of this Act. The Secretary of Commerce shall take all actions necessary in a manner consistent with such principles to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, including those identified in the inquiries under subsection (a) for the purpose of facilitating the development of interstate and foreign commerce.*

*(2) PRINCIPLES.—The principles specified in this paragraph are the following:*

*(A) Free markets and self-regulation, rather than Government standard-setting or rules, should govern the development and use of electronic records and electronic signatures.*

*(B) Neutrality and nondiscrimination should be observed among providers of and technologies for electronic records and electronic signatures.*

*(C) Parties to a transaction should be permitted to establish requirements regarding the use of electronic records and electronic signatures acceptable to such parties.*

*(D) Parties to a transaction—*

*(i) should be permitted to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced; and*

*(ii) should have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.*

*(E) Electronic records and electronic signatures in a form acceptable to the parties should not be denied legal effect, validity, or enforceability on the ground that they are not in writing.*

*(F) De jure or de facto imposition of standards on private industry through foreign adoption of regulations or policies with respect to electronic records and electronic signatures should be avoided.*

*(G) Paper-based obstacles to electronic transactions should be removed.*

*(c) CONSULTATION.—In conducting the activities required by this section, the Secretary shall consult with users and providers of electronic signature products and services and other interested persons.*

*(d) PRIVACY.—Nothing in this section shall be construed to require the Secretary or the Assistant Secretary to take any action that would adversely affect the privacy of consumers.*

*(e) DEFINITIONS.—As used in this section, the terms ''electronic record'' and ''electronic signature'' have the meanings provided in section 104 of the Electronic Signatures in Global and National Commerce Act.*

***TITLE III—USE OF ELECTRONIC RECORDS AND SIGNATURES UNDER FEDERAL SECURITIES LAW***

***SEC. 301. GENERAL VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES.***

*Section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c) is amended by adding at the end the following new subsection:*

*''(h) REFERENCES TO WRITTEN RECORDS AND SIGNATURES.—*

*''(1) GENERAL VALIDITY OF ELECTRONIC RECORDS AND SIGNATURES.—Except as otherwise provided in this subsection—*

*''(A) if a contract, agreement, or record (as defined in subsection (a)(37)) is required by the securities laws or any rule or regulation thereunder (including a rule or regulation of a self-regulatory organization), and is required by Federal or State statute, regulation, or other rule of law to be in writing, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied on the ground that the contract, agreement, or record is not in writing if the contract, agreement, or record is an electronic record;*

*''(B) if a contract, agreement, or record is required by the securities laws or any rule or regulation thereunder (including a rule or regulation of a self-regulatory organization), and is required by Federal or State statute, regulation, or other rule of law to be signed, the legal effect, validity, or enforceability of such contract, agreement, or record shall not be denied on the ground that such contract, agreement, or record is not signed or is not affirmed by a signature if the contract, agreement, or record is signed or affirmed by an electronic signature; and*

*''(C) if a broker, dealer, transfer agent, investment adviser, or investment company enters into a contract or agreement with, or accepts a record from, a customer or other counterparty, such broker, dealer, transfer agent, investment adviser, or investment company may accept and rely upon an electronic signature on such contract, agreement, or record, and such electronic signature shall not be denied legal effect, validity, or enforceability because it is an electronic signature.*

*''(2) IMPLEMENTATION.—*

*''(A) REGULATIONS.—The Commission may prescribe such regulations as may be necessary to carry out this subsection consistent with the public interest and the protection of investors.*

*''(B) NONDISCRIMINATION.—The regulations prescribed by the Commission under subparagraph (A) shall not—*

*''(i) discriminate in favor of or against a specific technology, method, or technique of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures; or*

*''(ii) discriminate in favor of or against a specific type or size of entity engaged in the business of facilitating the use of electronic records or electronic signatures.*

*''(3) EXCEPTIONS.—Notwithstanding any other provision of this subsection—*

*''(A) the Commission, an appropriate regulatory agency, or a self-regulatory organization may require that records be filed or maintained in a specified standard or standards (including a specified format or formats) if the records are required to be submitted to the Commission, an appropriate regulatory agency, or a self-regulatory organization, respectively, or are required by the Commission, an appropriate regulatory agency, or a self-regulatory organization to be retained; and*

*''(B) the Commission may require that contracts, agreements, or records relating to purchases and sales, or establishing accounts for conducting purchases and sales, of penny stocks be manually signed, and may require such manual signatures with respect to transactions in similar securities if the Commission determines that such securities are susceptible to fraud and that such fraud would be deterred or prevented by requiring manual signatures.*

*''(4) RELATION TO OTHER LAW.—The provisions of this subsection apply in lieu of the provisions of title I of the Electronic Signatures in Global and National Commerce Act to a contract, agreement, or record (as defined in subsection (a)(37)) that is required by the securities laws.*

*''(5) SAVINGS PROVISION.—Nothing in this subsection applies to any rule or regulation under the securities laws (including a rule or regulation of a self-regulatory organization) that is in effect on the date of the enactment of the Electronic Signatures in Global and National Commerce Act and that requires a contract, agreement, or record to be in writing, to be submitted or retained in original form, or to be in a specified standard or standards (including a specified format or formats).*

*''(6) DEFINITIONS.—As used in this subsection:*

*''(A) ELECTRONIC RECORD.—The term 'electronic record' means a writing, document, or other record created, stored, generated, received, or communicated by electronic means.*

*''(B) ELECTRONIC SIGNATURE.—The term ''electronic signature'' means information or data in electronic form, attached to or logically associated with an electronic record, and executed or adopted by a person or an electronic agent of a person, with the intent to sign a contract, agreement, or record.*

*''(C) ELECTRONIC.—The term 'electronic' means of or relating to technology having electrical, digital, magnetic, optical, electromagnetic, or similar capabilities regardless of medium.''.*

Amend the title so as to read ''An Act to facilitate the use of electronic records and signatures in interstate or foreign commerce.''.

Mr. LOTT. Mr. President, I ask unanimous consent the Senate disagree to the amendments of the House, agree to the request for a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Presiding Officer (Mr. L. CHAFEE) appointed, from the Committee on Commerce, Science, and Transportation, Senators JOHN MCCAIN, CONRAD BURNS, TED STEVENS, SLADE GORTON, KAY BAILEY HUTCHISON, SPENCER ABRAHAM, ERNEST F. HOLLINGS, DANIEL K. INOUYE, JOHN D. ROCKEFELLER, IV, JOHN F. KERRY, and RON WYDEN;

From the Committee on Banking, Housing, and Urban Affairs for items within their jurisdiction, Senators PHIL GRAMM, ROBERT F. BENNETT, and PAUL S. SARBANES;

From the Committee on the Judiciary for items within their jurisdiction, Senators ORRIN G. HATCH, STROM THURMOND, and PATRICK J. LEAHY conferees on the part of the Senate.

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## DIGITAL SIGNATURE LEGISLATION

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the following letter, signed by 45 members of the Democratic Caucus, be printed in the RECORD. Moreover, I would like to thank my colleagues, Senator SARBANES, ranking member of the Banking Committee, and Senator LEAHY, ranking member of the Judiciary Committee, for their assistance in the preparation for the conference on S. 761, the digital signature bill.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. SENATE,
*Washington, DC, March 28, 2000.*

Members of the Conference Committee on Electronic Signature Legislation United States Congress.

DEAR CONFEREE: We are writing to express our strong support for legislation that will ensure the electronic marketplace functions effectively for both businesses and consumers. We all supported S. 761, the ''Millennium Digital Commerce Act,'' as it passed the Senate on November 19, 1999. As that bill proceeds to conference, we continue to believe that it is important to remove unintended barriers to electronic commerce. We must provide certainty regarding the legality of electronic transactions which spur economic growth and provide many benefits to consumers.

We also want to ensure that any new law would provide consumer protections equivalent to those currently required for paper transactions, and would not facilitate predatory or unlawful practices. The electronic world should be no less safe for American consumers than the paper world.

According to a recent Commerce Department report entitled *Falling Through the Net*, more than 70 percent of American households do not have access to the Internet. In enacting legislation to facilitate electronic commerce, we must ensure that we do not widen the ''digital divide,'' to the disadvantage of the majority of Americans.

We must ensure that consumer protections established over several decades are not inadvertently made ineffective by the transition to electronic transactions. We believe that the legislation produced by your conference committee must incorporate the following principles in order for us to support it:

Ensure effective consumer consent to the replacement of paper notices with electronic notices.

Ensure that electronic records are accurate, and relevant parties can retain and access them.

Enhance legal certainty for electronic signatures and records and avoid unnecessary litigation by authorizing regulators to provide interpretive guidance.

Avoid unintended consequences in areas outside the scope of the bill by providing clear federal regulatory authority for records not covered by the bill's ''consumer'' provisions.

Avoid facilitating predatory or unlawful practices.

Attached is a more detailed description of these principles.

The conference committee has the opportunity to write the ground rules for the transition of our economy from paper-based transactions to electronic transactions. This transition offers great potential benefits for both business and consumers, but must be done in a way that preserves basic consumer protections and ensures the confidentiality and security of such transactions.

Sincerely,

Patrick Leahy, Paul Sarbanes, Tom Daschle, Chris Dodd, Max Cleland, John Edwards, Harry Reid, Daniel K. Akaka, Ernest F. Hollings, Ron Wyden, John F. Kerry, Tom Harkin, Charles E. Schumer, Frank R. Lautenberg, Barbara A. Mikulski, Joseph R. Biden, Jr., Jay Rockefeller, J. Robert Kerrey, Richard J. Durbin, Barbara Boxer, Carl Levin, John B. Breaux, Daniel K. Inouye, Mary L. Landrieu, Max Baucus, Richard H. Bryan, Bob Graham, Jack Reed, Tim Johnson, Evan Bayh, Joseph I. Lieberman, Jeff Bingaman, Russell D. Feingold, Dianne Feinstein, Chuck Robb, Byron L. Dorgan, Paul Wellstone, Patty Murray, Daniel Patrick Moynihan, Ted Kennedy, Herb Kohl, Robert Torricelli, Blanche L. Lincoln, Kent Conrad, Robert C. Byrd.

BASIC CONSUMER PROTECTION PRINCIPLES FOR ELECTRONIC SIGNATURE LEGISLATION

1. Ensure Effective Consumer Consent to the Replacement of Paper Notices with Electronic Notices.

The final bill must include effective consumer consent provisions that provide the following protections:

Consumer consent must involve a demonstration that a consumer will actually have the capacity to receive and read electronic notices.

Consumers must be notified of their rights, including any right to receive notices on paper, a description of the types of records covered, and their right to revert to paper records (or clear explanation that the option will not be available because of the purely on-line nature of the business).

Consumer consent must be reconfirmed if a change in technology by business results in a material risk that a consumer will be unable to receive electronic records.

Consumers must be ensured that electronic delivery of notices will have substantially equivalent reliability as paper delivery.

Consumer privacy must be protected by requiring that the provider of the electronic record shall take reasonable steps to ensure confidentiality and security.

2. Ensure that Electronic Records are Accurate, and That Relevant Parties Can Access and Retain Them.

The legislation must require that, in order to meet record delivery and retention requirements under existing consumer protection laws, businesses must take reasonable precautions to preserve the accuracy and integrity of electronic records. In addition, all parties entitled to a copy of a notice or disclosure by law or regulation should be able to access and retain an accurate copy of that record for later reference and settlement of disputes.

3. Enhance Legal Certainty for Electronic Signatures and Records.

The legislation must provide clear interpretive authority to the regulatory agencies responsible for implementing the statutes modified by the legislation. Failure to provide such authority will create significant business uncertainty about the requirements for compliance with the law, which in turn might lead to litigation. Agencies may also be unable to stop abusive practices and preserve consumer confidence in on-line transactions without such authority. This authority would not give agencies the ability to override any of the bill's requirements, only to clarify how they apply in specific circumstances.

4. Avoid Unintended Consequences in Areas Outside the Scope of the Bill.

The legislation must provide clear federal regulatory authority for records not covered by the bill's consumer provisions, including authority to exempt requirements from the bill's provisions if necessary. The broad scope of the legislation may have unintended consequences for laws and regulations governing ''records'' outside its intended focus on business-to-consumer and business-to-business transactions. For example, the bill could affect rules on the posting of workplace safety notices. Protections must be provided against such unintended consequences of the legislation.

5. Avoid Facilitating Predatory or Unlawful Practices.

The legislation must provide adequate protection against predatory or unlawful practices.

Mr. LEAHY. Mr. President, I am pleased that my colleagues on the other side of the aisle have worked out their problems and enabled the Senate, at last, to appoint conferees on S. 761. I co-authored S. 761 as it passed the Senate, and I look forward to working as a conferee to ensure that the final conference report respects the principles that this body endorsed when it passed that legislation by unanimous consent last year. The letter to conferees dated March 28, 2000, signed by all 45 Democratic Senators, reminds us of those principles.

I am only one conferee among 17 but working with the other 6 Democratic Senate conferees and the 10 Republican Senate conferees. I will endeavor to encourage electronic commerce with balance, fairness, and due regard for consumer protection.

The PRESIDING OFFICER. The Senator from Utah.

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## ELIAN GONZALEZ

Mr. HATCH. Mr. President, I rise this morning to voice my deep concern over the developing situation in Miami involving this young boy, Elian Gonzalez.

I do not rise today to make legal or policy arguments regarding the events that have transpired thus far, although I have strongly held views on those matters. Rather, I rise to implore—yes, implore—the Justice Department and the Clinton Administration to exercise restraint in how they proceed.

For reasons I fail to understand, this Administration yesterday significantly ratcheted up the stakes in this matter, and unnecessarily turned this into a crisis situation by threatening to involuntarily and forcibly remove this

boy from the place he calls home and to forcibly remove him from the family that has cared and sheltered him for four months.

And why? The Justice Department had previously indicated a willingness to allow the Miami family to pursue its legal avenues in federal court. This family is appealing the recent decision of the district court. That is not news, and should hardly come as a surprise to the Department. In fact, it is my understanding that the family has agreed to the Justice Department's request to try and expedite the appeal.

So why has the Administration manufactured this crisis and issued these threats and ultimatums? Why make these threats regarding this arbitrary, self-created and self-imposed deadline of Thursday morning at 9:00 a.m.?

I know that my colleagues have different views on the matter of whether Elian Gonzalez should be returned to Cuba or allowed to stay in our country. But I do not stand before you today to debate that matter.

Rather, I would hope we could all join in calling upon the Department of Justice and the Clinton Administration to calm down, exercise restraint, and stop acting to increase the tension of this delicate situation unnecessarily through arbitrary deadlines or threats of force.

I fail to see how these threats serve any useful purpose. Hasn't this young boy been through enough? Why does this Administration need to forcibly remove him from his home while the appeal process continues to run? Has Elian become an enemy of the United States of America? If not, why is the Administration treating him like a dangerous drug lord or a mass murderer?

Again, I implore this Justice Department and this Administration to calm down and exercise restraint. We need to find a way to diffuse this situation, not to further inflame it. And, we need to act in accordance with the values of our country—restraint, respect for law, and common sense. We should not be led to extremes merely to appease a foreign government. We will be fair and deliberate. But, we should not engage in ridiculous, overwrought measures. After all, this is not Cuba. This is the United States of America, and we have a young boy here. He ought to be treated with dignity and with respect by a government that does not act as a bully with no restraint whatsoever.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

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## MARRIAGE TAX PENALTY

Mrs. HUTCHISON. Mr. President, I rise today to talk about the marriage tax penalty. We are trying not so much to give a tax cut to married couples but to make a tax correction. It is not the business of Government to say that when you are married your taxes should be higher. The Tax Code should be blind.

It should be fair to all. Any single person making $35,000 a year marrying someone making $35,000 a year should not automatically go into a higher tax bracket. In fact, under today's Tax Code, that is exactly what happens. It is one of the most egregious oversights of our tax system that we must address.

It is estimated that 21 million married couples pay a marriage penalty; about 48 percent of people in this country who are married pay a penalty for being married. The question is, What can we do to correct that inequity? This is not just a tax cut. It is a tax correction.

Yesterday, Senator ROTH revealed his plan that will go to the Finance Committee for markup, hopefully, tomorrow. It is a very solid beginning. His plan, first and foremost, does something that will affect every single married couple: It doubles the standard deduction.

Today, the standard deduction is $7,350 for a married couple. It is $4,400 for singles. One would think a married couple would get $8,800. That is not the case. They get $7,350. Regardless of the tax bracket, there is a marriage tax penalty from the standard deduction. Senator ROTH's bill doubles the standard deduction next year.

Second, the bill starts with the lowest tax bracket, the 15-percent bracket. Over a 6-year period, starting in 2000, that bracket will be doubled for married couples. This is an $8,650 increase that allows people to continue paying in the 15-percent level for $8,650 more. Basically, that means if someone today is making up to $43,000 as a married couple, they are in the 15-percent bracket. We raise that to $52,500. As a married couple making about $26,000 a year, they will stay in the 15-percent bracket and will not have that penalty.

It is important for people to know that everyone pays up to the $52,000 in the 15-percent bracket. Even if you go up to the 28-percent bracket or the 36-percent bracket, you will also get that 15-percent bracket relief.

It was my hope to double the 28-percent bracket, as well, because this is where most people get hit the hardest. A policeman who marries a schoolteacher gets hit in that 28-percent bracket. They are making approximately $30,000 each. They would not be fully covered under the bill that will go to markup.

There will be opportunities to increase that bracket to 28 percent, which is what we hope to do. We want to go up to about $120,000 in joint income to do away with that penalty for married couples. We will take the 28-percent bracket up to about $126,000. A 28-percent tax bracket is almost a third of what a person makes, so with salaries of $40,000 or $50,000, it is a pretty big hit, especially if you have children and are trying to do the extras for their education.

We have the 15-percent bracket doubling, starting in 2000. We want to make that 28 percent, but even if we can do the 15 percent, it is certainly a step in the right direction, saying to people they should not be penalized because they chose to get married. The penalty is not small. The average is about $1,400 more that people pay. If they are making $28,000 a year or $40,000 a year and have to pay $1,400 more in taxes, that is a lot of money, money that could be saved for the first downpayment on a house. It is money that could be put on car payments, mortgage payments, or a family vacation.

This is the time in people's lives when they need the money the most, when they are a young couple, just beginning. They do not have a nest egg yet. To tax them $1,400 more a year is a heavy penalty. There is no reason for it. We should not make the choice for people that if they get married they must pay more taxes.

The alternative minimum tax is also reformed in Senator ROTH's plan. The alternative minimum tax is a tax that is levied on people. An alternative minimum tax is levied perhaps because too much of their income is tax free. This has begun to hit more and more people.

The alternative minimum tax has begun to hit people who make $75,000 a year as married couples. This keeps them from having the $500-per-child tax credit fully given; it keeps them from getting the Hope scholarship money fully given; it keeps them from having an adoption credit fully given. It takes away the value of those credits.

We say to people: You get a $500-per-child tax credit because we want you to have more of the money you earn, but if you make over $75,000 a year, we will take part of that credit away. We want to make those types of tax credits, the nonrefundable tax credits, whole for people, regardless of where they are in the system. We don't want the marriage tax penalty to encroach on that, as well. We are trying to exempt those nonrefundable tax credits from the AMT.

We also increase the earned-income tax credit for low-income couples, so if a person chooses to go to work and get off welfare, which is what we are encouraging them to do, we don't want to punish them by taking away their earned-income tax credit.

It is ironic that today we say to a married couple: You will pay more in taxes than if you had stayed single. We have a higher tax burden in our country today in peacetime than any time since World War II. We are trying to take away some of that tax burden on hard-working Americans. We find with many couples that both work because the tax burden is so high. They are trying to do extra things for their children. In order to meet all of their needs and the extra requirements they have for giving their children a good education, they are having to go to work. That second income is penalizing that spouse who decides to leave the home and go into the workplace.

This is wrong. It is time to end this unfair part of our Tax Code. We started trying to correct this inequity 3 years ago. We sent President Clinton a bill that had marriage tax penalty relief in it and the President vetoed that bill.

It is very important that President Clinton look carefully at this particular bill. It hits people at the lower and middle-income level. The President has said he is for income tax relief for middle-income people. He has said that in public statements. But, in fact, he has vetoed the marriage tax penalty relief we have sent him.

I hope this is going to be a clean bill. I hope it will be a bill that is not amended with extraneous amendments that are not marriage tax penalty amendments. If we can send that clean bill, then I think the President will have some explaining to do if he does not sign it to give this relief to hard-working American couples.

We are about 20 days away from having to file the income taxes for 1999. April 15 is the day. April 15 is Saturday, so we get a reprieve until April 17. But when people are filling out their income tax returns in the next few weeks, I hope they will think of this marriage penalty that most people are paying in this country. I hope they will realize Congress is trying to give people relief. Congress is trying to double the standard deduction, so when you are filling out your form in the next 20 days, realize if you are married, your standard deduction is $7,350. Under our plan it would be $8,800 that would be totally exempt from taxation.

Furthermore, we would give you about $8,000 more over the next 6 years in the 15-percent bracket. So whereas today you would start going into that 28-percent bracket at $43,000, we are going to give you up to $52,000 over a 6-year period with the bill that is going into the Finance Committee tomorrow. We are hoping we can even expand that to the 28-percent bracket so more people will pay at the lower bracket levels. This will help every single tax-paying American who is married and paying this penalty.

I hope very much the President of the United States is listening. I hope we can pass this clean marriage penalty bill through the Senate. We have a good start in the House bill. We have a good start from the Senate Finance Committee mark. I hope we can even make it better. With a relatively small addition, I think we can. I think we can go from the 15-percent to the 28-percent bracket—doubling. That will give significant relief to the most taxpayers in this country. Most people pay in the 15- and 28-percent brackets. That is where I think we need the relief.

I urge my colleagues to work with us on this marriage penalty relief. I urge the President to listen to the hard-working people of this country who are saying: We need relief, and most of all, we need fairness in our tax system. It is not fair to tax people because they are married.

I see my colleague from Georgia is on the floor. My colleague from Georgia has been one of the early cosponsors of this marriage tax penalty relief. He has been a stalwart defender of fairness in our Tax Code and fairness in our tax system. I appreciate that he is here and I yield the floor to the Senator from Georgia.

The PRESIDING OFFICER (Mr. HUTCHINSON). Under the previous order, the Senator from Georgia, Mr. COVERDELL, or his designee, is recognized to speak for 30 minutes.

Mr. COVERDELL. Mr. President, parliamentary inquiry: It is my understanding the Senator from Texas and the Senator from Kansas had a period of approximately 30 minutes before the 30 minutes that was assigned to me. At the moment, I will be speaking on that time, if there is any of that time remaining.

The PRESIDING OFFICER. There is 14 minutes remaining.

Mr. COVERDELL. Then, if I might, with that clarification, at the conclusion of my remarks and the remarks of the Senator from Texas or others on marriage penalty, then I will begin to implement the 30 minutes that was assigned to me.

Mr. President, first I thank the Senator from Texas for her perseverance in pursuing relief of the marriage tax penalty on so many millions of Americans. I have several general comments to make about this proposal at this time. Again, before she gets away, I thank the Senator from Texas for the drumbeat by which she has continued to pursue this issue because it is an exceedingly important policy issue. That is the first point I want to make.

The fact we would have ever come to the point in the United States, given all the problems we have been talking about over these last several years of destabilization in our society, that we would punish people for creating families is unconscionable public policy. It is almost unbelievable it could have ever come to this point. So, as a matter of sound, intelligent, appropriate public policy, there should not be a penalty for people creating families. We should be encouraging, not discouraging, that. We should be making available to those families as many resources as possible to carry out the building of America upon which we have always relied. It is that family that we have depended upon to get America up in the morning, to get it to school and to work, to house it, to provide for the health needs and education of the country.

The dreams of America are in the hands of these families. To punish them, to financially punish them, as I said a moment ago, is absolutely unconscionable public policy. It raises all kinds of questions about what kind of thinking goes on in this Capital City, for Heaven's sake. The punishment is not insignificant—about $1,400 a year on average. Start thinking of the things that would do: The home computers, tutors, a new mortgage, transportation. The average American family's disposable income, that which is left after the Government marches through their checking account and takes over half of it —in our State, that family is probably making about $45,000 to $50,000. By the time you take that down by half—then think of all the things they have to do to raise America, to take care of America—we have not left enough there to get the job done. No wonder we see so many problems in our society.

If you were to put a graph behind me from 1950 to 1990 and show what the Federal Government was taking out of that checking account in 1950, and then what it is taking out in 1990, you would faint. If you put up a graph of every other problem—SAT scores, teenage suicide rates, you name it—as that graph went up, as we took more and more resources away from those families, bad things start to happen in our country. So there is nothing more important than making a statement that we are not going to punish families and we are going to take steps to leave more value, more of what they work for in their checking accounts so they can do what they need to do for America.

If every little family can take care of itself, the country is in great shape. Conversely, if we make it difficult for these families to get the job done, the country starts to wobble a bit. It has gotten right close to wobbling.

The other point I want to make is this: If we are going to talk about eliminating the marriage tax penalty, then we ought to be bold about it and serious about it. This proposal that is coming from the Finance Committee, and for which the Senator from Texas has fought, is just that.

The President has used the name but no substance—the name, the sound bite—but it is not getting the job done. Clearly, if we are going to go before the country and say we are going to eliminate the marriage tax penalty, it ought to virtually get the job done.

The proposal sponsored by the Senator from Texas, and which is likely to come out of the Finance Committee, will do that. The President's proposal does not.

I hope this ultimately passes the Senate, that we work out any differences with the House, and it goes to the President's desk and he acknowledges that a marriage tax penalty is a bad thing, it is bad policy.

I have one other comment to make about this before I yield back the remainder of the time to the Senator from Texas. I have not heard anybody refer to this, but this proposal is across-the-board tax relief. Why is that? Because it takes the bottom tax bracket where people pay 15 percent and increases substantially the amount of income any family can earn and only be taxed on that income at 15 percent. Every taxpayer will receive tax relief because they all pay 15 percent on the

first bracket. The first bracket is being enlarged. Everybody will benefit.

Admittedly, by focusing on these earlier tax brackets, the amount of relief, while the same for everybody, is more meaningful to middle-income families and lower-income families. This $1,500 is the difference between, as I said, the house or not, the car or not, proper education or not. For some of our wealthier citizens, it will not have that great an impact. They would make a different kind of decision about it. It is fair because it is across the board and it affects the entire 15-percent tax bracket. That is good. I want to see us do more of this where we are lowering the tax rates for all taxpayers.

One of the things about which I have been most encouraged, because Americans pay vastly different percentages of income taxes—it has actually gotten to a very negative separation of our citizens. About 50 percent pay very few taxes, and the top 5 or 10 percent pay inordinate taxes. That can lead into all kinds of problems.

The good thing is, the American people, our culture, demand fairness. They really do. One can ask any American in our country, no matter the walk of life, their gender, or their racial background: What is a fair tax? It is always about the same. It doesn't matter where they come from or what their economic status is. They will say it should be about 25 percent. It should not be 50. Americans are essentially fair, and that is good. That gives us the ground upon which to correct some of these onerous bad policies that are in the Tax Code. This is one of them. This is the right thing to do, as I said the other day, and it is the right time to do it.

Mr. President, I yield back the remainder of time to the Senator from Texas.

Mrs. HUTCHISON. Mr. President, parliamentary inquiry: What is the time remaining on my 30 minutes?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mrs. HUTCHISON. Mr. President, I thank Senator COVERDELL for his remarks. He laid out the fairness question very well. I thank him for the leadership he has provided in trying to give tax relief to hard-working American families on several fronts. Of course, he was the leader helping people give their children extra education benefits. Unfortunately, that bill was vetoed last year by the President, and hopefully, having passed it again this year, the President will give that area of tax help to the hard-working families who want to send their children to college or who want to buy a computer for their child in elementary school. That has been led by Senator COVERDELL.

Certainly, Senator COVERDELL is now helping lead the effort on reduction of the marriage penalty tax because, of all the Tax Code inequities, this is the biggest. It affects the most people. It is the biggest tax cut that should be given. It is a fairness question.

If one is a policeman and making $30,000 a year and marries a schoolteacher, why should they pay $1,400 more in taxes just because they get married? There was no promotion, no bigger salary but the same salaries, two people, and they got married. They pay $1,400 more a year in taxes. It hits the schoolteacher and the policeman the hardest.

It is the people making that $25,000 to $35,000 who get hit the hardest. Yet that is the couple trying to save to buy a home for their family or to upgrade a home or to buy the second car or to go on a family vacation. This is money that should not be spent by the Federal Government; it is money that should be spent by the people who earn it. That is the question today.

We are going to continue to debate the issue of the marriage penalty tax, and we will be testing people to see what their priorities are. Why would we continue to have this inequity in the Tax Code when we can fix it? We can fix it, and we are going to have the opportunity to do that the week people are beginning to pay their taxes. We are going to take this bill up the week of April 10, so that when people are filling out their tax forms, they can look at that standard deduction and say: My goodness, I am a married person and my standard deduction is $7,350 and it should be $8,800. If the bill that will be before the Senate on April 10 is passed, it will be $8,800 next year, and this year will be the last year that a married couple has to pay more taxes because of the standard deduction inequity.

I thank the Presiding Officer, and I thank the Senator from Georgia. I urge my colleagues to look at this issue. Let's focus on doing away with this inequity as soon as we possibly can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, has all time expired?

The PRESIDING OFFICER. All time has expired.

Mr. COVERDELL. It is my understanding, then, that there are 30 minutes now under the control of the Senator from Georgia.

The PRESIDING OFFICER. The Senator is correct. The Senator from Georgia is recognized for up to 30 minutes.

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## THE WESTERN HEMISPHERE

Mr. COVERDELL. Mr. President, before I left the Foreign Relations Committee very recently and going to the Finance Committee, I was chairman of the Subcommittee on the Western Hemisphere. I will address the Senate this morning with regard to those responsibilities and to our hemisphere. I will suggest that we must reinvigorate our partnerships in this hemisphere as we begin a new century. If we work to nurture the political and the economic relationships among the nations of the Western Hemisphere, I am convinced that the next century will be the century of the Americas—a time of unparalleled peace and prosperity.

The reason for my remarks, however, is that there are threats, serious threats, to the stability of the democracies in our hemisphere. We need to confront them together—neighbor helping neighbor.

There has been a great deal of discussion recently on deciding what event adequately defines the last century. Some would say victory over Hitler in World War II, or the fall of the Berlin Wall, the first man to walk on the Moon, or the invention of computers. You would make a good case for each one of these.

But I believe the history of the 20th century cannot be defined by one of these singularly remarkable achievements. The greatest development was not an event at all but a slow and steady march over time. For me, it was the spread of democracy around the world, a movement in which the United States played a leading role.

Consider the following: According to the Freedom House, of the 192 sovereign states in existence today, 119 are considered true democracies. In 1950, a date I referred to in the earlier debate, only 22 countries were democracies—22; today there are 119. This means that nearly 100 nations have made this incredible transition over this last half century. I witnessed much of this great transformation as Director of the U.S. Peace Corps under President Bush. Nowhere did I see more dramatic change than in our own backyard.

In 1981, 18 of the 33 nations in the hemisphere were under authoritarian rule. By the beginning of the 1990s, all but one—Cuba—had freely elected heads of state. It was the springtime of democracy.

In the new century ahead, we must nurture and protect this freedom around the world but with great attention on our own hemisphere. Our welfare is inextricably tied to that of our neighbors in the region. We share common geography, history, and culture. Together we possess unbound potential for regional economic prosperity.

To harness this potential, we must continue to extend political and economic freedom to the entire hemisphere. The stakes are very high. If we are successful, I am confident the 21st century will be remembered, as I said, as the century of the Americas. But if we neglect our responsibilities, we could realistically witness a balkanization of Latin America and a stagnation in our own economy.

The task is daunting, and becoming more so by the day. Freedom in the hemisphere remains fragile and uncertain.

Under the Clinton administration, we have failed to respond to the new challenges facing the region—allowing emerging threats to fester in places such as Colombia, Haiti, and Panama. As a result, some of the hard-fought victories for freedom in Latin America are weakened and in jeopardy.

Let me take a minute or two to focus on three core components of health in the Western Hemisphere. I mentioned a moment ago that there are serious threats to these new democracies. I also mentioned there is enormous potential in the hemisphere.

If you took the whole Western Hemisphere combined, it is the largest consumer base in the world. There is enormous potential here. Most people do not realize that trade in this hemisphere today is already larger than all of our trade in Europe, almost double our trade with the European Union. Trade in this hemisphere is significantly larger than our trade with the Pacific rim. If you were to ask most Americans, they would undoubtedly say our greatest trading partner would be Europe. It is third. The Western Hemisphere is first; the Pacific rim is second; and a long way back is the European Union.

That tells me where we have to be highly focused in the context of the health of the hemisphere. As I said, in the early 1990s, we could look across this area and see all these new democracies. But as we look today, after about 9 years of this wonderful achievement, there are some pretty serious issues on which we need to be focused, and we are not.

You see, for democracy to be successful, it has to be more than just an election of a head of state. For democracy to be successful, it has to have a sound judiciary; in other words, a way for disputes to be resolved peacefully and civilly.

This is incredibly important to trade and to relations between the countries. I will give you an example. Who is going to make an investment in a country for which there is no appropriate judiciary to resolve differences? Not many because you have put it at too high a risk. Investment does not go to high risk; it runs from it. Investment goes to security; it seeks it. In too many of our new democracies, we have not focused on helping build an appropriate judiciary.

Law enforcement: In many of these new countries, law enforcement had previously been the responsibility of the military. In Nicaragua, Honduras, many of these countries, in Guatemala, it was the military that established order. As we all know, that can be without due process. It can be orderly, but you better not cross it. You better not have a disagreement. In other words, you have a condition in which citizens or guests are not safe or could be threatened. Whenever that happens, you have a deterioration of economic mobility and stability. Investments move away from those kinds of situations, not to them.

Substantial progress has been made in each of the countries I mentioned to move to a civil form of law enforcement, but this is a daunting task. Look at Haiti today; with the investment that has been made, which is approaching $3 billion, and an attempt by the United Nations to train a civil law enforcement—not a military, a civil law enforcement—it just does not exist. Do we really believe there is a judicial process that would allow an investor to come in and put a high-stake investment in the country and if there were a dispute of some form between the government and that country or between two parties or a native Haitian and a foreign investor that there would be a competent, capable way for that dispute to be resolved? No. Therefore, the investments don't flow. When the investments don't flow, you have a deteriorating economy. When you have a deteriorating economy, then you begin to destabilize everything you have talked about in terms of democracies. They begin to wobble; they can disappear.

Today we have a President of one of the more significant countries of Latin America, Peru, who is flouting the constitution. The constitution says a President, as in the United States, may be elected President for two terms. That is not enough for Fujimori; he wants three. Push the constitution to the side; push freedom of the press to the side; ignore the fundamentals of fair elections. Does that remind you of democracy? Does that suggest that the institutions of democracy—constitutional law, civil law enforcement, a fair and sound judiciary—are in order? You would be hard-pressed to answer that question yes.

Venezuela has a new popular President who has essentially moved everything to the side and who shaped the government in his own view. The question is still out there, but those are not very encouraging signs. They are worrisome. Where is that all going to lead? Does that make people who believe in constitutional law, civil authority, comforted? Answer: No, it does not. I want to come back to this point, but we must remember that about 13 percent of our oil energy today comes from Venezuela.

Colombia: Colombia is in the middle of a raging war. CNN has not found it. There are more refugees in Colombia than there were in Kosovo. No one is speculating on the number of dead. It is 35,000 people. And an insurgency driven by narcotics—not ideology, narcotics—controls 30 to 40 percent of the country and is on the outskirts of Bogota. We and this administration have been talking about this old traditional republic that has been a great ally, supplying over 5 percent of our energy, and we have yet to get the assistance through this Congress. We have sent Ambassador Pickering, we have sent General McCaffrey, legislators, myself and others. We know we have to help protect that democracy that sits in the middle of Venezuela and Ecuador and Peru and Panama, the entire Andean region.

This is a reflection of our inability—and it is not just this administration, as a people—to understand how important our own backyard is. We tend to get focused off someplace else. I am not saying those are not significant priorities, but for Heaven's sake, if it is at your back door, you better be paying attention. Bogota is a 3-hour flight from Miami.

Talking about Mexico and the enormous problems they have had, I admire their leadership. They are struggling. But as President Zedillo said to me: There is no threat to the security of the Republic of Mexico that matches the corruption and the intrusion of narcotics. He is surrounded by it.

So we have Colombia, Mexico, then Texas, New Mexico, Arizona, then Georgia and New York and Chicago, right at the back door. You have to open the door.

In Paraguay—knock on wood—constitutional law was protected because it was an example of people in the hemisphere paying attention. The Vice President of the country was assassinated, and it looked as if constitutional law was gone. I have deep memories of this. The people of Paraguay overthrew a dictator, Stroessner. I was at the first inauguration of a freely elected President. If you had seen the faces of these people who had accomplished freedom, everybody ought to go through that. Everybody should have that opportunity. If you told me at the time that within a handful of years it would come to the point where their Vice President was assassinated, and it looked as if it was all going to collapse, I wouldn't have believed you, but it almost happened.

The institutions that make a democracy really be a democracy are not in place, and we have lost a lot of time—too much time. The nefarious, evil nature of narcotics has intruded the entire hemisphere—all of it—and it is marching. Its ultimate goal leaves nothing but ruins behind it. It corrupts the institutions of democratic principle, and it is doing it in country after country—in our own backyard.

We have been celebrating—and this is my third point—enormous trade opportunities. In the nineties, we have experienced it all across the country, across the hemisphere; it is staggering. It helps build a new middle class; it brings economic prosperity to people who have never enjoyed it. As an example, I can remember years ago, in Guatemala, about all that was being raised was corn and beans for self-sustenance. Now, they are truck gardening in fruits, with huge markets for them. Who do you see in the fields? You see 18- and 20-year-old young Guatemalans with a great job, and you know where that leads because we are from America. We know what happens. They start becoming independent. They stop relying on government. They start thinking for themselves. That needs to be nurtured.

The trade opportunities are boundless, but we have been knotted up; we have been unable to expand these trade agreements. What is happening? Did you read the newspapers yesterday?

The European Union signed the treaty with Mexico, and Mexico is entering into treaties with Mercosur, the southern cone of South America, and we are tied up in a knot here. So we are inviting this huge economic base to become the customer of other regions of the world because we can't seem to get it together.

Now, I assume my time is nearing the end.

The PRESIDING OFFICER. The Senator has 7½ minutes remaining.

Mr. COVERDELL. My point is that a core component of new democracy in the world occurred right in our hemisphere. There was a marvelous achievement—to survive the institutions that make democracy work have to be put in place, and we have not done a good job on this. It has been sporadic, it is destabilizing, and we can see it. We have to only pick up a newspaper—Peru, Venezuela, Haiti, Colombia, and the list goes on.

No. 2, we have an enormous and powerful adversary in the narcotic cartels. They don't care about a single child anywhere, they don't care about any human life, and they do not care about any country. They are as evil a scourge as the world has ever seen. And they are fueling a criminal syndicate in the United States that is more powerful than anything with which we have ever dealt. Undoubtedly, somebody listening to this saw Godfather I and Godfather II—amateurs, rank amateurs compared to what we are dealing with. The economic opportunity is limitless, boundless, sitting right in our backyard, as I have said. Simply open a door. And we have let it get all frayed; we have not stayed attentive.

So, as I say, we can get focused in our own home if we can create, I call it a doctrine of the Americas, where all of us as neighbors demand certain standards, that they be upheld, and that constitutional law is a part of this hemisphere, that civil law enforcement is what we have grown to expect, and a fair judiciary must be in place. The Constitution cannot be just thrown across the desk and into a trash can. We all should be together demanding that kind of activity. If we will pay attention to this evil force and respond to it—not simply cover our eyes, but respond to it—we can keep it from doing enormous damage not only in the U.S. but across the hemisphere.

They are ruining governments. It will leave democracy in shambles. Mark my word. It must be confronted vigorously. It is a huge threat to our security. If we will pay attention to the trade opportunities and be vigorous about it, if we will do these three things, they will call this century the century of the Americas, and all of us will be rewarded tenfold in every country, and we will be an enormous force for world peace. Conversely, ignore all of these things and it will breed a problem and a trouble that will haunt us throughout the century.

I am for a century of the Americas. I get excited about it. I think we have to, as a nation, make a step forward; we have to be bold and we have to pay attention.

Mr. President, I yield back whatever time remains. 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. 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.

Under the previous order, the Senator is recognized to speak for up to 60 minutes.

Mr. KENNEDY. I thank the Chair. I don't intend to take that amount of time.

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## PRESCRIPTION DRUGS

Mr. KENNEDY. Mr. President, the Senate Finance Committee is today holding the second in a series of hearings on prescription drugs. It is the 14th hearing on Medicare reform and how we will deal with the challenges facing the Medicare system.

I had an opportunity to testify before the Finance Committee as did several of my colleagues. Both Republicans and Democrats are urging the Senate Finance Committee to take steps to provide important our senior citizens relief from the cost of prescription drugs. It is a national crisis. It affects seniors in New England, it affects seniors in the Southwest, it affects seniors all across this Nation. We have a responsibility to our seniors to address the issue this year. It would be inexcusable for us to have an adjournment without addressing the prescription drug crisis that is affecting the health, well-being, and livelihood of millions of senior citizens all across this Nation.

I want to take just a few moments of time to review exactly where we are in this challenge that is facing the Senate of the United States as an institution. The Budget Committee is meeting today to make recommendations on the issue of prescription drugs, and the Finance Committee has responsibility in examining why action is so important now.

The drug crisis for seniors is reflected in two important ways:

One, coverage is going down.

Those seniors who currently have drug coverage are seeing it evaporate. The costs being paid by those senior citizens with coverage are going through the roof.

This chart is a clear indication of the situation facing our senior citizens. There are approximately 35 million senior citizens receiving Medicare. Twelve million of these seniors have no prescription drug coverage whatsoever. This is almost one third of all senior citizens.

Almost another third—11 million—have employer-sponsored coverage through their former employers. They have coverage.

Then we have Medicare HMOs, which cover 3 million seniors; 4 million seniors purchase Medigap coverage that includes a limited drug benefit; 4 million seniors have coverage through Medicaid; and 3 million have coverage through the VA and other means.

This chart really tells the story. We have 12 million seniors on Medicare with no prescription drug coverage.

What about those seniors with employer-sponsored coverage? How reliable is that coverage for our senior citizens?

Look at this chart. There has been a 25% drop in firms offering retiree health coverage between 1994 and 1997, a 3-year period. A quarter of all persons receiving employer-sponsored retiree coverage have been dropped.

The rather ominous fact is that current coverage is declining in an even more dramatic way. More and more firms are unilaterally dropping prescription drug coverage from their retiree programs. The number of seniors who are in these employer-sponsored programs is going down dramatically.

Let's look at the 3 million who have coverage through Medicare HMOs. This year alone, more than 325,000 Medicare beneficiaries lost their HMO coverage. That is true in the western part of my State. It is true in Connecticut, it is true in many parts of New England and it is true in many other areas of the country.

We know the drug coverage is only an option under HMOs; Medicare HMOs are not required to provide drug coverage. Medicare HMOs are leaving the market, and those remaining are drastically reducing the level of drug coverage. Seventy-five percent of all seniors covered through Medicare HMOs have limited coverage—capped at less than $1,000 this year. The number of plans with such limited coverage has doubled since 1998. Thirty-two percent have imposed caps of less than $500, an increase of 50 percent since 1998.

On the one hand, many HMOs are dropping coverage. Those maintaining coverage are putting limitations on the dollar amounts they actually cover. In the last 2 years, 75 percent have unilaterally declared that they won't provide any coverage in excess of $1,000, and 32 percent have limited coverage to $500.

Here we have no coverage.

Here we have falling coverage.

Here we have collapsing coverage.

And now we look at the question of the Medigap.

Look at the situation with Medigap. To qualify for Medigap coverage that includes a drug benefit, one must get that coverage at the time they first enroll in Medicare.

This chart shows that drug coverage through Medigap is unaffordable. This is the sample premium for a 75-year-old: In Delaware, $2,600; New York, $1,900; in Iowa, $2,000; in Maine, $2,400; Mississippi, $2,400.

Individuals have to apply for Medigap plans with drug coverage at the time they first qualify for Medicare; they

are effectively closed out from purchasing a Medigap plan that includes drug coverage later.

What we are seeing here is an explosion of the Medigap premiums. As a result, protection against the cost of prescription drugs through Medigap is also in free fall. The only seniors with reliable drug coverage are the 4 million covered through Medicaid.

At the same time we are seeing this very significant decline in coverage, drug costs are growing at double-digit rates. We go from 1995, 9.7 percent; 10.1 percent in 1996; 14.2 percent in 1997; 15.7 percent in 1998; and 16.0 percent in 1999. This is against a background of a virtual flat rate of inflation. The inflation rate in 1995 was 2.5 percent; 1996, 3.3; 1997, 1.7; 1998, 1.6 and in 1999, 2.7. The inflation rate is virtually flat, yet we have seen dramatic increases in costs and reduction in coverage for drug benefits.

We have a situation where Congress is going to act. We need coverage for all, universal coverage. We must include both basic and catastrophic coverage. We should try to take care of those senior citizens represented in this group here: the 57 percent with incomes under $15,000 plus the 21 percent with incomes between $15,000 and $25,000—a total of close to 80 percent of all senior citizens have incomes below $25,000. We have to take care of these seniors. I believe coverage ought to be universal. This is what we currently do in both Medicare and Social Security.

Close to 80 percent of our senior citizens have incomes below $25,000 a year. This is extraordinary. Almost 60 percent have incomes below $15,000. Overall, their incomes are very modest indeed.

So coverage is collapsing at the same time costs are exploding. And who is it impacting? It is impacting close to 80 percent of the elderly people in this country with incomes below $25,000.

This chart gives an idea of typical patient profiles. These are the types of ailments that typically affect so many of our seniors: Osteoporosis, heart trouble, high blood pressure, enlarged prostate, arthritis, ulcers, high blood pressure, heart disease and anemia.

Look at the typical cost per year. If 150 percent of poverty is $11,985, and we saw on the last chart about 60 percent of our seniors have incomes in that range, look at the outlays these seniors have: 20 percent of their entire income, just to cover the of essential drugs needed to treat osteoporosis and heart trouble. The costs only increase for other typical conditions. These are their out-of-pocket expenditures for drugs; this does not even deal with other health-related needs they might have. It is an extraordinary burden they have.

This is why we believe that Medicare drug coverage needs to be universal. It should cover all of our senior citizens. It should provide basic coverage. It should also reach those with higher drug costs through catastrophic coverage. We know only about 10 percent of the seniors need catastrophic coverage today. But many of our seniors are very concerned that they may face catastrophic needs in the future.

I am a strong believer that the next century is going to be the life science century, with major breakthroughs in medical treatment. For example, in my State of Massachusetts, if we had a breakthrough in Alzheimer's disease, we would empty half of all the nursing home beds. The savings would be astronomical. The cost of the prescription drugs might be large, but the savings through keeping Medicare beneficiaries out of hospitals and nursing homes can be dramatic, significant. That is why I think we need both basic and catastrophic coverage.

We must be guided by these principles. We want coverage that is affordable for the individual senior citizen. It should also be affordable to the Federal Government. That is why Senator ROCKEFELLER and I have advanced a Medicare drug program. A number of our colleagues have advanced other programs. What is important is that we take action and take it now.

I have here before me what we call the chairman's mark. The Budget Committee of the Senate of the United States is meeting even as I speak. They have in their chairman's mark what they call a reserve fund for Medicare. They are talking about reserving $20 billion for Medicare. In the chairman's mark they describe a reserve fund for Medicare:

> Whenever the Committee on Ways and Means of the House or the Finance Committee reports a bill or an amendment or a conference report that implements the structural Medicare reform—

In other words, nothing is available for prescription drugs without comprehensive Medicare reform. I am all for Medicare reform. But I do not know why we ought to hold a good, effective prescription drug benefit program hostage until we get comprehensive Medicare reform. This is what the program requires.

Then it says:

> and improves the solvency of the Medicare Program without the use of transfers or new subsidies from the general fund.

Therefore it prohibits any use of any of the surplus at a time where we have an important and significant surplus projection. The surplus should be used to assist the Medicare program in a modest way. They prohibit any use of that surplus. It also requires and ensures additional reimbursement for Medicare providers. So we have to have a comprehensive reform of the Medicare system and we have to also have the major changes for Medicare providers before we can ever come to consider the $20 billion that is going to be recommended as possible funds that could be used for a prescription drug program. This is half of what the President of the United States has asked for, half of his $40 million request.

This is what it says. Under the budget:

> Prescription drug benefit. The adjustments made pursuant to the prescription drug benefit may be made to address the cost of prescription drugs.

It is optional. It is optional. I do not think that is what the seniors or the American people—not just seniors, but all Americans are really interested in. They want us to take action and they want us to take action now. They do not want to set up an arbitrary barricade for us before we can take action.

I do not understand why our Budget Committee is effectively binding the Senate of the United States and prohibiting it from being able to take action on a prescription drug benefit this year unless it goes through the hoops which they have established in the committee. Even if you were able to get through all those hoops, it provides woefully inadequate funding over the next 5 years.

Last year the Budget Committee had $100 billion over 10 years for Medicare, although in reality that money was not dedicated solely to Medicare and Medicare prescription drug coverage. Yet this year they are talking about $20 billion over 5 years. The problem has gotten worse, not better. As we have seen, even though they had their program last year and said they are really all for prescription drug coverage, they do not have any program.

That is a very unsatisfactory way to proceed when we are talking about one of the central concerns for not only seniors but also for their families. Seniors do the best they can. So often, when the parents are unable to pay, the burden falls on other family members to chip in and help pay for mom or dad's necessary prescription drugs.

The fact is, when the Medicare system was adopted in 1965, it was to be universal in nature and have the confidence of the American people. It was a pledge to the American people—if they worked hard and played by the rules, when they retired these seniors who fought in this country's wars would be free from the dangers of absolute financial ruin due solely to their health.

We passed Social Security to provide for them to live with some sense of dignity, and Medicare was passed to give assurance that they would be able to live their golden years in with the peace, security, and dignity in knowing their health care would be covered.

At that time, only 3 percent of all private health insurance programs had a prescription benefit, so the Medicare system did not put in a prescription drug benefit. Now almost every private employer-based health plan—99 percent of them—have a prescription drug benefit. But not Medicare. This is a serious coverage gap that exists, and every senior citizen has to be concerned about this gap in coverage. It demands action.

We can develop a program this year with our current circumstances, with the economic benefits under the existing surplus. We can enact a benefit

package now that can benefit seniors. We ought to pass it this year. Sure, we can phase it in, we can build it up, but we want it now. Not like the Budget Committee saying maybe sometime off in the future and giving us absolutely no assurance. That is a mistake. That is flawed policy. That is, I think, a completely inadequate response to the challenges our seniors face.

Next week, when we debate the budget, we will have the opportunity to address this issue. I hope the overwhelming majority of the Members will support an effort that will come from our side, from our leaders to commit this body to take action and take it now. We will have a chance to vote on that. It ought to be something to which every senior citizen in this country pays attention. We will make every effort to fashion a program to provide assistance to our seniors. We are committed to that. We will not be discouraged from that opportunity by these budget recommendations.

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## PRESIDENT HOSNI MUBARAK

Mr. KENNEDY. Mr. President, I see my friend and colleague, the good Senator from Delaware; but behind him, I see someone for whom I have great admiration, who I join in welcoming back to the United States, a dear friend to me and one of the great world leaders of our time. He is a real voice for peace in the Middle East.

I know I will not trespass on the privileges of the Chair and the ranking minority by mentioning his name, but I want him to know what a pleasure it is to see him here.

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## VISIT TO THE SENATE BY THE PRESIDENT OF EGYPT, HOSNI MUBARAK

Mr. HELMS. Mr. President, it is my honor to present to the Senate the longtime friend of most Senators, the Honorable President of Egypt, Hosni Mubarak.

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## RECESS

Mr. HELMS. I ask unanimous consent we stand in recess for 7 minutes.

There being no objection, the Senate, at 11:52 a.m., recessed until 12 noon; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BURNS).

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## TRANSPORT OF VIOLENT OFFENDERS

Mr. DORGAN. Mr. President, I intend to introduce some legislation dealing with violent crime. Before I describe that legislation, I want to speak briefly about another piece of legislation that I previously introduced called Jeanna's bill, named after an 11-year-old girl from Fargo, ND, who was brutally murdered some while ago. I will speak about that for a moment today because something has happened in the last couple of days of which we ought to be aware.

This is a picture of a man named Kyle Bell. He is a child killer. He molested children. He was sent to prison for 30 years. He was eventually convicted of killing Jeanna North from Fargo, ND, and sent off to prison.

As is too often the case in this country, Kyle Bell was remanded to the custody of a private company to transport him to a prison in some other part of America. That private transport company lost this child killer along the way. He escaped. He was not wearing red clothing or an orange jumpsuit that said: ''I am a prisoner.'' He was in civilian clothes. He was in a van with other prisoners.

One of the guards of the company that was transporting him apparently went in to buy a hamburger or something at a gasoline stop, and the other was asleep in the van. Kyle Bell somehow got his shackles off, climbed up through the roof of the van, and was gone. Tragically, the guards did not notice they had lost a convicted child killer for 9 hours—9 hours.

It concerned me when I saw what had happened to this child killer. This newspaper piece describes what happened and the manhunt around the country for Kyle Bell, a very violent career criminal.

I put together a piece of legislation and was joined by Senator ASHCROFT, Senator LEAHY, and others, to say that if state and local authorities are going to contract with a private company to haul convicted killers and violent offenders, at least the company ought to have to meet some basic standards. That is just common sense to me. It is not now the case.

Any retired law enforcement officer and their brother-in-law and cousin can buy a van, show up at a prison someplace and say: We are hired to haul your prisoners. In fact, it has happened all too often. I will give an example.

A husband and wife team showed up at an Iowa State prison to transport six inmates, five of them convicted murderers. The warden looked at the husband and wife team and said: You have to be kidding me. But the prisoners were given to the husband and wife to transport, and, of course, they escaped. There is story after story of this same circumstance.

The reason I mention it today is earlier this week in Chula Vista, CA, convicted murderer James Prestridge was being transported. He is a person convicted of murder and sentenced to life without parole. He was apparently, according to the Los Angeles Times, being transported from Nevada to North Dakota where he was going to be incarcerated under some kind of prisoner exchange. This is a convicted killer, to be incarcerated for the rest of his life.

Guess what. Mr. James Prestridge, a convicted killer, is no longer in custody. The private company called Extradition International lost him. He escaped. They stopped at a bathroom and he overpowered a guard. He went back to the van, overpowered the other guard, and this guy was gone. He and another violent offender who was with him are on the loose today.

Why is this happening? It does not happen when the U.S. Marshal Service transports violent offenders around the country. They are not losing violent offenders. But private companies have no standards to meet, none at all. Hire a couple of people, rent a van, get your brother-in-law, and you are in business. Some States will turn convicted murderers over to you to be transported to another part of the country.

This makes no sense to me at all. Convicted killers are being transported around our country without the precaution one would expect in the transport of violent offenders. Under these circumstances, the American people are not safe.

Again, the bill I have introduced will require any private company that transports a violent offender to meet basic standards established by the Department of Justice. That bill needs to be heard. We have asked for a hearing before the Judiciary Committee. It has bipartisan support. Congress needs to pass this legislation this year.

The escape in Chula Vista, CA, of a convicted murderer is just one more example of many escapes from private prisoner transport companies. I could stand here for 20 minutes and describe the escapes that have occurred with private companies having access to violent offenders. That is not in the public interest.

In my judgment, violent offenders probably ought to be transported only by law enforcement. But if some States decide they are going to contract with private companies to transport violent offenders around this country, then those companies ought to have to meet basic standards—standards on how you shackle a violent prisoner, standards on what that violent prisoner shall wear when being transported, standards on the experience and the training of the guards and the kind of equipment that is used.

But those standards do not exist now. There is none. That is why people, such as James Prestridge, a convicted murderer, are on the loose. Let's hope no one else loses their life because of this kind of incompetence.

(The remarks of Mr. DORGAN and Mr. DURBIN pertaining to the introduction of S. 2317 and S. 2318 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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## BUDGET RESOLUTION

Mr. DURBIN. Mr. President, I came to the floor to address an issue which is

pending before the Senate today, and that is the decision to write a budget resolution for the next fiscal year, a blueprint for our spending.

Just a little over a week ago, Billy Crystal, the comedian, did the Oscars presentation show, the Academy Awards. He was referring to a movie called ''The Sixth Sense,'' where there was a little boy who had some supernatural power to see dead people. Billy Crystal, in one of the best jokes of the evening, said: I see dead people all the time. I watch C–SPAN.

Of course, it was a joke at our expense, serving in the Congress. But it must be true for a lot of people that when they tune in and listen to our debates and, of course, watch the committee deliberations, they have to wonder: Isn't it more exciting? Don't these people do something that might be more entertaining?

It may not hit a high entertainment level, but I think the debate currently underway on the budget resolution is exciting in terms of spelling out America's priorities for its future because in a room just a block or two away from here, there will be a decision made on spending for America that can literally affect every family in the country. It is an important decision.

Part of that decision comes down to the major issue in the Presidential campaign. Governor George W. Bush, who appears to be the likely candidate on the Republican side, has made the cornerstone of his campaign a massive tax cut. In my estimation, it is a very risky tax cut. He believes the surplus we are generating now, because of a strong economy and a decision to cut back on the deficit, should go into a massive tax cut.

On the other side of the equation, President Clinton and Vice President GORE believe, as I do, that is foolish and reckless and it could endanger the economic growth we have seen over the last 7 years. Don't just take our word for it. Our colleague, Republican Senator JOHN MCCAIN, a candidate in that same Republican Presidential primary, said of George W. Bush's tax cut that it was not the thing to do; it was, in fact, bad policy. He said it more artfully, but that was his conclusion.

Chairman Alan Greenspan—no partisan, a man who has led the Federal Reserve and helped this economy to develop and prosper—has said it is the wrong thing to do.

The George W. Bush tax cut approach really overlooks the most important thing, which is debt reduction in America. Two-thirds of the American people agree with Mr. Greenspan, Senator MCCAIN, and the Democratic Party, that we should take our surplus and dedicate it to debt reduction, strengthening Social Security and Medicare, have targeted tax cuts—limited, but targeted where they are really needed—and then spend money on health care and education for the families across America.

Well, the Budget Committee is now debating this. In an hour or two, when I return there as a member, I will allow my colleagues on the committee an opportunity to decide whether or not they want to vote for the George W. Bush tax cut or they believe there is a better way. Now it may put some of my Republican colleagues on the spot. But politics is about choices. We make choices every day in the well when we cast votes, when we announce whether we are for or against a bill or whether we will sponsor it or vote for it. My colleagues on the Budget Committee will have a choice.

I think, frankly, they ought to reflect for a moment on some realities. Take a look at what has happened in America since 1992. From the election of President Clinton up to the year 1999, in virtually every income category in America, we have seen rising incomes. This economy is moving forward. Take a look at unemployment. In 1992, it was 7.5 percent. In America today, it is 4.2 percent. The No. 1 complaint of businesses across Illinois is: We can't find skilled workers. I am sorry for that situation; we are trying to address it. But what a welcome change from the days when we had double-digit unemployment.

We have taken, under the Clinton-Gore administration, a step forward in putting Americans to work. Record home ownership: 64 percent of Americans owned homes at the end of 1992. The number is up to 67 percent now. I don't have the chart to show it, but business creation is hitting record levels as well. Inflation is down. The economy is moving forward.

Now the obvious question is: Shall we change things?

We believe the tax cuts that should be enacted are limited and targeted, not massive tax cuts that would go to wealthy people. If we are going to have tax cuts, let's help families with an elderly parent. The President proposed that. Let's expand education so if you have a child in college, you can deduct all your college education expenses up to $10,000. That is going to help some families pay for the college education expenses the kids face. A bipartisan proposal to eliminate the marriage penalty—we need that. Let's help people prepare for retirement with new accounts for saving. Let's expand the earned-income tax credit. These things are consistent with bringing down the debt and strengthening Social Security and Medicare.

Look at what the other side proposes in the George W. Bush tax cut, which is the cornerstone of his campaign; it goes to the wealthiest people in America.

Fairness is an important question when it comes to Government policy. If you happen to be earning over $300,000 a year—and you know who you are out there—George W. Bush thinks you need a $50,000-a-year tax cut. I think you can get by without it if you are making more than $300,000 a year. Frankly, it troubles me that the bottom 60 percent of wage earners in America, people making less than $39,300 a year, get a measly $249 from the George W. Bush tax cut.

When you take a look at that, you have to ask yourself, why would we jeopardize our economic growth, forswear an opportunity to bring down our debt and reduce the burden of paying interest on that debt for our children, why would we jeopardize our economy—in the estimation of Chairman Greenspan—for a tax cut for the wealthiest people in this country?

This is a further illustration of people making incomes of $31,000 a year—$501 in tax cuts, and 60 percent of the people are going to see very little tax relief. Those with higher income figures will see dramatic increases.

When you look at the tax cut and what it means, the sad reality is that you cannot reach the tax cuts proposed by the Republicans without raiding the Social Security trust fund. Oh, they say, of course you can. All you have to do is freeze spending.

Does anyone really believe we will freeze spending on the military, that we won't give the men and women in uniform a pay raise? Does anybody believe we should deny to everyone who works for the Federal Government any kind of cost-of-living adjustment for the next 5 or 10 years in order to pay for a tax cut that gives $30,000 or $50,000 in tax breaks to wealthy Americans? That is not going to happen.

Even under Republican Congresses, we have increased spending in budgets by about 3 percent a year. It reflects inflation plus a little bit. But now they would have us believe that is no longer the case, that we can somehow, in the next 5 or 10 years, not provide any additional spending in a lot of key areas to pay for what I consider to be a very risky tax plan.

It will, in fact, raid Social Security. Take a look at this chart, for example. The Bush tax cut would raid Social Security trust funds to the tune over 5 years of $483 billion; the Republican budget plan, $150 billion. I thought we kind of reached an agreement around here, a bipartisan agreement, that the Social Security trust fund was off limits, that we weren't going to get into it, we were going to protect it for future generations, and we were going to keep Social Security strong. Sadly, that is not the case.

Mr. President, one last issue I want to raise, which I will offer as an amendment, is the question about violent crime and gun crime in this country. There is a breakdown in the debate. Some people believe, as I do, that we should close loopholes so criminals, convicts, and children cannot get their hands on guns through gun shows and other means; that we should have trigger locks to keep guns safe; that we should close the loopholes. Others argue we should have more enforcement; that we have plenty of laws, let's enforce them. I, frankly, believe we need both—close the loopholes and better enforcement.

Look at the Republican budget now being presented to the Senate. Hard as it may be to believe, this Republican budget is going to cut the 900 FBI agents proposed by President Clinton. It is going to reduce, as well, the number of personnel in the Drug Enforcement Agency. It is going to reduce by over 400 the proposal by the President to put more guards at the borders to stop drugs. It completely eliminates the President's proposal for 500 new ATF agents to keep an eye on gun dealers who are selling to criminals. The President proposes 1,000 new prosecutors for enforcement, the same enforcement you heard Charlton Heston, Wayne LaPierre, and other folks on that side talk about. We need more enforcement, and the Republican bill doesn't provide a penny for this Presidential initiative for more enforcement.

You can't have it both ways. Your rhetoric has to catch up with reality. The Budget Committee room is a dance studio where we have the Republican majority side-stepping the George W. Bush tax cut, saying, we are not sure we want to go with that—a Texas two-step if I have ever seen one—and waltzing away from a commitment for more enforcement to stop gun crime in America.

That isn't going to wash, folks. People across America will look at this and say that is not a recipe for America's future, it is a recipe for disaster—on the economic front and when it comes to bringing peace to our neighborhoods and schools.

So I certainly hope those who watch C–SPAN will not be lulled to sleep, as Billy Crystal suggested, but will, rather, see there are some pretty important issues being developed and debated. I hope before this all ends, we will stick with the economic plan that moves America forward, that provides opportunity for more and more Americans, for businesses and for home ownership, that we will dedicate ourselves to a sensible reduction in our debt rather than a risky, dangerous, and massive tax cut, as Governor Bush has proposed.

I hope we will follow Chairman Greenspan's advice and keep this economy moving in such a way that we create opportunity for everybody.

When it comes to gun safety, let's do both. Let's close the gun show loophole. Let's have trigger locks for the safety of guns. Let's not let the Sunday morning talk show rhetoric about enforcement die by Sunday evening. On Monday through Friday when we are in session, that rhetoric should be very much alive. I sincerely hope that during the course of this debate we can put together a bipartisan majority to achieve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. Under the previous order, there are 30 seconds remaining in morning business.

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## EXTENSION OF MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that morning business be extended for another 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## FLAG DESECRATION AMENDMENT

Mr. DODD. Mr. President, I rise today in opposition to the resolution which will be before us later this afternoon dealing with the issue of flag burning. I will spend a few minutes to express to my colleagues and to others who may be interested at least my point of view on this. We have debated it in this Chamber a number of times over the past decade or more. We have it before us again today. I wish to take a few minutes to explain my views on this issue and how I intend to vote when the matter comes before us.

This is no ordinary resolution. It is no ordinary debate. When we speak of amending the Bill of Rights of our Constitution, we ought to do so with great care.

Our Bill of Rights has existed now for more than 200 years, and, despite literally thousands of proposals to amend it, our forebearers, and those who occupied this Chamber over the years, saw fit to not on a single occasion amend the Bill of Rights of the U.S. Constitution. It is a remarkable record when you consider the trials and tribulations this Nation has been through—a great depression, great world wars, a great civil war which ravaged this Nation. Despite more than 11,000 attempts to amend the Constitution—many of them to amend the Bill of Rights—none of our predecessors, and none of the Congresses that have preceded us, saw fit during all of those great trials and tribulations to amend the Bill of Rights of the United States.

Today, we are being asked to change that 209-year history and to amend the Bill of Rights to deal with the outrageous, indefensible behavior of those who would burn the symbol of our freedom, the symbol of our Constitution, the symbol of our democracy, the great flag of the United States. It goes without saying that every Member of this Chamber and the other body, and the overwhelming majority of Americans would find flag burning offensive and abhorrent. As many of our colleagues, I believe it ought to be a crime—whether it is criminal intent to incite violence or commit a theft. But to truly honor our Nation's history and the veterans, we must not only protect our flag but, in my view, we must also protect the Constitution and the freedoms promised by that flag.

Our former colleague, Senator John Glenn of Ohio, who served this Nation as a combat pilot in Korea, as an astronaut, and as Senator, well known to most Americans, well known by all of our colleagues, put it very well. I would like to quote it: ''There is one way to weaken the fabric of your country, and it is not through a few misguided souls burning our flag. It is by retreating from the principles that the flag stands for. And that will do more damage to the fabric of our Nation than 1,000 torched flags could ever do. . . . History and future generations will judge us harshly, as they should, if we permit those who would defile our flag to hoodwink us into also defiling our Constitution. The Framers of the Constitution, in their boundless wisdom and notable humility, understood that succeeding generations may see fit to amend this cornerstone document. But those amendments should be limited, in James Madison's words, to ''great and extraordinary occasions.''

Regrettably, Madison's edict has not been heeded by many who have come after him. In this Congress alone, more than 50 proposed amendments to the Constitution have been introduced—including one to make it easier to amend the Constitution in the future.

But collectively our Nation has paid heed to the caution urged by Madison and others of his day. It is reassuring to know that, of the 11,000 amendments introduced since ratification of the Bill of Rights 209 years ago, only 17 have been adopted.

Clearly, there is no great and extraordinary occasion warranting ratification of the amendment proposed in the Senate today. Flag burning is rare, thank God. It is despicable. It is reprehensible. But it does not present a constitutional crisis for our Nation.

Indeed, in the entire history of our Nation, there have been only about 200 reported incidents of flag burning, an average of less than one a year for each of our Nation's history—one a year, 200 cases in a nation of 260 million people today. And we have less than roughly one case a year for the 200-year history of our Nation.

I would submit that the despicable acts of a few misguided miscreants do not cry out for this Congress to be the first in history to restrict the liberties of all Americans by narrowing the Bill of Rights.

Some argue that even one flag burned would be enough to warrant ratification of this proposed amendment. They say that, without such an amendment, we effectively sanction flag-burning. But toleration is not approval. We do not as a nation sanction everything which we do not punish. Indeed, I would submit that the heart of the greatness of our democracy is that we tolerate that which we disapprove of. We permit and protect that which we find most offensive and obnoxious. They will continue, and probably grow, unfortunately, in number in a disgraceful effort to attract attention to themselves. What will such a possibility portend for the respect we all have for our beloved Constitution?

I do not for a moment question the intentions of those who support the resolution before us. I respect most, if not all, of the people who are advocating this change. But, in my view, let us be clear. No amendment and no amount of amendments to the Constitution will in and of themselves result in greater respect for the flag and for the free and democratic nation that it symbolizes. You cannot mandate nor legislate patriotism. You carry it in your heart and soul. But I cannot write it for you. I cannot force it down the throats of the citizens I represent. We can change laws but we cannot change hearts by changing laws. We can only attempt to change conduct and to enshrine in our laws the eternal principles that have guided our Nation from its earliest days—principles such as liberty and equality.

Let us leave to statutory law—those already on the books, and those along the lines proposed by several of our colleagues—to sanction those who would with criminal intent burn our beloved flag. But let us leave the Constitution unsullied by a proposal such as this that would needlessly, in my view, restrict our liberties as a people.

The great genius of our Constitution is that it enshrines in word the eternal aspirations of humanity. We may try to amend it, but if we do so in a manner at odds with those aspirations, then we act at our peril and in folly.

As Alexander Hamilton said:

> The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sunbeam in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power.

Let us not trifle with the Bill of Rights, a document that has never been changed, not one comma, not one semicolon, not one word, in 210 years of history. Let us not change that today over this issue.

I urge the defeat of this resolution.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. L. CHAFEE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. I thank the Chair.

(The remarks of Mr. SMITH of New Hampshire pertaining to the introduction of S. 2314 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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## MEASURE READ THE FIRST TIME—S. 2314

Mr. SMITH of New Hampshire. Mr. President, I rise for the purpose of introducing another bill that I send to the desk and ask that it be read for the first time.

The PRESIDING OFFICER. The clerk will report the bill or title.

The legislative clerk read as follows:

> A bill (S. 2314) for the relief of Elian Gonzalez and other family members.

Mr. SMITH of New Hampshire. Mr. President, I now ask for the second reading and, on behalf of the minority, I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read for the second time on the next legislative day.

Mr. SMITH of New Hampshire. Mr. President, this bill refers to a matter that is on everyone's mind. I know the Senator from Nebraska has had some concerns on this. I rise to explain what this legislation does.

I think timeliness is important. This is an urgent matter. I introduced this bill along with my colleagues from Florida, Senators MACK and GRAHAM. I am pleased to have their support in introducing the bill. I am doing it today to correct an injustice.

There is an injustice being committed, as we speak, by the Attorney General and the Immigration and Naturalization Service against Elian Gonzalez. I thank Senator MACK for his leadership in sponsoring a private relief bill to grant Elian Gonzalez citizenship. A grant of citizenship to Elian Gonzalez has the practical effect of removing the Elian Gonzalez controversy from the immigration law and places the controversy in the Florida courts for a custody proceeding.

This bill today does not grant Elian Gonzalez citizenship. Again, I am doing this with the full support of Senator MACK and Senator GRAHAM. This grants what is called family permanent residency to the family of Elian Gonzalez—that would be Elian, Elian's father in Cuba, Elian's father's current wife in Cuba, Elian's father's son in Cuba or child in Cuba, Elian's two grandmothers and one grandfather, all of them—so they can now come to America, sit down as a family and resolve this matter. If they have to go to custody court, it takes it out of immigration and puts it into the custody court. This does not grant citizenship. It does not interfere in any way other than to say, let's do it in a custody matter, the same way as any other 6-year-old boy would have to do.

Permanent residency status will settle the status of Elian Gonzalez under immigration and nationality law and leave the case to be resolved in the Florida State courts in a custody matter, not an immigration matter.

Some ask: What is the difference between permanent residency and citizenship? Why are they doing this as opposed to citizenship? Frankly, a lot of my colleagues have expressed concern about citizenship. We want to make it palatable because of the confrontation that is beginning to brew now and may come to a head as early as tomorrow morning where we have a deadline of 9 a.m., where literally this boy could be dragged kicking and screaming from the arms of his uncle, put on a plane, and sent to Havana.

Do we want to see that in America tomorrow? Do we want to see that? That is a confrontation I don't want to see. It is not called for. We don't have to let it happen. This Senate could act today, but under the rules, we may have to act on Tuesday or Wednesday, if it is delayed. Apparently, some have indicated they want to delay it.

I wish to make it clear, it could be acted on if there weren't delays being called for. Permanent residency status would make Elian Gonzalez a resident alien. Resident aliens don't have the privileges of citizenship. They are not allowed to vote and can be deported for committing a crime. Their status is as a resident alien, subject to Federal laws regarding deportation provisions. A citizenship bill would grant the individual all the rights of citizenship: voting rights, no deportation, and all other rights associated with being a citizen.

Do I support that? I happen to support that. I would be glad to give Elian Gonzalez citizenship. I know a majority of my colleagues do not. I am looking out not for what BOB SMITH wants to do but I want to do what is right for Elian Gonzalez. I want Elian to have his day in court as any other child would have in a custody matter where relatives were trying to determine who should have custody.

At 4 p.m. today, Lazaro Gonzalez, his uncle, Elian's uncle in Miami, is going to meet with representatives of the INS. They are going to ask Lazaro, in this meeting at 4 o'clock, to give up all rights to this boy, all rights to keep the boy in the country pending a possible appeal to the U.S. Supreme Court. If Lazaro Gonzalez says, ''No, I will not give up those rights,'' then as early as 9 a.m. tomorrow, Elian Gonzalez's parole status will be revoked and the boy could be sent back to Cuba without Elian's appeal being heard by the Eleventh Circuit Court of Appeals.

Very seldom do we come down on the floor with an issue as urgent as this. This is an outrage. This is urgent. I have heard some people say: We don't want to vote on this thing. We should not have to vote on this. We don't want to deal with it. It is too hot to handle. We are not going to vote on this.

Whatever way they vote, I am not trying to tell Senators how to vote. I am asking for a vote. I think the Senate should say to the United States of America, to Fidel Castro, and to the Cuban American community, that we don't want to see this confrontation—and frankly, to Janet Reno—at 9 a.m. tomorrow or 9 a.m. on Friday or 2 o'clock on Saturday or Sunday or next week or next month. I don't want to see on my television screen pictures of Elian Gonzalez being dragged from his home in Miami and placed on that airplane crying and screaming and kicking. I don't want to see that. Not only

do I not want it to happen, I don't want to see it happen, either.

It doesn't have to happen. We can stop it. But if we wait and we delay and delay, and we don't send this message to the Attorney General that we mean business, it will happen. She has backed the family into a corner. Why, I will never know, but she has. We can stop it right here. We can stop it. I want my colleagues to know that if we don't vote and this happens, then it is on our conscience. We can stop this; we have the capacity to do it.

The INS and Justice Department to this day have not spoken to Elian Gonzalez.

Isn't it interesting? I spoke to him. I met with him for 2 hours. Diane Sawyer has spoken to him. She spoke to him. Senator BOB SMITH spoke to him. He is available. But Janet Reno can't speak to him. Do you know why? He doesn't have any rights. I say to anybody out there who has a 6-year-old child—and I have had three in my time, but they are long past 6 now, and they were pretty smart—at 6 years old, you know what is going on.

Do you know what happened to this little boy? I bet it didn't happen to too many boys anywhere in the world. He saw his mother die, slip under the waves and drown. The last words that came out of her mouth to the other survivors were: Please get Elian to America. That is my dying wish.

He didn't come here on a yacht. He wasn't escorted in some rich boat somewhere and brought to the shores and kidnapped. He was found drifting at sea for 3 days, surrounded by sharks. He survived, and his mother wanted him to be here. His mother had custody. She died. She can't speak for him. Do you know what? If she had lived—this is the irony—this would not be before the Senate. It would not be before the INS. They would have 13 months to work this out. He would be allowed to stay. So because his mother died, Elian is now being punished. So Diane Sawyer can talk to him, BOB SMITH can talk to him, but the Attorney General can't be bothered with it because Elian has no rights.

Are we in the Senate going to stand by and tolerate that? Do we want that on our conscience? I hope not. We need a vote on Senator MACK's bill for citizenship, if you wish, or on my bill on permanent residency status, if you wish. It doesn't matter to me. I want to have the vote on what we can get the most votes on so we can win, so that Elian wins, so that the process wins.

This is a little boy we are talking about, who endured more than most children would ever endure collectively throughout the world. I hear all the stuff about it is a family matter. Do you know what? It is a family matter, and we make it a family matter if we pass this resolution because then the family can come here from Cuba, if they care about this little boy. No restraints, no restrictions. Just come and sit down with Elian's family here in America, with the Cuban family, and work it out. If you can't work it out, then go to custody court in Florida, where this matter should be played out.

Without this vote—and I will repeat it for clarity—if we don't take a vote on this, Elian Gonzalez likely will be dragged kicking and screaming from the arms of his Uncle Lazaro and sent off to Cuba. Without this vote, that will happen, most likely. Or another alternative—perhaps worse—is violence, because people are up in arms about this, and they have a right to be. They have been very restrained.

I am proud of the Cuban American community for the way they have conducted themselves in this matter. But we don't need to let this kind of confrontation happen. Do you remember Waco? Janet Reno is doing the same thing again. So we need a vote. Now, if we vote and we vote no, at least you were heard; you are on record. The American people can say, Senator SMITH, or Senator so and so, this is how you voted. We heard you and you voted however you voted; we know how you felt about it.

At least have the courage to cast your vote on this matter.

My legislation grants Elian's family in Cuba permanent residency status. For the record, it includes Juan Miguel Gonzalez, Elian's father, for permanent residency status in America; Nelsy Carmenate, Juan Miguel's wife; Jianny Gonzalez, Juan Miguel Gonzalez's son; Mariella Quintana, Elian's paternal grandmother; Raquel Rodriguez, Elian's maternal grandmother; and Juan Gonzalez, Elian's grandfather. It grants all of them permanent residency. Does it mean that if they come to America, they have to stay? No. But it means if you care about Elian, then you have to come to America and talk to the family here.

I have been told by members of Elian's extended family that Juan Miguel Gonzalez, Elian's father, had expressed an interest in coming to the U.S. a few months before Elian was supposed to arrive.

The cold war is over, they say. It is over every place, I guess, but in the Senate because we want to say that Elian doesn't have any rights and we want to let Fidel Castro dictate what happens. Why would we want to let Fidel Castro determine the fate of Elian Gonzalez? Let Juan Gonzalez come here. If Castro cares, let the Gonzalez family come here. We are not going to keep them. They can stay if they want and they can go home if they want. We just want them to come and meet with the family here in Miami.

I am deeply concerned about this arbitrary deadline. I repeat it again for emphasis: I am very concerned about this 9 a.m. deadline. I am very concerned that such a deadline would be imposed because it is inflammatory to remove this parole status of Elian Gonzalez.

The goal in introducing this bill is to get the Justice Department and the INS out of the case and turn it over to the Florida courts and make it a case for custody, so that any 6-year-old boy—if you think of America today, there are custody cases going on right now as we speak. And to say this child doesn't have any rights—how about a child abuse case? Children are interviewed by psychiatrists and psychologists all the time under allegations of child abuse. In custody battles and divorces, they hear from children in custody battles. They are heard every day. Yet Elian can't be heard because of this decision—a regrettable decision—by the Attorney General.

I am going to end with a plea to the Attorney General: Please remove the arbitrary 9 a.m. deadline. Let the courts hear Elian Gonzalez's appeal. This is America. We have courts to resolve custody issues. It is not an immigration issue. He didn't immigrate here. He didn't immigrate into this country. He didn't emigrate from Cuba. He left Cuba. He wanted to get out of there and so did his mother. His mother died, and you are punishing him because she died. The other two people who survived—and I met with them as well—are adults, and they are here for 13 months. They are here. No problem. But Elian doesn't have any rights. Find a place in the law that says there is any age limit. At what age does he have rights? Is it 6, 7, 8, 9, 13, or 14? Find it in the law, Madam Attorney General. It is not in there.

We have courts to resolve these matters. Let the Eleventh Circuit Court of Appeals hear Elian's case before you attempt to send him back to Castro's open arms. Don't make the 6-year-old boy be paraded through the streets of Havana by Fidel Castro. Please, remove the arbitrary deadline. Let the Senate be heard. We will be heard, I hope, as early as Tuesday, perhaps Wednesday or Thursday—whenever we can work this through.

I appreciate the cooperation of the majority leader, who has been very helpful in this matter. I am grateful for that. But there are certain things he can't control. Senators have rights to delay, and that is what is happening. Please, I say to the Attorney General, don't try to impose that deadline. Remove it and let reason prevail.

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## FLAG DESECRATION CONSTITUTIONAL AMENDMENT—Continued

### UNANIMOUS CONSENT AGREEMENT

Mr. SMITH of New Hampshire. Mr. President, on behalf of the leader, I ask unanimous consent that, notwithstanding rule XXII, the following Senators be recognized for debate on the pending flag desecration legislation for the designated times, and following the use for yielding back of time, the joint resolution be read the third time and a vote on passage occur, all without any intervening action or debate. Those Senators are as follows: Senator BYRD

for up to 60 minutes; Senator LEAHY for up to 60 minutes; Senator HATCH for 60 minutes; Senator DASCHLE for up to 15 minutes; Senator LOTT for the final 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. GREGG). The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, we Americans are patriotic, and there are few acts more deeply offensive to us than the willful destruction of our flag. The flag, after all, is a unique symbol of national unity and a powerful source of national pride.

But the flag does not just represent the country and its history; in a very real sense it is a part of that history. Like the Constitution, the flag was handed down to us by the country's Founding Fathers, for it was the Second Continental Congress that, in 1777, established the Stars and Stripes as the national flag. From Tripoli in 1805 to Iwo Jima in 1945 to the Moon in 1969, the flag has been raised to commemorate some of America's proudest moments.

Millions of American men and women have marched off to battle behind that flag.

I see the flag there. It is just to the right of the Presiding Officer here in the Chamber. What a beautiful sight—that flag!

Millions more have sworn allegiance to the flag and ''to the republic for which it stands.'' And, while historians may dispute this point, schoolchildren to this day are taught to revere Betsy Ross for having sewn the first flag. Anyone who doubts either the flag's place in the country's history or the tremendous emotional ties that it inspires needs only to listen to the words of our national anthem, in which Francis Scott Key recalls with pride the sight of the Stars and Stripes flying proudly over Fort McHenry after a heavy bombing by British forces in 1814. Key's words are so familiar that we may scarcely think of them when we hear or sing them, but they are a deeply moving tribute to our flag.

In contemplation of the moment which is approaching when the Senate would again be confronted with a constitutional amendment concerning the desecration of the American flag, I have spent hours in discussions with constitutional scholars, with members of my staff, and in researching court decisions. I know of few subjects that have come before the Senate that have given me greater anguish. I know that the strong sentiment in West Virginia and throughout the country supports the amendment. I have voted for such a constitutional amendment in the past, but, based upon my deep and searching consideration of this matter, I have changed my mind and I will vote against S. J. Res. 14. In fact, it was my sad duty, on yesterday, to inform the members of The American Legion, gathered together here in Washington, that I could not be with them this time. I hated that I had to disappoint them. Some will fault me for having changed my position, and I can understand this, yet, as James Russell Lowell once said, ''The foolish and the dead alone never change their opinion.''

In fact, one of the greatest events of all time was brought about by the changing of one man's opinion 2000 years ago. Before he became the Great Apostle, Paul, who was then called Saul, was a persecutor of Christians. But after Saul was converted—he changed his opinion, his viewpoint, and his life. The Apostle Paul had a compelling influence on the future course of history. In Paul's case, God spoke to him and lifted his literal and psychic blindness. I do not contend that my change of viewpoint is in any way on the same scale of Paul's, or that such momentous results will follow, of course, but his story does remind us that one can be blinded to the truth by misplaced passion.

Mr. President, I yield to no-one in my respect, honor, and reverence for Old Glory. Nor do I yield to anyone in my commitment to those veterans who, for the benefit of all Americans, have given so much in defense of our country and in defense of our flag. Yet, despite my love for the flag, and despite my commitment to our Nation's veterans, I regret that I cannot support this well-intended amendment. I cannot support it because I do not feel that it belongs in our Constitution; because I believe that many instances of flag desecration can be prosecuted under general laws protecting public or private property, laws which do not require any constitutional amendment; I cannot support the amendment because flag burning, though loathsome, is hardly pervasive enough to warrant amending the Constitution; I cannot support the amendment because I fear that the primary effect of this amendment would be more, not fewer, incidents of flag destruction; and because I feel that, rather than rushing into a constitutional amendment, we might be better served by allowing the Supreme Court the opportunity to revisit this issue.

What do I mean, Mr. President, when I say that this measure does not ''belong'' in the Constitution? Let me start by being clear about what I do not mean. I do not mean that protecting the flag is a trivial or unimportant goal of government. Nor do I mean that the flag deserves anything less than our complete reverence and our complete devotion. What I do mean, quite simply, is that a ban on flag desecration does not fit into—would, in fact, be out of place in—the skeletal document which lays out the basic organization and structure of the national government, determines federal-state relations, and protects the fundamental liberties of the people, all of us.

I think my meaning will be clearer if we take a closer look at the purposes that constitutional amendments are intended to serve. The Framers gave this matter some thought in their deliberations at Philadelphia in 1787. They considered and they rejected resolve No. 13 of the Virginia Plan offered by Gov. Edmund Randolph of that State, resolve 13 which would have permitted ''amendment of the Articles of Union whensoever it shall seem necessary,'' and which stated ''that the assent of the National Legislature ought not to be required thereto.'' They rejected that. Indeed, several delegates to the Convention, among them Charles Pinkney of South Carolina, opposed any provision for Constitutional amendments to the Constitution. Recognizing, however, that occasional revisions might be necessary, the Convention finally agreed upon a compromise that deliberately made it difficult to amend the Constitution by requiring successive supermajorities. Article V sets up a cumbersome two-step process to amend the Constitution. It is cumbersome because the framers intended it to be cumbersome. The first step is approval either by two-thirds of Congress meaning both Houses or—and this has never been done—by a convention called for by two-thirds of the states. The second step is ratification by three-fourths of the states.

Given the hurdles set up by Article V, it should come as no surprise that so few amendments to the Constitution have been approved. There are twenty-seven in all, and the first ten were ratified en bloc in 1791—209 years ago. In the two hundred and nine years since ratification of the Bill of Rights, there have been just 17 additional amendments. Think of that. If we disregard the 18th and 21st Amendments, marking the beginning and end of Prohibition, we are left with only 15 amendments in 209 years!

The 18th amendment was wiped out after 15 years by the 21st amendment. These mark the beginning and end of Prohibition.

So, as I say, we are left with actually only 15 amendments in 209 years. Just think of it. In 209 years, despite all of the political, economic, and social changes this country has experienced over the course of more than two centuries; despite the advent of electricity, which lights this Chamber, and despite the advent of the internal combustion engine; despite one civil war and two world wars and several smaller wars; despite the discovery of modes of communication and transportation beyond the wildest fancies of the most visionary framers, this document, the Constitution of the United States, has been amended only 15 times. If you want to count the 21st amendment, 16 times would be the total number.

Truly, the Constitution is an extraordinary work of wisdom and foresight on the part of the framers. George Washington and James Madison may be forgiven for referring to the product of their labor as ''little short of a miracle.'' Gladstone may well have gotten

it right when in 1887 he declared the Constitution to be the most wonderful work ever struck off at a given time by the brain and purpose of man.

As for those 15 amendments I have just mentioned, these can generally be divided into two roughly equal categories. One category consists of those amendments that deal with the structure and organization of the three branches of Government, the laying out of the three separate branches—the legislative, the executive, the judiciary. The checks and balances, these include the 11th amendment. Of course, those were included in the original Constitution, the separation of powers, in the first, second, and third articles—the legislative, executive, and judicial.

As to the amendments, the 15 amendments plus the first 10, these include the 11th amendment, preventing the Federal courts from hearing suits against States by citizens of other States; the 12th amendment, regarding the election of the President and the Vice President; the 17th amendment, establishing the direct elections of Senators; the 20th amendment, regulating Presidential terms and related matters; the 22nd amendment, limiting a President to two terms; the 25th amendment, regarding Presidential succession; and the 27th amendment, deferring congressional pay raises until after an intervening election.

There is very little need for me to attempt to justify the inclusion of these provisions in the Constitution. However we may feel about them personally, their subject matter, the structure of the Federal Government, fits in perfectly with that of articles I through IV.

There is good reason to suspect the framers themselves thought that most, if not all, amendments would address structural matters. In No. 85 of the Federalist Papers, Alexander Hamilton expressed it this way: A thorough conviction that any constitutional amendments which ''may, upon mature consideration, be thought useful, will be applicable to the organization of the government and not to the mass of its powers.''

Hear that again: Hamilton expressed a thorough conviction that any constitutional amendments which ''may, upon mature consideration, be thought useful, will be applicable to the organization of the government, and not to the mass of its powers.''

In Hamilton's mind, any amendments would deal with the structure, the organization, of the Government.

The second category consists of those constitutional amendments that narrow the powers of government and expand or protect fundamental personal rights. These include the 13th amendment banning slavery, the 14th amendment, which extended citizenship to all persons ''born or naturalized in the United States and subject to the jurisdiction thereof'' and guaranteed all citizens certain basic protections, and the 15th, 19th, 23th, 24th, and 26th amendments, each of which extended the vote to new groups of citizens.

Clearly, the flag desecration amendment fits into neither category. For constitutional purposes, it is neither fish nor fowl. It does not address a structural concern; it does not deal with Federal relations between the National and State governments—in other words, the Federal system; it extends, rather than narrows, the powers of government; and it does not protect a basic civil right.

Look at your Constitution. Look at your Constitution and the amendments thereto which, to all intents and purposes, are part of the Constitution. You will see that the Constitution overall narrows the powers of government; it does not extend those powers. Indeed, some opponents of this amendment that is before us argue that it restricts personal liberty.

The 13th amendment forbidding slavery may be viewed as the only amendment regulating the conduct of individuals. The 13th amendment was the product of a bitter, fiercely contested Civil War, the War Between the States, and it was necessary to end one of the most loathsome and shameful institutions in our Nation's history. This, the 13th amendment, was an exceptional amendment. It was necessitated by exceptional circumstances.

There was, of course, one notable attempt to regulate individual conduct via a constitutional amendment. I have already referred to that, the 18th amendment, instituting Prohibition, which also deviated from the model of constitutional amendments I have laid out—with disastrous results. Like the flag desecration amendment, the 18th amendment sought to restrict private conduct in the name of a greater social good. Like the flag desecration amendment, the 18th amendment had a commendable goal. Nonetheless, the 18th amendment was a mistake and it took us 15 years to rectify it. True, the mistake was rectified in 1933, but the damage was already done. The 21st amendment ended Prohibition, but it could not erase the preceding 15 years in which a constitutional provision—not a statute, a constitutional provision, a portion of the highest law in the land—was routinely ignored and violated. You see, once that 18th amendment was riveted into the Constitution, it took 15 years to unlock it, to undo it, to repeal it.

Prohibition not only made criminals and scofflaws of countless Americans, it also placed them in violation of the Constitution. I can remember the revenue officers, when they came to the coal camps and when they scoured around the hills and the mountains looking for the moonshine stills. I can remember those revenuers. That was a terrible mistake, and, while the blemish to the Constitution has since faded, the lesson may not have been learned.

Thus, a constitutional amendment against flag burning may very well prove to be counterproductive, just as did the Prohibition amendment. If this were to happen, our Constitution would be diminished and flag burning would continue—would continue.

In the final analysis, it is the Constitution—not the flag—that is the foundation and guarantor of the people's liberties. Respect for that Constitution should not be undermined by amendments, however well intentioned, that cannot be enforced. I fought the constitutional amendment to balance the budget for the same reason. I said it could not, would not—would not be enforced, and that as a result of lack of enforcement, the people's faith in the Constitution would be undermined. I say the same thing here. It will not be enforced.

It is like the Commandment that says: ''Thou shalt not kill,'' but killing goes on every day right here in the Nation's Capital.

''Thou shalt not steal,'' but stealing continues.

I have come to believe strongly that constitutional amendments, as Madison said, should be saved ''for certain and extraordinary occasions.'' I am not saying the Constitution should never be amended. I am not saying that. Madison was not saying that either. But Madison said that constitutional amendments should be saved for ''certain and extraordinary occasions.''

Critics may accuse me of being overly conservative, but I believe I am right. I have learned from study and from my own recent experience with the proposed constitutional amendment to balance the budget that tinkering with the careful system of checks and balances and the separation of powers contained in the Constitution, can have far-reaching and sometimes unexpected consequences. When it comes to revising the most basic text in our Federal system, when it comes to improving upon the handiwork of Washington and Madison and Hamilton and James Wilson and Roger Sherman and Gouverneur Morris and Benjamin Franklin and others at the convention; when it comes to setting a pen to the sacred charter of our liberties that my colleagues and I have sworn at the desk to uphold and defend—then, yes, I am conservative.

While I do not rule out the possibility that I might offer an amendment some day, as I have done in the past—I have learned a lot in these last years in the Senate—they should be reserved, as Madison said, for compelling circumstances when alternatives are unavailable.

Polls are no substitute for reasoned analysis and independent thought. Polls were very much in evidence during the balanced budget amendment debate, and we see the same thing here today. Who would oppose a balanced budget? Those of us who voted against the balanced budget amendment did not oppose a balanced budget. We were opposed to what that amendment would do to the Constitution of the United States; what it would do to the

faith and confidence of the American people in their Constitution.

Who would oppose protecting the flag? Nobody here certainly. But the Senate, in particular, was intended by the framers to be an oasis of cool, deliberate debate, free from the hasty and heated rhetoric that characterizes so many political exchanges.

The writers of the Constitution were remarkable men. Such a gathering probably never before sat down within the four corners of the Earth. That was the real miracle that took place in Philadelphia, that those minds, and many of them were young—Franklin was 81, but Pinckney was 29; Gouverneur Morris was 35; Madison was 36; Hamilton was 30—that so many brilliant minds sat down in one place at a given moment in time. The clock of time had struck. Had it been 5 years earlier, they would not have experienced to the full the flaws of the Articles of Confederation, so they would not have been ready. Had it been 5 years later, they would have seen all of the ills, the extremes of the French Revolution, the deaths at the guillotine. They would have been repelled in horror by what happened there, the excesses. These were the miracles: the right place, the right time, and the right men.

The framers of the Constitution were indeed remarkable men, and their words are often as wise and relevant today as they were two centuries ago. Thus, Madison wrote in Federalist 49 that ''a constitutional road to the decision of the people ought to be marked out and kept open, for certain great and extraordinary occasions.''

Currently, there appears to be no such ''great and extraordinary'' occasion that calls for a 28th constitutional amendment.

Madison also warned against the reference of constitutional questions to the people too often. ''Do not do it too often,'' he said. ''Do not send amendments to the American people too often.''

In the Federalist 49, he said:

> . . . as every appeal to the people would carry an implication of some defect in the government, frequent appeals would, in great measure, deprive the government of that veneration which time bestows on everything, and without which perhaps the wisest and freest governments would not possess the requisite stability.

Madison further said:

> The danger of disturbing the public tranquility by interesting too strongly the public passions is a still more serious objection against a frequent reference of constitutional questions to the decision of the whole society. . . . But the greatest objection of all is that the decisions which would probably result from such appeals would not answer the purpose of maintaining constitutional equilibrium of the government.

That was James Madison warning us against sending to the American people constitutional amendments too often.

Flag destruction is, fortunately, only a rare occurrence. While our culture may have become increasingly coarse and vulgar at times—and it certainly has, there is no question about that—most Americans respect the flag and most Americans voluntarily refrain from abusing it.

I do not want to give the same attention-seekers who defile the flag the opportunity to defy the Constitution as well. By one act, they would then be able to desecrate and defy the flag and at the same time to defy—defy, defy—the Constitution of the United States. This is more than a matter of symbolism; this is a question of respect for the founding document of this Republic and the supreme law of the land.

Any disrespect for the Constitution is a repudiation of the most basic principles and laws of the country. And now you say let's put into the Constitution some verbiage that cannot be enforced, that will not be enforced; cannot be. It will be defied by some.

Let me say that again. Any disrespect for the Constitution is a repudiation of the most basic principles and laws of the country. We are talking about the supreme law of the land. The law here can be changed—passed today and changed before the beginning of the next Congress next year. But not a constitutional amendment. Once it is welded into the Constitution, it will take years to repeal it, to take it out, to remove it, as we saw in the case of amendment No. 18, the prohibition amendment.

I shrink from the possibility of providing a tiny minority of rabble-rousers with the ammunition to fire upon the most important and beloved document in the country.

As I suggested a bit earlier, we already made the mistake once before of inserting into the Constitution a restriction on private conduct that could not be enforced. The Constitution suffered terribly under Prohibition. It would also have suffered under a balanced budget amendment, another unenforceable and litigation-inducing provision that many of my colleagues wished to insert into the Constitution. Just as I opposed the balanced budget amendment out of a desire to protect the Constitution from further abasements, so, too, I must oppose a flag desecration amendment. It, too, would be unenforceable.

If one provision of the Constitution proves to be unenforceable, what about the other provisions?

Just as I am resolved to protect both the Constitution and the flag, I am determined that we not make martyrs of those villains who would sully—who would sully—the Stars and Stripes. Why should we let these malefactors portray themselves as courageous iconoclasts, sacrificed at the altar of public complacency and intolerance? It is possible, I believe, to craft statutory protection for the flag that can withstand a court challenge. The amendment in the form of a substitute that was offered by Senator MCCONNELL, the Flag Protection Act of 1999, could, in the opinion of the American Law Division of the Library of Congress, withstand such scrutiny. In the words of that opinion, ''subsections (b) and (c) appear to present no constitutional difficulties, based on judicial precedents, either facially or as applied.'' Further, the opinion notes, ''Almost as evident from the Supreme Court's precedents, subsection (a) is quite likely to pass constitutional muster.'' The opinion closes by noting, ''In conclusion, the judicial precedents establish that the bill, if enacted, while not reversing Johnson and Eichman, should survive constitutional attack on First Amendment grounds.''

The first case to which I just referred, of Texas v. Johnson, arose from an incident during the 1984 Republican Convention in Dallas, Texas, in which Gregory Lee Johnson participated in a political demonstration and burned an American flag while protestors chanted. Johnson was convicted of desecration of a venerated object in violation of a Texas statute, and a State Court of Appeals affirmed the decision. However, the Texas Court of Criminal Appeals reversed the decision, holding that burning the flag was expressive conduct for which the State could not, under the First Amendment, punish Johnson in these circumstances. The Supreme Court, in a 5–4 decision, upheld the lower court's decision.

But in the dissent by Chief Justice Rehnquist, Justice White, and Justice O'Connor, they noted, ''the Texas statute deprived Johnson of only one rather inarticulate symbolic form of protest—a form of protest that was profoundly offensive to many—and left him with a full panoply of other symbols and every conceivable form of verbal expression to express his deep disapproval of national policy.'' The Justices also observed, ''Surely one of the high purposes of a democratic society is to legislate against conduct that is regarded as evil and profoundly offensive to the majority of people—whether it be murder, embezzlement, pollution, or flag burning.''

After the Johnson decision, Congress passed the Flag Protection Act of 1989, criminalizing the conduct of anyone who ''knowingly mutilates, defaces, physically defiles, burns, maintains on the floor or ground, or tramples upon'' a United States flag, except conduct related to the disposal of a ''worn or soiled'' flag. Subsequently, several people, among them Shawn D. Eichman, were prosecuted in District Courts. In each case, the appellees moved to dismiss the charges on the ground that the Act violated the First Amendment. The District Courts, following the precedent set by the Johnson case, held the Act unconstitutional as applied and dismissed the charges. The Supreme Court, again in a 5–4 decision, upheld the decision.

However, in the dissent authored by Justice Stevens, with whom the Chief Justice, Justice White, and Justice O'Connor joined, the justices noted

that ''it is equally well settled that certain methods of expression may be prohibited if (a) the prohibition is supported by a legitimate societal interest that is unrelated to the suppression of ideas the speaker desires to express; (b) the prohibition does not entail any interference with the speaker's freedom to express those ideas by other means; and (c) the interest in allowing the speaker complete freedom of choice among alternative methods of expression is less important than the societal interest supporting the prohibition.''

Given the closeness of the votes in Johnson and Eichman—given the presumption against amending the Constitution whenever other alternatives are available—and given the powerful arguments made by Chief Justice Rehnquist and Justice Stevens in their dissents—perhaps the better course of action is to allow the Court sufficient time to reconsider its views on this controversial topic.

The Court has already changed its composition since the Eichman decision eight years ago. Four of the Justices who decided that case, including three who voted with the majority, have been replaced. Who can say whether a new court will find itself swayed by the persuasive arguments that Mssrs. Rehnquist and Stevens have put forth? Instead of our adding a new, 28th Amendment to the Constitution, would it not be preferable for the Court, on closer inspection of the issue, to realize the error of its ways?

Like many Americans, I was shocked by the Johnson and Eichman decisions overturning statutory protection for the flag. Now, that shock has subsided, and while I still question the correctness of those decisions, I no longer believe that a constitutional amendment is the best response to these horrific acts. The intervening years have allowed me to rethink my initial reaction to the Supreme Court's decisions, and while my love for the flag has not waned, neither have my respect for and devotion to the Constitution. If anything, the spate of proposed constitutional amendments in recent years—chief among them the misguided balanced budget amendment—and my continued studies of constitutional history have only increased my love for this magnificent document and my determination to prevent its abuse.

Every time I read it—as with every time I read the Bible—I find something, it seems, that is new and intriguing and awe-inspiring.

I have always promised my constituents that I will represent them to the best of my ability and with an open mind and an honest heart. Today, head and heart have convinced me to reconsider my beliefs. As Benjamin Franklin, the oldest man at the Constitutional Convention, put it, in addressing his fellow conferees at Philadelphia as they prepared to sign the Constitution—this is what he said—''For having lived long, I have experienced many instances of being obliged by better information or fuller consideration, to change opinions even on important subjects, which I once thought right, but found to be otherwise.''

That has happened to me on several occasions. Certainly, it is true in the present instance.

While I salute the patriotism of those who support this measure—I salute them—I hope that they will pause to consider its unintended but inevitable ramifications. Rather than inviting a surge in flag destruction; rather than spurring years of legal wrangling; rather than adding to our Constitution a provision that addresses a problem that occurs only infrequently, let us step back.

Let us reconsider the matter. Let us rethink what we are proposing.

Our Founding Fathers intended that amending the Constitution should be a difficult and laborious process—time consuming; cumbersome—not to be undertaken lightly. It sets a dangerous precedent, one that I have come to appreciate fully in recent years, to tinker with the careful checks and balances established by the Constitution. When it comes to our founding charter, history demands our utmost prudence.

Every heart in this Chamber thrills at the sight of that flag, thrills at the rays of sunlight that play upon those stars and stripes, as we ride down or walk down a street on the Fourth of July. The flag! There is no other flag like it! None.

But what gives each of us freedom of speech? What gives each of us the right to say what we want to say? What gives us that right? Not that flag—but the Constitution of the United States!

What gives the fourth estate that sits in those galleries up there—the press—what gives the press freedom to print, to televise, to broadcast? What gives this country freedom of the press? Not Old Glory, not that flag—but the Constitution of the United States!

What gives my coal miners from West Virginia the right to come to these Capitol steps and to speak out and to thunder their criticism of the President of the United States or of the Congress of the United States, while Old Glory floats above the dome in the blue sky? What gives those miners that right? Not the flag, not Old Glory, soaring in the heavens—but the Constitution of the United States!

What gives the truckers, what gives the farmers, what gives any group the right to come to Capitol Hill and to assemble and to petition the Government to obtain a redress of grievances? Not the flag—but the Constitution of the United States!

There is the source of the right—there is the source—not in the dear old flag. The flag is the symbol of the Republic, the symbol of what the Constitution provides, but it is not the flag that provides it. It is the Constitution of the United States. That is why today I speak out against the amendment before the Senate, because it is that Constitution that provides us with the rights which all Americans enjoy, regardless of race, regardless of color, regardless of national origin, regardless of age or sex. It isn't that flag.

I love it. How many times do we go the last mile of the way with a friend or a relative who sleeps beneath the closed lid of a steel coffin draped with the American flag? It is something to remember. He may have been a soldier, a sailor, a marine. He didn't die for that flag. He died for what that flag represents. And the instrument that provides what that flag represents is the Constitution of the United States.

It is the real stuff!

I think I am right to have changed my mind. I want to say again that I changed my mind because of long and serious study, not only of the Constitution of the United States, but also of the Articles of Confederation which was the first Constitution of the U.S., my study of the Federalist Papers, my study of the history of our country, the history of the colonies, the history of England, the struggles of Englishmen, and my studies of the ancient Romans. Because of these studies, in the beginning with the respect to the constitutional amendment to balance the budget and then with respect to the line-item veto, which I hate with a passion, and which the Supreme Court of the U.S. overthrew, I came to know more about the Constitution, about American constitutionalism, about the history of the Constitution, about the ratifying conventions, than I ever knew before. And it is the result of that long and assiduous study of constitutionalism in America, constitutionalism that had its roots not just at the Constitutional Convention of 1787, but in the states before the Constitution, and in the colonies before the states, and in the Biblical covenants before the colonies; roots that go back 1,000–2,000 years. I have come to this conclusion, and I believe that I can best serve my country today by voting against this amendment.

The flag lives because the Constitution lives, without which there would be no American Republic, without which there would be no American Senate, without which there would be no United States of America, only the balkanized States of America. Without that Constitution, there would be no American liberty, no American flag.

That flag is the symbol of our Nation. In a way, we might say that that flag is the symbol of all we hold near and dear. That flag is the symbol of our Nation's history. That flag is the symbol of our Nation's values. We love that flag. But we must love the Constitution more. For the Constitution is not just a symbol, it is the thing itself!

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. LEAHY. 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. LEAHY. Mr. President, one of the privileges of serving in the Senate is the chance to hear debates—some good, some not so good. Periodically, we hear greatness in speeches. The Senate just heard greatness.

I think all Senators would agree, whether they are for or against this constitutional amendment, that when the history of this debate is written, when the history books are written, the speech of the distinguished senior Senator from West Virginia, Mr. BYRD, will be in that recounting. This is the type of speech that students of constitutional history, students of the Constitution itself—and this Senator wishes there were more—will look to, and they will read and reread.

We sometimes forget that every 6 years, those of us who are fortunate to serve here, to serve more than once, take a very specific oath of office. I can think of times when various people have administered this oath, usually the Vice President of the United States. But I recall watching the distinguished senior Senator from West Virginia administer that oath on a couple of occasions in his role as President pro tempore of the Senate.

There was one big difference when he administered it than when all the various Vice Presidents, Republican or Democrat, administered it. The difference is, they had a card before them and they read the oath. The Senator from West Virginia didn't need a card before him to do it. The Senator from West Virginia would stand there, tell them to raise their right hand, and he would administer the oath. There was no prompting. There was no teleprompter. There was no card. There was no book. There was the mind that carries the history of the United States Senate there, when he would do it.

I mention that oath because we swear we will uphold the Constitution, we will protect the Constitution. There could be no more solemn duty. If we are protecting the Constitution of this country, we are protecting the country itself. In this debate, that really is the issue.

I have said over and over again, I do not want to see the first amending of the Bill of Rights in over 200 years. I think we know from our history there have been times when we have amended the Constitution. We did it to provide, after the tragedy of the death of President Kennedy—I was not serving here at that time; the distinguished Senator from West Virginia was—a means of succession of Vice President. And in this era of the nuclear age and all, it is good we have that. But these are matters of enormous consequence. These are matters that can go to the very survival of our Nation and that make it possible, actually necessary, to amend the Constitution.

Let us not amend it simply because it is a matter of passing political favor.

I have spoken too long, and I do not wish to embarrass my friend. I have had the honor of serving with him for just over 25 years. There is hardly a day goes by that I do not learn something from the distinguished Senator from West Virginia. Today the Nation learned from the Senator.

Mr. DORGAN. Mr. President, will the Senator yield?

Mr. LEAHY. I am happy to yield to the Senator from North Dakota.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, let me briefly comment on the remarks made by the senior Senator from West Virginia. I know from having visited with him about this subject over some long while that he found this to be a difficult subject, not a simple subject, not an easy issue to resolve. I felt the same way about this issue. He spoke about the U.S. Constitution at great length today and all Members of the Senate will learn from that speech.

I have told my colleagues previously that on the 200th birthday of the writing of the Constitution I was one of the 55 Americans who went into that room where the Constitution was written 200 years prior to that, when 55 men went into that room and wrote a Constitution. Two-hundred years later, 55 people—men, women, minorities—went into that room. I was privileged to have been selected to be one of them. I have told the story before and people may get tired of hearing it, but I sat in that room—I come from a town of about 270 people, a small ranching area of Southwestern North Dakota. I sat in that room—the assembly room in Constitution Hall—200 years after the Constitution was written, the document that begins, ''We the people.''

In that room, George Washington's chair is still in front of the room, where he sat as he presided over the constitutional convention, and Ben Franklin sat over on this side, and there was Madison and Mason; Thomas Jefferson was in Europe, but he contributed through his writings to the Bill of Rights. I thought to myself that this is a pretty remarkable country where a fellow from a town of about 270 people can participate in a celebration of this sort.

From that moment, I have been troubled by the proposition that some convey so easily of wanting to change the U.S. Constitution. I mentioned yesterday that we have had, I believe, 11,000 proposals to change the Constitution, 11,000. Among those, for example, was a proposal to have a President from the North during one term and then the requirement that the next term of the Presidency be filled by a President who comes from the southern part of the U.S. That was one idea.

Fortunately, the Constitution is hard to amend. Since the Bill of Rights, only 17 times have we amended this document, and then in almost every case, it was to expand freedom and liberty. So I have had great difficulty with this issue. I love the flag and what it stands for. I am devoted to the flag and the Constitution and the principles on which this country was founded. I know the Senator from West Virginia is as well. I wanted to say how much I and my colleagues, I am sure, appreciate his presentations to the Senate not just today but on a recurring basis, reminding us of the timeless truths about who we are and about who we have been, about the rich and majestic history of our country and the principles that have allowed us to progress to the point now of the year 2000 as the oldest successful democracy in history.

So I want to say thank you. As I say, this is a very difficult issue. I came to the same conclusion, that I did not feel I could amend the U.S. Constitution in this manner. It doesn't mean that I don't believe we ought to find a way, short of changing the Constitution, to provide sanctions for those who would desecrate America's flag. I just have not been able to make the leap of saying, yes, let's change the framework of the Constitution. I thank the Senator from West Virginia for his enormous contribution today.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the senior Senator from Vermont and the senior Senator from North Dakota for their remarks. I also thank them for the courage they have displayed time and time again in protecting this founding document. I thank them for the inspiring leadership that the rest of us have had from watching them and listening to them. They, indeed, have done a tremendous service to the country, to the Senate, and to the Constitution. I thank them both from the bottom of my heart.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business, the time not charged under cloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## PRESCRIPTION DRUG COSTS

Mr. GORTON. Mr. President, good health is one of life's greatest blessings. Over the last 25 years, there has been a tremendous change for the better in the delivery of health care. New drugs help to prevent heart disease and provide better treatments for cancer, allergies, depression, and many other debilitating conditions. In short, prescription drugs can help people live longer, lead healthier, happier, more productive lives—and can help lower the overall cost of health care. We all applaud.

The United States leads the world in the development of new drugs. Almost half of the new drugs developed in the last 25 years were created in the USA.

But new drugs are expensive to develop. Only one of every five candidate medicines will turn out to be effective, be approved by the FDA and make it to

drug store shelves. Last year, the drug industry spent $24 billion on research and development. U.S. taxpayers also invest $18 billion every year in the National Institutes of Health, which provides grants for basic health research. Drug companies that are willing to take on the risk of developing new treatments receive tax credits for their research and development costs.

Yet when American consumers pick up their prescription at the drugstore they pay again for research and development in the form of higher prices. Why? Every other developed country imposes some form of price control. Those countries pay for the cost of manufacturing the drug, which is normal, and maybe some profit; but they don't even come close to paying a fair share of the research and development costs of new drugs developed in the United States.

So when some Americans get sick, they can't afford the medicine they need to stay healthy. Instead they go without or they ration medicine. If they are able to travel, Americans cross the borders to Canada or Mexico to buy for much less, the prescriptions they need to stay healthy.

I was curious to know just how much my constituents were savings by traveling to Canada. My office recently conducted an informal study comparing the prices of the top ten most commonly prescribed prescription drugs in several Washington state retail drug stores to the price paid in a typical Canadian pharmacy. I was astounded by the results: on average prices are 64% lower in Canada.

Here are a few examples: The average cost of 30 pills of Zocor, which used to treat high cholesterol, is $76 in our state, in Canada it costs $38; Premerin, an estrogen replacement therapy used by many women, is $26 in our state and $10.50 just across the border; and a popular new allergy treatment, Claritin, is just $34 in Canada but almost $80 in Washington State.

During last week's break, I spent time talking with seniors, doctors, hospital administrators, and others about the cost of prescription drugs. All expressed their concern about the growing amount spent on medicine and the ability of people to continue to have access to the medication that keeps them healthy.

While this debate has properly focused a lot of attention on uninsured seniors and their daily struggle to pay for needed medications, the costs of prescription drugs affect every American—even those with health insurance coverage. Drug spending is a growing part of our overall health care costs. The rising cost of prescription drugs is one of the biggest problems facing health plans, hospitals and others in the health care field.

Obviously, American drug companies have to pay for this huge amount of research and development and the years that it takes to get these drugs licensed. But, what I am outraged about is a set of foreign policies that means that Americans who by drugs that were developed in America pay substantially more for those drugs than the same manufacturers sell—them for in Canada or Mexico. I think that is unconscionable. Those countries are riding on our research and development.

The cost issue is one important part of the debate as we talk about modernizing the Medicare program to include a prescription drug benefit. I do think that Medicare should be updated and that prescription drugs should be covered under the program. Expanding this benefit, however, must be done responsibly—it must not jeopardize the solvency of the current program and that benefits now available to seniors. It is also fairly contentious. Most agree that we should add a drug benefit to Medicare, however, good people have honest disagreements about the best way to do it. Addressing cost is something we can do now.

It is no fair to the American consumer to let other countries get away with policies that make drug companies sell their products cheaper in their country because they don't want to pay for any of the development costs. It's not right, and I will work actively to see that Americans are not overcharged.

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. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## FLAG DESECRATION CONSTITUTIONAL AMENDMENT—Continued

Mr. LEAHY. Mr. President, in 1791, the State of Vermont, the State that I am honored to represent, was admitted to the Union. Kentucky followed. Congress then saw fit to change the design of the American flag for a time to include 15 stars and 15 stripes, one for each State. It was this flag, the one recognizing the addition of Vermont to the Union, that flew over Fort McHenry in 1814, and inspired Francis Scott Key to write the Star Spangled Banner.

Along with Vermonters and many others I find that flag inspirational, as I do the American flag with 48 stars under which my family fought in World War II. I remember the great pride my wife and I felt seeing the current American flag with 50 stars being carried in formation at Paris Island when my youngest son became the newest member of the U.S. Marine Corps.

Fifty years after that famous battle that inspired our national anthem in Baltimore's harbor, President Abraham Lincoln visited that city as this country confronted its greatest test. It was a time in which this nation faced grave peril from a civil war whose outcome could not yet be determined. Many flags flew over various parts of the United States and our existence as a nation was in doubt. President Lincoln used the occasion to reflect on a basic feature of American democracy.

As Professor James McPherson recently reminded us, Lincoln observed: ''The world has never had a good definition of the word liberty. And the American people just now are much in need of one. We all declare for liberty, but using the same word we do not mean the same thing.''

Through the course of this debate, it has seemed to me that all of us here in this chamber would champion liberty. If any of us were asked, we would say: Of course we do. When I listen to the debate, I have to conclude that Lincoln's wish for a definition on which all of us would agree remains very elusive.

Ultimately, the debate over this amendment turns on the scope we think proper to give to speech which deeply offends us. For Congress to limit expression because of its offensive content is to strike at the heart of the First Amendment. Justice Holmes wrote that the most imperative principle of our Constitution was that it protects not just freedom for the thought and expression we agree with, but ''freedom for the thought that we hate.'' He also wrote, that ''we should be eternally vigilant against attempts to check the expression of opinions that we loathe.''

Justice Robert Jackson made this point with unsurpassed eloquence in a 1943 decision, West Virginia State Board of Education v. Barnette. Unlike that small handful of wartime decisions upholding flag burning statutes on which the proponents try to base their claim of an expansive judicial tradition before the Johnson case, the Supreme Court, even in 1943, during the difficult days of World War II, recognized the fundamental tradition of tolerance that makes this country strong. The Supreme Court in a very difficult decision, at the height of world War II held that State school boards may not compel their teachers and students to salute the flag. Justice Jackson wrote:

> To believe that patriotism will not flourish if patriotic ceremonies are voluntary and spontaneous instead of a compulsory routine is to make an unflattering estimate of the appeal of our institutions to free minds.
>
> We can have intellectual individualism and the rich cultural diversities that we owe to exceptional minds only at the price of occasional eccentricity and abnormal attitudes. When they are so harmless to others or to the State as those we deal with here, the price is not too great. But freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order.
>
> If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.

What unifies our country is the voluntary sharing of ideals and commitments. We can do our share toward that end by responding to crude insults with a responsible action that will justify respect and allegiance that has been freely given. Justice Brennan wrote in Johnson:

> We can imagine no more appropriate response to burning a flag than waving one's own.

That is exactly how the American people respond.

Respect cannot be coerced. It can only be given voluntarily. Some may find it more comfortable to silence dissenting voices, but coerced silence can only create resentment, disrespect, and disunity. You don't stamp out a bad idea by repressing it; you stamp it out with a better idea.

My better idea is to fly the flag at home, not because the law tells me to; not because there is something that says this is what I have to do to show respect; I do it because, as an American, I want to.

I am immensely proud of being one of the two Senators who has been given the opportunity to represent the State of Vermont. I fly that flag out of pride. Frankly, I am an ornery enough Vermonter that if there were a law that said as a Senator I had to fly that flag, I would not do it. I do it because I want to do it.

It is with the same sense of pride that I saw my son march in uniform with that flag flying. It is the same sense of pride when I see that flag flying over this Capitol Building every day when I drive to work.

The French philosopher Voltaire once remarked that liberty is a guest who plants both of his elbows on the table. I think what he meant by that is that liberty is sometimes an unruly, even an unmannerly and vulgar guest. Liberty demands we be tolerant even when it is hard to do so.

Our freedoms in this country are protected by the constitutional guarantee that dissent must be tolerated whether it is expressed in polite and deferential tones or in a crude and repugnant manner. We are a mature enough political community to know what every child knows: Unlike sticks and stones, words and expressions need not hurt us. It certainly does not justify the loss of rights that protect the liberties of us all.

Especially despicable gestures are hard to tolerate, but we do so because political expression is so central to what makes America great and what protects the rights of each of us to speak, to worship as we choose, and to petition our Government for redress.

As I have said before, I have taken such pride in going to countries with dictators, countries that require a law to protect their flags and their symbols, and in saying: We do not need such a law in our country because in this great Nation of a quarter of a billion people, the people protect our symbols, not because they are forced to do so but because they want to do so.

I was brought up to believe the first amendment is the most important part of our democracy. It allows us to practice any religion we want or no religion if we want. It allows us to say what we want, and the Government cannot stop us.

What does that mean? It means we are going to have diversity—diversity in religion, diversity in thought, diversity in speech, diversity that is guaranteed and protected in this Nation. And when you guarantee and protect diversity, then you guarantee and protect a democracy, because no real democracy exists without diversity. When you exclude and stamp out diversity, then I guarantee, you stamp out democracy, whether it is the Taliban or any of the totalitarian governments of history. If diversity, dissent, and free speech are stamped out, democracy goes with them.

American democracy has succeeded because we have found a way to live with that unruly guest with his elbows on our table of which Voltaire spoke, and to acknowledge acts which are disrespectful and crude and may, nonetheless, be lawful.

We protect dissent because we love liberty, not because we oppose liberty, but because we love it. The very impiety of these acts puts us to the test as votaries of liberty.

Wendell Phillips, the great New England abolitionist, wrote:

> The community which dares not to protect its humblest and most hated member in the free utterance of his opinion, no matter how false and hateful, is only a gang of slaves.

No man disagreed more vehemently with Wendell Phillips on the burning issues of their day than Senator John C. Calhoun of South Carolina. Yet Senator Calhoun came to much the same conclusion in a speech on the Senate floor in 1848—more than 150 years ago. He said:

> We have passed through so many difficulties and dangers without the loss of liberty that we have begun to think that we hold it by divine right from heaven itself. But it is harder to preserve than it is to obtain liberty. After years of prosperity, the tenure by which it is held is but too often forgotten; and I fear, Senators, that such is the case with us.

I represent a State that has a proud tradition of defending liberty, a State that encourages open debate. We are the State of the town meeting. You have never heard open debate, whether as a Member of this great body or the other legislative body, until you have been to a Vermont town meeting. There is debate, there are expressions, there is heat, and there is often light.

I am proud that in 1995, the Vermont Legislature chose the first amendment over the temptation to make a politically popular endorsement of a constitutional amendment regarding the flag. The Vermont House passed a resolution urging respect for the flag and also recognizing the value of protecting free speech ''both benign and overtly offensive.'' Our Vermont Attorney General has urged that we trust the Constitution, not the passions of the times.

But Vermont's actions are consistent with our strong tradition of independence and commitment to the Bill of Rights. Indeed, Vermont's own constitution is based on our commitment to freedom and our belief that it is best protected by open debate. In fact, Vermont did not join the Union until the Bill of Rights was ratified and part of this country's fundamental charter.

We are the 14th State in this Union. But we waited because we were so protective of our own liberty. At one time, we declared ourselves an independent republic. We wanted to make sure our people had their liberties protected. We in Vermont waited until the Bill of Rights was part of the Constitution.

Following that tradition, this Vermonter is not going to vote to amend the Bill of Rights for the first time since it was adopted, and certainly not going to be the first Vermonter to do that.

Vermont sent Matthew Lyon to Congress. He cast the decisive vote of Vermont for the election of Thomas Jefferson when that election was thrown into the House of Representatives. He was the same House Member who was the target of a shameful prosecution under the Sedition Act in 1789 for comments made in a private letter. He was locked up.

Vermont showed what they thought of the Sedition Act. They showed what they thought of trying to stifle free speech. Vermont said: Fine, Matthew Lyon is in jail. We will still reelect him to Congress. And, by God, we did. Why? Because we are saying: Do not trample on our right of free speech.

Vermont served the Nation again in the dark days of McCarthyism when I think probably one of the most remarkable and praiseworthy actions of any Vermont Senator, certainly in the 20th century—the outstanding Vermont Senator, Senator Ralph Flanders—he stood up for democracy in opposition to the repressive tactics of Joseph McCarthy. When so many others ran for cover in both parties—both Republicans and Democrats—Senator Ralph Flanders of Vermont, the quintessential Republican, conservative, a businessman, came to the floor of the Senate and said enough is enough, and asked for the censure of Senator McCarthy.

Vermont's is a great tradition that we cherish. It is one that I intend to uphold.

The New York Times had it right earlier this week when it wrote in its editorial, on Monday:

> If the Senate truly respected the Constitution it is sworn to uphold, it would not be trifling with the Bill of Rights and its precious guarantee of freedom of speech. Yet that is exactly what the Senate is doing as it considers the so-called flag desecration amendment—a mischievous addition to the Constitution that would weaken the right of free expression by allowing federal laws banning physical desecration of the flag.

The Washington Post also opposed this amendment in a recent editorial.

It noted that flag burning is ''only one among many types of offensive expression that the First Amendment has protected throughout American history.'' Then they added:

> The principle that ''Congress shall make no law'' restricting speech loses much of its power when exceptions begin turning the ''no'' into ''only a few.'' The political points senators win by supporting this amendment are not worth the cost.

The first amendment says: ''Congress shall make no law.'' It does not say: Congress shall not make a bunch of laws or Congress shall not make some laws or Congress shall not make little laws versus big laws restricting speech, or Congress should not make laws on Monday versus Friday restricting speech.

It says: ''Congress shall make no law.''

I remember being at an oral argument in the U.S. Supreme Court when I was a young law student, and Hugo Black was saying: I read the Constitution, which says ''Congress shall make no laws'', to mean ''Congress shall make no laws.'' I find it pretty clear.

The Chicago Tribune said this:

> The amendment is a gross overreaction to a non-problem. Incidents of flag burning are exceedingly rare, and they do no harm beyond causing legitimate disgust among patriotic Americans. Disgust, however, is not an adequate reason to take the extraordinary step of altering the nation's founding document—and altering it to curtail one of our most fundamental liberties.

So many times I read editorials from the Washington Times, especially those that say that Congress takes, too often, a liberal bend. The Washington Times today said this in their editorial—and they oppose this amendment—they said they oppose it because ''it would be the only standing constitutional amendment to expand—not curtail—the power of the federal government.''

They went on to say:

> Laws reflect a nation's culture and Constitution. Both govern a people's relationship with the government. Sometimes, however, the two collide and the nation's leaders must decide between expressing the culture through law or abiding by constitutional restraints that limit government powers to do so. . . . The founders adopted the first 10 amendments, now called the Bill of Rights, as more than simply limits on Government's power, but rather an enumeration of rights on which Government could not trample.

Think of that. They are not saying, here are some extra powers we have in the Government. Rather, they are saying no to the Federal Government. These are rights you cannot step on. These are rights that belong only to the American people. These are rights that do not belong to a government. They do not belong to the Congress, to the executive branch, or the judicial branch. They belong to all of us, today a quarter of a billion proud Americans.

The Washington Times went on to say:

> Conservatives in the Senate should take this opportunity to burn a flag—the white flag the faint-of-heart seem to fly on every tough issue. It is time to say, ''We trust the American people with their flag''—with a vote against this constitutional amendment.

That is what I say: Trust the American people. The vast majority of the people in this great country are patriotic. They respect the symbols of our Government. There isn't a rash of flag burning around the Nation. You don't see people running out to do it because we respect our flag, we respect our Nation, and we don't need a law to tell us to do that. In fact, that respect is diminished if we are told we have to respect the symbols of our Government rather than doing it from our heart.

Through this debate this week, some proponents of the constitutional amendment expressed their view that this is a nation in moral decline and that amending the Constitution to punish flag burning is thereby justified. I disagree. I would not put down the United States that way. I believe this Nation is strong. I believe there is far more civic virtue to the American people than some credit. I know that is the case in my State of Vermont. I know it when I go on line each week with the children of our State in grade schools and high schools around Vermont answering their questions. I sense a civic pride. I do not sense a moral decline. I sense a great nation moving into an even greater century.

I am not a fan of what in some quarters passes for culture nowadays, but let us not have a constitutional amendment to lash out at crude cultural influences. Let us discuss the issue of civic virtue. In fact, we in the Senate play a role, an important one, in setting the level of civic virtue in this Nation. So maybe a good place to start would be with ourselves and with our institution. It is not just what we say here that is important; it is what we do here.

Instead of telling the American people, the rest of the American people beyond the 100 here, what they can and cannot do, maybe we should talk about what we do and how we do it. We honor America when we in the Senate do our jobs, when we work on the matters that can improve the lives of ordinary Americans.

I began this debate by urging the Senate to conclude action on the juvenile crime conference. I urged the Senate to vote on increasing the minimum wage, to confirm judges our courts and people need. We have 77 vacancies today. I urged the Senate to pass a Patients' Bill of Rights and privacy legislation and other legislation that can make a difference today. Then we set an example for the Nation. As this debate concludes and after we vote on this, let us return to that hope and message.

Ours is a time of relative peace and prosperity. We should praise that. Because of that, it is certainly not the time, if there is any, to tinker with the fundamental framework that has helped make this country the land of opportunity and diversity and vitality it has been for more than 200 years.

The proposed amendment to the Constitution would do harm to the first amendment—protections that gird us all against oppression, especially oppression of momentary majority thought. It violates the precept laid down more than 200 years ago that ''he that would make his own liberty secure must guard even his enemy from oppression.'' It undercuts the principle that a free society is a society where it is safe to be unpopular. A nation may lose its liberties in an instant of imposed orthodoxy.

I am sure many of us have read the letter written in 1787 by Thomas Jefferson in which he observed:

> If it were left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.

For me, presented with the stark choice between an undefiled flag and an undefiled Bill of Rights, I, too, must choose the latter.

If somebody were to cruelly desecrate the flag I proudly fly at my home, then I would replace that flag. I would buy a new flag. But if somebody misplaces, changes, or diminishes the Bill of Rights that protects me, protects the other 99 Senators, that protects a quarter of a billion Americans, I can't replace that. I can't go to the store and buy a new Bill of Rights. I cannot start the process of 200 years ago over again. I cannot go back and say, because we have spent 200 years growing and maturing as a nation in protecting our rights under the Bill of Rights, now we can ignore all that because we have changed the Bill of Rights.

Don't diminish it. There are a lot of things that are unpopular, but we protect them. I think of the debate when I was a young prosecutor. Decisions would come down saying you had to warn criminal suspects of their rights—first the Escobedo case and then the Miranda case. I remember people, both in law enforcement and outside, saying we have to amend the Constitution. Some said we had to impeach the whole Supreme Court. We have to amend the Constitution. How dare they say these criminals must be warned of their rights? We want to be warned of our rights because we are not criminals. But the guilty accused have to be warned of their rights? What a terrible idea.

We got through that. What happened? Training of law enforcement got a lot better. The police got a lot better, the courts got a lot better, the prosecutors got a lot better, and our Nation got better. Today there are still people who are arrested or stopped by the police who are totally innocent, and they have their rights. They can stand on those rights. How many times have we said: I am an American; I have my rights? Well, it is true. We have wonderful rights in this country. That is why we are the strongest democracy in the world. Let's not diminish those rights.

Ours is a powerful constitution, all the more inspiring because of what it allows and because we protect each other's liberty. Let us be good stewards. Let us leave for our children and our children's children a constitution with freedoms as great as those bequeathed to us by the founders, patriots and hard-working Americans who preceded us. If we do that, successive generations will bless us, they will praise us, we will have a stronger nation.

I thank my colleagues for their attention and courtesy and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, we have had a productive and educational debate concerning our proposed constitutional amendment to protect the flag. We have considered—and defeated by overwhelming votes—two significant amendments which were aimed at the heart of this amendment. A clear majority of the Senate has its mind made up on this resolution, and it is proper that we are now preceding to a vote.

The events of the last three days could cause one to question the depth of feeling my colleagues have for their argument that this flag protection constitutional amendment would erode free speech rights guaranteed by the first amendment. Many of these same Senators have denounced flag desecration and voted for statutes which would allegedly protect the flag. In 1989, the Congress responded to the Supreme Court's decision in Texas v. Johnson, which held that State flag protection statutes were unconstitutional, by enacting the Flag Protection Act. Ninety-one Senators—let me repeat, 91 Senators—voted in favor of that statute, which provided that:

> Whoever knowingly mutilates, defaces, physically defiles, burns, maintains on the ground, or tramples upon any flag of the United States shall be fined under this title or imprisoned for not more than one year, or both.

That was the statute that 91 Senators in this body in 1989 voted for.

Clearly, 91 Senators believed in 1989 that flag desecration should be stopped; that people who knowingly mutilate, deface, physically defile, burn, or trample upon any flag of the United States should be prevented from engaging in this sort of conduct. Clearly, 91 Senators believed in 1989 that prohibiting flag desecration would in no way erode free speech rights guaranteed by the first amendment, and voted for the bill in response to a Supreme Court decision that had said otherwise.

I remember those arguments. We can do this by statute. We have had the same arguments in this debate, all of which are just as specious as they were back then.

Yet, of those 91 Senators who voted to outlaw flag desecration in 1989 to prohibit this form of expressive conduct, 18 who are still here will vote against the flag protection constitutional amendment. In other words, of the more than 30 opponents of the proposed constitutional amendment, 18 voted in 1989 to prohibit flag desecration.

Let me read directly from the joint resolution, the constitutional resolution:

> The Congress shall have power to prohibit the physical desecration of the flag of the United States.

In other words, we want to give them the power so that they can, again, vote for their beloved statute. They can't vote for it now because it would be declared unconstitutional again. I think the limited version presented here, the McConnell statute, which would not do much to begin with, is likewise unconstitutional.

The point was that 18 of those who will vote against the flag protection constitutional amendment today, at least 18 of the more than 30 opponents of this proposed constitutional amendment, voted in 1989 to prohibit flag desecration.

Just yesterday we voted on whether to adopt the Flag Protection Act of 1999. That is a more narrow flag desecration statute offered by Senator MCCONNELL. Now some Senators voted against Senator MCCONNELL's amendment because they do not believe flag desecration is a problem in our society, that it is too trivial of an issue for the Senate even to consider. Other Senators, including myself, voted against the McConnell amendment because we believe that under the Supreme Court precedents, and given the present composition of the Court, it would be struck down as the other statutes were. Yet 36 Senators voted in favor of the McConnell amendment, a statute prohibiting flag desecration. Clearly, these 36 Senators do not believe that prohibiting flag desecration will erode free speech rights guaranteed by the first amendment. Of these 36 Senators, 30 have indicated they will vote against the flag protection constitutional amendment today.

I must ask these Senators: Do you believe in flag protection or not? Or are you just playing political games? If they do believe in flag protection, they should vote for this constitutional amendment, which is the only constitutional way of protecting our flag. If not, they should have the courage to repudiate the votes they cast yesterday, in 1995, and in 1989, and to admit that they do not want to prohibit flag desecration in any way. They can't have it both ways unless they are just playing politics. I would never accuse anybody in this body of doing something as denigrating as playing politics.

Some of my colleagues contend our country has achieved greatness in its two centuries of existence because they say we value tolerance over all else. Yes, we are tolerant of everything that is rotten and we are intolerant of many things that are good. They say if we pass this constitutional amendment and then adopt legislation prohibiting flag desecration, we will become Iran, Iraq, North Korea, Libya, Cuba, and a host of other repressive and dictatorial regimes that do ban desecration of their respective flags. They even suggest we will become like South Africa during apartheid or like Nazi Germany if we protect our flag. This argument is not only specious, it is absolutely ridiculous. It is insulting.

Indeed, I must say their argument is full of historical revisionism. The United States of America prohibited desecration of the American flag during the first two centuries of its existence. If this constitutional amendment is adopted and implementing legislation is passed, the United States of America will not somehow become an intolerant, repressive, dictatorial police state. No, the United States of America's laws will be just as they were for over 200 years before this lousy decision by five people on the Supreme Court, versus four, showing it was hotly contested. Even they weren't sure what they were doing.

I find that a sense of elitism is creeping into the Senate. In fact, I don't fear it, I know that is the case. We have amongst us people who seem to think the Senate has more important things to do than to listen to, and act on, the views of the overwhelming majority of American citizens who want the flag protection constitutional amendment. I find this elitism profoundly troubling. As a matter of fact, all we are asking is for this body to give a two-thirds vote, as the House did, so we can submit this to the people in the respective States and let them decide once and for all whether or not they want to protect the flag.

The American people do not believe that the flag of the United States of America is just a piece of cloth or just another symbol. The American people know that the flag is the embodiment of our heritage, our liberties, and indeed our sovereignty as a nation, as Madison indicated—the author of the Constitution. The American people are deeply offended and morally outraged when they see the flag humiliated and the Government powerless to defend it.

I have heard both sides of this debate cite leaders in the military, and I am sure that some of these people who are opposed to our amendment today are good people. But let me quote Gen. Norman Schwarzkopf, commander of U.S. and allied forces during the gulf war. He wrote:

> The flag remains the single, preeminent connection to each other and to our country. Legally sanctioned flag desecration can only serve to further undermine this national unity and identity that must be preserved.

There are tens of thousands of veterans living in our country today who have put their lives on the line to defend our flag and the principles for which it stands. Those are the fortunate ones who were not required to make the ultimate sacrifice. For every one of those, there is someone who has traded the life of a loved one in exchange for a flag, folded at a funeral. Let's think about that trade—and about the people who made that trade for us—before deciding whether the flag is important enough to be addressed by the Senate.

Let's think about the meaning of majority rule before we dismiss the feelings of the American public. Would it really trivialize the Constitution, as some of these critics suggest, to pass an amendment that is supported by the vast majority of Americans? The Constitution itself establishes the process for its own amendment. It says that the Constitution will be amended when two-thirds of the Congress and three-fourths of the States want to do so. It does not say that this procedure is reserved for issues that some law professors, or even some Senators, think are important. If government by the people means anything, it means that the people can decide the fundamental questions concerning the checks and balances in our government. It means the people can choose whether flag desecration is against the law. The people have said they want Congress to protect the American flag.

Because the flag amendment reflects the will of the people, I believe passage and ratification of this amendment is ultimately inevitable. It may not pass the Senate today, but it will pass the Senate. The votes in the past few years demonstrate that momentum—as well as the fulfillment of duty—is on our side. In 1989, 51 Senators voted for the amendment. That was it, 51. In 1990, there were 58 votes in favor. In 1995, 63 Senators voted for the amendment. And, today, we hope we will at least get that many. We have had some reversals, as you have seen. But the trend of support will continue until we get the 67 needed to pass this resolution and send the constitutional amendment to the States for ratification. I personally will not stop fighting for the flag amendment until it passes the Senate with the requisite two-thirds vote.

I came up the hard way. I had to earn everything I have, and I have earned it the hard way. I learned a trade as a young man. I worked as a janitor to get through school. I have never been part of the elite, and I wouldn't be there if I could be. I have to tell you, this place is filled with elitism among those who are voting against this amendment today.

Frankly, I get a little tired of the elitism in this country. It is throughout our country, and it is elitism that is allowing the savaging of our values to occur today in this country. It is the elite who are basically upholding things that force us to be tolerant, as they say, of some of the very offensive acts that occur in our society. They say we should be tolerant, not to do anything about people who defecate on our flag or urinate on our flag or burn our flag with contempt or trample on it. They don't seem to see any real problem with that, although they condemn it vociferously without doing one doggone thing about changing this culture and letting the American people know we are going to stand for something.

What better thing can you stand for, other than your families—and this is part of standing for families in my book—what better thing to stand for than standing up for this national symbol that unites us and brings us together? Just think about it.

In conclusion, the flag amendment is the very essence of government by the people because it reflects the people's decision to give Congress a power that the Supreme Court has taken away on a 5–4 vote. The four who voted against the five—in other words voted to uphold the right of the Federal Government and the States to ban desecration of the flag—those four fought very hard for their point of view. They happen to be right.

I urge all my fellow Senators to do the right thing for the American people. I urge everybody in America to hold us responsible for not doing so. I am asking the folks out there in America to start getting excited about this. If we could pass this amendment through the Senate, since the House has already done it, I guarantee we would create the biggest debate on values this country has seen in years in every one of our 50 States. If we did that, that alone would justify everything we are talking about today, let alone standing up for the greatest symbol of any country in the world today. I think we ought to do it. I hope my fellow Senators will do the right thing and vote for this resolution so the people, through their State legislatures, can decide for themselves whether or not they want their elected representatives to enact a law prohibiting the physical desecration of the American flag.

We know we do not have the votes today, but we are not going to stop until this amendment is approved. Sooner or later we will get enough people here who feel strongly enough about this to get the constitutional amendment passed. I venture to say, if we could pass this constitutional amendment, at least 38 States—and, frankly, I think all 50 States would ratify this amendment—I believe the people out there would ratify this amendment and we would have more than 80 percent in the end, and people would feel very good about it.

I know one thing, those seven Congressional Medal of Honor recipients who were standing with us yesterday as we had a press conference on this, it would make their lives, as it would for all these veterans throughout this country who have sacrificed for you and me that we might be free. I would like to see that happen. If it does not happen today, don't worry, we will be back because we are not going to quit until we win on this amendment. When we do, it will be a great thing for this country.

I want to thank the dedicated staff of the Senate Judiciary Committee for their hard work on this important proposed constitutional amendment—S.J. Res. 14. In particular, I would like to commend Alex Dahl, Catherine Campbell, Kyle Sampson, and Ed Haden. These fine lawyers and professional staff spent countless hours getting us to this point. I also want to thank the committee's chief counsel, Manus Cooney, for his assistance and counsel. On the minority side, let me acknowledge Bruce Cohen for his professionalism and spirited opposition.

Many other staffers were helpful including Jim Hecht and Stewart Verdery of our leadership staff. I think these staffers know that this debate was an important one and one of significance.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. LEAHY. 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. MCCAIN. Mr. President, I rise today in support of Senate Joint Resolution 14. It is with great honor and reverence that I speak in support of this resolution, a bipartisan constitutional amendment to permit Congress to enact legislation prohibiting the physical desecration of the American flag.

Let me explain my support by recalling the sacrifice for flag and country of a prisoner of war I had the honor of serving with.

I spent 5½ years at the Hanoi Hilton. In the early years of our imprisonment, the North Vietnamese kept us in solitary confinement of two or three to a cell. In 1971, the North Vietnamese moved us from these conditions of isolation into large rooms with as many as 30 to 40 men to a room. This was, as you can imagine, a wonderful change. And it was a direct result of the efforts of millions of Americans, led by people like Ross Perot, and Nancy and Ronald Reagan, on behalf of a few hundred POW's, 10,000 miles from home.

One of the men who moved into my cell was Mike Christian. Mike came from Selma, Alabama. He didn't wear a pair of shoes until he was 13 years old. At 17, he enlisted in the U.S. Navy. He later earned a commission. He became a Naval aviator, and was shot down and captured in 1967. Mike had a keen and deep appreciation for the opportunities this country—and our military—provide for people who want to work and want to succeed.

The uniforms we wore in prison consisted of a blue short-sleeved shirt trousers that looked like pajamas and rubber sandals that were made out of automobile tires.

As part of the change in treatment, the Vietnamese allowed some prisoners to receive packages from home. In some of these packages were handkerchiefs, scarves and other items of clothing. Mike got himself a piece of white cloth and a piece of red cloth and fashioned himself a bamboo needle. Over a period of a couple of months, he sewed the American flag on the inside of his shirt.

Every afternoon, before we had a bowl of soup, we would hang Mike's shirt on the wall of our cell, and say the Pledge of Allegiance. I know that saying the Pledge of Allegiance may not seem the most important or meaningful part of our day now. But I can assure you that—for those men in that stark prison cell—it was indeed the most important and meaningful event of our day.

One day, the Vietnamese searched our cell and discovered Mike's shirt with the flag sewn inside, and removed it. That evening they returned, opened the door of the cell, called for Mike Christian to come out, closed the door of the cell, and for the benefit of all of us, beat Mike Christian severely.

Then they opened the door of the cell and threw him back inside. He was not in good shape. We tried to comfort and take care of him as well as we could. The cell in which we lived had a concrete slab in the middle on which we slept. Four naked light bulbs hung in each corner of the room.

After things quieted down, I went to lie down to go to sleep. As I did, I happened to look in the corner of the room. Sitting there beneath that dim light bulb, with a piece of white cloth, a piece of red cloth, another shirt and his bamboo needle, was my friend Mike Christian, sitting there, with his eyes almost shut from his beating, making another American flag. He was not making that flag because it made Mike Christian feel better. He was making that flag because he knew how important it was for us to be able to pledge our allegiance to our flag and our country.

I believe we have an inviolable duty to protect the right of free speech—one of our most precious inalienable rights and the linchpin of a healthy democracy. I do not believe, however, that guaranteeing respect for our national symbol by prohibiting ''acts'' of desecration impinges on political ''speech.''

As long as citizens are free to speak out on any matter and from whatever point of view they wish, as our forefathers intended, it does not seem burdensome to me that we accord some modicum of respect to the symbol of those precious freedoms for which so many of our countrymen have laid down their lives.

Some view these efforts to protect the flag as political demagoguery or empty symbolism. I see the issue differently. The flag represents each and every one of us, regardless of race, religion or political diversity. Tolerating desecration of the flag is silent acquiescence to the degeneration of the broader values which sustain us as a free and democratic nation—the ramifications of which are far more profound than mere symbolism.

For these reasons, I support this constitutional amendment to ban flag desecration. I voted for such language in previous Congresses, but unfortunately, we have always fallen short of the 67 affirmative votes necessary for approval.

Whenever we send our young men and women into harm's way, we must remember that these same men and women have taken a solemn oath which this flag symbolizes. Let us honor their commitment and honor our great nation. I urge my colleagues to support the flag protection amendment.

Mr. LEVIN. Mr. President, I cannot support the proposed constitutional amendment.

The American flag is the premier icon of our national freedom. It is an irreplaceable reminder of liberty, sacrifice, and patriotism. To deliberately desecrate or burn a flag is an insult to anyone who has fought to defend it. But to deliberately weaken the First Amendment rights of all Americans cannot be the answer to those who attack a symbol of freedom.

We love our flag for obvious reasons, and true Americans treat it with respect. A person who destroys such an important symbol should face the scorn of all decent women and men. But we should not allow the misguided actions of a few individuals to jeopardize the rights and freedoms of all Americans.

The Supreme Court has ruled that such an attack on the flag is a protected form of speech under the First Amendment to the Constitution.

If we pass this amendment, and the States ratify it, we alter the Bill of Rights for the first time in our nation's history. For more than 210 years, the Bill of Rights—which protects our most basic freedoms—has served us well. Although I love the flag, I also love the Bill of Rights and the Constitution. When we pledge allegiance to the flag, in the same breath, we pledge allegiance to the Republic for which it stands.

Mr. President, Senator John Glenn, a true American hero, reflected these concerns in his testimony before the Judiciary Committee. He said:

> [I]t would be a hollow victory indeed if we preserved the symbol of our freedoms by chipping away at those fundamental freedoms themselves. Let the flag fully represent all the freedoms spelled out in the Bill of Rights, not a partial, watered-down version that alters its protections.
>
> The flag is the nation's most powerful and emotional symbol. It is our most sacred symbol. And it is our most revered symbol. But is it a symbol. It symbolizes the freedoms we have in this country, but it is not the freedoms themselves.

General Colin Powell has said:

> I would not amend that great shield of democracy to hammer a few miscreants. The flag will be flying proudly long after they have slunk away.

We should not alter the basic charter of our liberties just to address the few incidences of flag burning in this country. Despite the attention it receives, flag burning is relatively infrequent. According to one expert, there have been only 200 reported incidences of flag burning in the history of our nation. That amounts to less than one case per year. The Congressional Research Service has listed 43 flag incidents between January 1995 and January 1999.

Even if this constitutional amendment were adopted, and the physical desecration of the flag were prohibited, it would not necessarily yield the intended results: the preservation of our glorious symbol.

As the Port Huron Times Herald suggested on June 26, 1999, flag desecration may not necessarily be flag burning, but the trivialization of the flag:

> How glorifying is it to see the Stars and Stripes emblazoned on paper napkins destined to be smeared with ketchup and barbecue sauce and tossed in a trash can?
>
> How respectful is it to wrap ourselves in Old Glory beach towels? Sip our coffee from red, white and blue mugs? Start our car from a flag-emblazoned key chain?
>
> We shouldn't worry about people burning the flag. It just doesn't happen. We should worry about trivializing a glorious symbol into something as meaningless as a paper napkin.

I oppose the proposed constitutional amendment because it would amend our Bill of Rights for the first time, but I do support a statutory prohibition on flag desecration. The McConnell-Conrad-Dorgan statutory approach is preferable because it provides protection of the flag through enactment of a statute, and subsequently, does not weaken our First Amendment freedoms.

If we love the flag, we will not only preserve the sanctity of the cloth, but the freedoms for which it stands. No matter how abhorrent the action of flag burning may be, I see great danger in amending the Bill of Rights and curtailing freedoms enumerated in the Constitution, the very documents that give our flag its meaning.

Mr. MURKOWSKI. Mr. President, I rise as an original co-sponsor of S.J. Res. 14, a resolution proposing that the Constitution be amended to permit Congress to enact statutes to protect against the physical desecration of the American flag. Although it is rare that I support amending our Constitution, in this instance the Supreme Court has made clear that a federal statute is incapable of protecting the national symbol of America.

There is no doubt in my mind that every single Member of the Senate abhors the idea that someone would desecrate the American flag. Yet the vote

on this amendment will be far from unanimous. That is because many of my colleagues believe that adoption of this amendment somehow represents an attack on the First Amendment's guarantee of freedom of speech. In my view, this amendment in no way threatens the freedoms embodied in the First Amendment.

The freedom of speech that is guaranteed in the first amendment of the Constitution is not unlimited. The Supreme Court has long recognized that the law must strike a balance between society's and government's interest and the interests of the individual. More often than not, the Court has come down on the side of the individual. However, the Court has recognized that society's interest in public safety outweighs an individual's right to freely shout ''Fire'' in a crowded theater. The Court has balanced society's interest in national security with a speaker's interest in disclosure of state secrets and has upheld restrictions on such speech.

By this amendment, we are not challenging the first amendment's guarantee of freedom of speech. Anyone in America is guaranteed the right to criticize nearly every aspect of American society and American government. Nothing in this amendment precludes such speech.

Instead, this amendment speaks to the issue of desecrating the symbol of this country. A symbol that is recognizable throughout the world as the symbol of this 224 year old democracy. A democracy that has asked its men and women to fight all over the world to preserve democracy and freedom against tyranny.

When in 1989 the Supreme Court by a 5–4 decision struck down a Texas Flag desecration statute, Justice Stevens dissented and eloquently stated why the Court had reached the wrong conclusion about the First Amendment in this case. Let me quote Justice Stevens:

> The Court is . . . quite wrong in blandly asserting that respondent ''was prosecuted for his expression of dissatisfaction with the policies of this country, expression situated at the core our First Amendment values.'' Respondent was prosecuted because of the method he chose to express his dissatisfaction [burning an American Flag] with those policies. Had he chosen to spray-paint—or perhaps convey with a motion picture projector—his message of dissatisfaction on the facade of the Lincoln Memorial, there would be no question about the power of the Government to prohibit his means of expression. The prohibition would be supported by the legitimate interest in preserving the quality of an important national asset. Though the asset at stake in this case is intangible, given its unique value, the same interest supports a prohibition on the desecration of the American flag.

Would anyone disagree with Justice Stevens' suggestion that the first amendment does not permit an individual to desecrate the Lincoln Memorial by spray painting his political views on the Memorial? Surely that would be a criminal act and no one would suggest that the spray painter's first amendment rights had somehow been invaded.

Yet, I ask the question: What is the difference between barring someone from desecrating the LINCOLN Memorial and barring someone from desecrating the American flag? Why are the marble and mortar of the Memorial more important than the intangible values represented by the American Flag? Does it make a difference that the American taxpayer paid for the construction and upkeep of the Memorial and therefore as public property an act of desecration is actionable?

I do not think that the payment of taxes to construct and maintain the Memorial should make a difference. Are we to compare the payment of taxes to construct a Memorial with the sacrifice of the hundreds of thousands of men and women who fought in wars over two centuries to preserve the democratic ideals embodied in our Constitution? I think not.

As I said earlier, I am not a frequent supporter of amending the Constitution. I would prefer that we adopted a statute to prevent flag desecration. But those who argue for a statute ignore the fact that 11 years ago Congress adopted a statute—the Flag Protection Act—which outlawed desecration of the flag. That Act was adopted in response to the Supreme Court's decision striking down the Texas statute and along with that state law, the state flag protection laws of 47 other states. Unfortunately, one year later, the Supreme Court struck down the Flag Protection Act, again by a 5–4 vote.

So the only realistic way that we can outlaw flag desecration is by adopting a Constitutional Amendment. Let the people of the 50 states decide whether our flag deserves such protection. I urge my colleagues to support S.J Res. 14.

Mr. LIEBERMAN. Mr. President. I rise today to explain my vote on the Flag Amendment. This is one of the most difficult votes I will have to cast during my tenure in the United States Senate. Words cannot fully express the anger I feel towards those who desecrate the American Flag. The Flag is a symbol of what is great about our country. It is the standard we rally around in war and in peace, in mourning and in celebration and, ultimately, in life and in death. It unites us in our past and in our future. When someone desecrates the Flag, they in a sense strike at all of those things.

It is because I find desecrating the Flag to be so abhorrent and despicable an act, that I will, as I have in the past, support using any statutory means possible to prohibit Flag desecration. But after thinking long and hard about this issue, I have decided that I will again vote against this constitutional amendment. Although I recognize that a statute cannot do the whole job, I cannot vote to amend the Constitution's Bill of Rights for the first time ever in a manner that would restrict, rather than expand, individual liberties. In my view, however great a symbol the Flag is, our Constitution and its Bill of Rights are all that and more. More than a symbol of liberty, they are liberty's real guardian and its true protector. They are not only what unites us, but also what keeps our more than 200-year-old experiment in self-government working. They are the best the Founders of this great nation left to us—a lasting testament to the Framers' brilliant insight that for any people to remain truly free and capable of self-government, that there must be some limits to what the State can do to regulate the speech and political behavior of its citizens. The Flag is an important symbol, but the Bill of Rights is what the Flag symbolizes. We must be extremely cautious in altering the freedoms that this great document guarantees, lest we diminish the ideals for which our Flag stands.

My former colleague Senator John Glenn—an individual whose patriotism and love of country none could doubt—expressed this view well when he submitted a statement to the Judiciary Committee last April. He explained:

> The flag is the nation's most powerful and emotional symbol. It is our most sacred symbol. And it is our most revered symbol. But it is a symbol. It symbolizes the freedoms that we have in this country, but it is not the freedoms themselves. That is why this debate is not between those who love the flag on the one hand and those we do not on the other. No matter how often some try to indicate otherwise, everyone on both sides of this debate loves and respects the flag. The question is, how best to honor it and at the same time not take a chance of defiling what it represents.

As General Colin Powell also recently so well put it: ''I would not amend that great shield of democracy to hammer a few miscreants. The flag will be flying proudly long after they have slunk away.''

Of course I do not believe that our Constitution or its Bill of Rights must remain forever unaltered. But the importance of the Bill of Rights requires us to establish an exceedingly high threshold for agreeing to any amendment. For me, that threshold lies at the point where an amendment is shown to be necessary to address some extreme threat to the Republic or redress some outrageous wrong. In this case, abhorrent though Flag desecration may be, it simply does not meet that threshold.

I know that this is an issue that many feel passionately about. Many of my constituents have brought their views on this issue to me, and I would like to take just a couple of minutes to address some of the arguments they have made.

I have heard it argued that a vote for this amendment is merely a vote to let the People—through their state legislatures—decide the issue. Those who make this argument point to polls showing that as much as 75 to 80 percent of the American public support

the amendment. It frankly is unclear whether support is all that high. I have seen polls showing that a majority of Americans opposed the amendment when they knew that it would be the first in our nation's history to restrict our First Amendment freedoms of speech and expression. But more importantly, a decision on an issue as important as this one should not be made on the basis of polling. It is precisely because of the caution the Framers meant us to use in amending the Constitution, that they required supermajorities of both Houses of Congress as well as of the State legislatures to give their assent before our nation's foundational document could be altered. The Senate was never meant to serve as a rubber stamp in this process, and so I owe it to the People of Connecticut, who have elected me to use my best judgment, to carefully consider issues before me, and to vote the way I believe to be correct.

Some also have suggested that it is not this Amendment that would be changing the Bill of Rights or the First Amendment—that it was instead the Supreme Court that did that when, in 1989, it overturned 200 years of precedent and found Flag desecration to be protected by the First Amendment. The history of this issue is more complicated than that. Most importantly, it's just not correct to say that the Supreme Court reversed 200 years of precedent. The first state Flag statute apparently was not enacted until the end of the 19th Century, and there was no federal Flag statute until 1968. Moreover, it's not really fair to say that the Supreme Court reversed any of its precedents in 1989, because before the 1989 Texas v. Johnson case, the Supreme Court never addressed this issue head on. In fact, in a number of cases throughout the 20th Century dealing with people who treated the Flag in a manner that offended others, the Supreme Court repeatedly either held the conduct to be protected by the First Amendment or found other reasons to overturn the convictions. For that reason, despite dicta in some of these cases distinguishing them from pure Flag desecration, the dissent in Johnson had to acknowledge that ''Our prior cases dealing with flag desecration statutes have left open the question that the Court resolves today.'' 491 U.S. 397, 432.

I must conclude that, abhorrent and despicable as I find desecrating the Flag to be, I cannot vote to support this amendment. In the end, Flag desecration is hateful and worthy of condemnation, but I just cannot conclude that it threatens the Republic. For that reason, although I stand ready to support any statutory means possible to curtail desecration of the Flag, I just cannot support amending our nation's foundational document to address it.

Mr. CRAIG. Mr. President, I join in this debate with mixed feelings.

On one hand, I am very frustrated we are here yet again, as we have been year after year for so long, trying to secure approval for this very important amendment so that it can be sent to the states for ratification. Time after time, we have come within just a few votes of success. But, for whatever reason, those few votes have eluded us, and we have had to go back to square one and begin the legislative process again.

So I cannot approach this debate without a good measure of frustration.

But on the other hand, the very fact that we are here again debating this measure is reassuring. It is proof positive of the American people's continuing belief in the importance of flag protection.

Imagine that. In spite of all the editorials about the erosion of ideals, in spite of all the speeches, some on this very Senate floor, about the loss of values in America, in spite of the dire predictions about moral decline—in spite of all that, there is a strong and growing grassroots movement demanding protection of our Nation's most important symbol: our flag.

Why would we even hesitate to answer that call?

Millions of our fellow citizens are telling us that the sight or mention of our flag still has the power to awaken the spirit of the American patriot. State legislatures are clamoring for the opportunity to protect the symbol of our national aspirations and values.

To those of my colleagues who are searching for signs of spring in a winter of moral decay, let me say: look no further. Here is the sign. This is the call. Now is the time to take a stand and support this amendment.

I do not minimize the fears of those on the other side of this debate. However, it is worth remembering that the U.S. Supreme Court has not hesitated to draw constitutional lines around the kinds of speech that are protected or not protected by the First Amendment. They have found that in some cases, certain interests may outweigh the citizen's right to free expression. As a result, laws may be enacted to restrict those kinds of speech, such as ''fighting words'' or obscenity.

The Court chose not to exempt the behavior that came under scrutiny in the flag case. Frankly, I think they could have, and should have, reached a different result. But my point is that the Congress need not shrink from applying its own judgment to balancing the interests involved. In my opinion, flag protection serves a number of compelling interests but would not prevent the expression of a single idea or message. I do not think the First Amendment must be or would be compromised by protecting the flag from desecration.

Even so, it is also worth noting that what we do here today is only the first step in a long process. This amendment must be ratified by the states, and only after that will Congress fashion an actual flag protection statute. Even if some of my colleagues are uncertain about how to go about crafting legislation to protect the flag, I hope they will all agree that it is appropriate to pass this resolution and give the American people the opportunity they have demanded to consider this issue in the legislatures and town halls and across the kitchen tables of this great country.

Yesterday morning, I had the honor of addressing our Nation's veterans. As I stood before them, I thought of the long line of patriots throughout our history who have defended our flag—some with the supreme sacrifice. Suddenly, the legal hairsplitting and fear-mongering over this issue seemed both trivial and insulting.

Millions of Americans understand, as these veterans do, that the flag is more than a scrap of cloth. It weaves people of diverse cultures together to form our Nation, just as surely as its threads are woven into a pattern that stands for freedom throughout the world. It deserves protection and can be protected without endangering any of the fundamental ideals it symbolizes.

Today, we can send a signal that we understand, that we agree, that we honor the values that the American people have attached to our flag. I hope all our colleagues will join in voting in favor of this resolution and moving the flag protection constitutional amendment to the states for ratification.

Mr. BINGAMAN. Mr. President, I rise to speak briefly on S.J. Res. 14, an amendment to the Constitution of the United States.

As my colleagues know, I will vote against this resolution just as I have voted against previous attempts to pass anti-flag desecration amendments during my tenure in the Senate. However, I take a back seat to no one in my respect for the flag, for what it stands for and, most importantly, for the hundreds of thousands of brave men and women of our armed services who sacrificed so much to defend this Nation, our Constitution, and, yes, or flag. I abhor the desecration of the flag as a form of expressing views about America or a policy of our government. That is why I supported an amendment by Senator MCCONNELL that would prohibit most, if not all, incidents of flag desecration by statutorily banning the desecration of a flag if it is done with the intent to incite or produce imminent violence or breach of the peace, or if the flag belongs to the United States Government or the act occurs on lands reserved for the use of the United States.

In the end, however, it is our Constitution and not the flag which gives us our freedoms. And chief among those freedoms, indeed the fundamental and most important freedom, is the right to speak freely against the government, against a government official or against a government policy. The speech of an individual may be distasteful to the majority, as is the case when someone burns a flag or when the KKK is allowed to march in our cities,

but our Constitution was established to protect the rights of the minority. For when the majority is allowed to rule without a check and balance, tyranny is not far behind.

I don't doubt that the vast majority of Americans oppose, as do I, the desecration of our flag, but we were elected to preserve and protect the Constitution of the United States and I simply do not see how we defend the Constitution by chipping away at its very foundation.

Mr. President, there are many reasons to oppose amending the first amendment for the first time in our Nation's history and for this particular purpose. As several of our colleagues have pointed out, we are not experiencing an epidemic of flag burning in the country. But we likely will, if this amendment passes and Congress goes on to ban acts of desecration.

I also share the concerns raised yesterday by my friend from Vermont, Senator LEAHY, that while the Senate takes 3 or 4 days to debate this amendment, we have not taken the time to address other issues that are extremely important, especially to our Nation's veterans and to our Armed Forces. One example is S. 2003, of which I am a cosponsor and that begins to address the issue of the Federal Government keeping its promises to our veterans in the area of health care. I wish the Senate would take up and pass S. 2003 but we can't seem to find time to do that. Likewise, I recently introduced legislation that would compensate the remaining survivors of the Bataan Death March for the incredible suffering they endured on behalf of their country. I would like to see the Senate take up and pass that legislation but we haven't.

Mr. President, I think our Constitution and Nation are strong enough to handle a few miscreants who want to burn a flag. I think the drafters of the Constitution envisioned that it would survive speech which the majority finds offensive. I believe that a vote against this amendment is a vote for the Constitution and for the most important principle embedded in that document, the right of every American to free speech.

Ms. MIKULSKI. Mr. President. I oppose the burning of our Nation's flag. I oppose it today as I always have. I am deeply concerned about the desecration of the United States flag because of what it says about our culture, our values and our patriotism.

Our flag is the lasting symbol of America. To me, every thread in every American flag represents individuals who have laid down their lives in the name of freedom and democracy.

Yet I cannot support an Amendment to the United States Constitution which would, for the first time in our nation's history, narrow the reach of the First Amendment guarantee of freedom of speech. Instead of expanding the rights of Americans, this Amendment would constrict the freedoms which we fought so hard to win.

Instead, we should enact legislation that accomplishes the same goal—without trampling on our fundamental American rights. I have voted several times for legislation that would have provided protection of the flag through a statute, rather than a Constitutional amendment.

Senator MCCONNELL offered an alternative that sought to create a statutory solution that could have passed the muster of the Supreme Court. The McConnell amendment would have provided for fines or imprisonment for anyone who destroys a flag with the intent to incite violence or breach of peace. This amendment would have protected both our flag and our Constitution. I'm disappointed that it did not pass.

Our flag is a symbol of the principles that have kept our country strong and free. When we think of our flag, we think of everything that is good about this country—patriotism, courage, loyalty, duty and honor. Our responsibility is to live up to these standards—and to foster a new sense of citizenship and a new sense of duty.

We should honor our flag by rekindling these principles—not by amending our Constitution.

The PRESIDING OFFICER (Mr. DEWINE). Who yields time?

Mr. HATCH. Mr. President, I yield 5 minutes to the distinguished Senator from Florida.

Mr. MACK. Mr. President, I intend to speak on another issue. I ask unanimous consent to speak as in morning business for not to exceed 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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## IN SUPPORT OF A PRIVATE RELIEF BILL FOR ELIAN GONZALEZ-BROTONS

Mr. MACK. Mr. President, I come to the floor of the Senate to speak about an incident that occurred just before Thanksgiving Day 1999, when a mother who so loved her son that she tried to bring him to the shores of the United States of America from Cuba. Had she succeeded, she would have joined her family members already in the United States. Instead, she met with tragedy in the Florida straits. The mother died. The five-year-old boy survived. Now, we are being forced to consider young Elian's future.

Today, the freedom sought by a mother for her son is being mocked. Elian Gonzalez finds himself in the middle of a struggle between his Miami family and the Department of Justice, an agency unwilling to consider what is in the best interest of the child, an agency continually impairing a fair presentation of the merits of this case.

I ask my colleagues to open their minds and their hearts and listen to why the current process being used by the DOJ and the INS represents a grave injustice and denies a decision that should be based upon Elian's best interest. Remember when Elian first arrived, the INS stated that the matter was a custody decision for a Florida state family court. Forty-eight hours after Castro threatened the United States, the decision flipped, and continues to bend to Castro's will. Now the administration wants to rush an appeals process to send him back to a country that Human Rights Watch states has ''highly developed machinery of repression.''

In the past week, the Department of Justice has put unrealistic demands on the family of Elian to expedite the appeal of the federal district court decision. The Department of Justice has repeatedly threatened to revoke Elian's parole and remove the child to Cuba if the family fails to agree to their demand that both sides have an appellate brief prepared in one week. These unprecedented tactics short-circuit and dismantle the judicial process in which an appellate is typically allotted a minimum of 30–60 days to prepare a brief. This is plain and simple—Elian's family's civil rights are being denied.

This past Monday, the family under great pressure filed a motion with the Eleventh Circuit to expedite the appeals process, and still, the government's threats have continued. In a letter sent to the family at 10 p.m. on Monday night, the government demanded that the family's attorneys appear for a meeting on Tuesday morning at 9 a.m. with INS officials to discuss the revocation of Elian's parole. The government has continually dictated the terms of all meetings and has bulldozed over the right of Elian and his Miami family.

Today, the Department of Justice has summoned Elian's great-uncle, Lazaro Gonzalez, to a meeting where he is expected by the INS to sign a unilateral demand ''to comply with the instructions of the INS,'' yet the INS has failed to provide the attorneys and the family with what those instructions will be. After all this child has been through, is it too much to ask how the government plans on removing him from the only home he now knows? Should his family agree to having INS agents come to his Miami home and take him? Probably not. But one thing is for sure: they should know the details of what they are agreeing to.

Keep in mind that this same agreement, if signed, destroys any shred of dignity left in our judicial process. It demands that the family's attorneys have a brief prepared to submit to the Supreme Court within 5 days of the appellate court decision, a time line virtually impossible to meet.

In its effort to dictate terms for the family's appeal, the government has betrayed the very integrity for which the Attorney General is charged with defending—equal protection under the law and the right to pursue justice in a free America. In the past week, I've heard justice department officials say they are taking more aggressive action against the family because they want

to prevent them from invoking more ''legal maneuvers.'' These ''legal maneuvers'' happen to be the legal rights of Americans—properly exercised in the middle of an appeals process. These ''legal maneuvers'' are tools in which all Americans are empowered to seek a fair hearing in the United States of America. I find it unconscionable that the justice department would so blatantly express their desire to dictate terms and influence the outcome of this case.

My reason for coming to the floor today is express my sheer frustration and anger in the manner in which the DOJ and the INS has handled this case. The recent acts of these two agencies demonstrate that the administration is no longer interested in resolving this case in a fair, unbiased way. The offer by the Department of Justice is a deeply flawed offer, one that no American would ever accept, one that no person in America should ever have to accept. Elian's mother sacrificed her life for the freedoms of America, freedoms she never had in Cuba, freedoms she never thought our country would deny her son in his moment of need. We should all, despite our views on this issue, be deeply ashamed at any attempt to short circuit justice in order to reach a resolution in the quickest possible way.

In the United States, we stand up to injustice in the world by zealously guarding our laws. We consistently and rightly argue that our strength and power come from our commitment to America's principles: freedom, justice, democracy and the protection of basic human rights. We are a nation founded upon these principles and we remain strong because we defend them. Mr. President, today and throughout the course of Elian's stay in the United States the INS and our Attorney General have not stood up for the one thing they are supposed to defend—justice for all.

Mr. President, I yield the floor.

Mr. JEFFORDS. Mr. President, I ask unanimous consent to proceed as in morning business for a period not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remarks of Mr. JEFFORDS pertaining to the introduction of S. 2311 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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FLAG DESECRATION CONSTITUTIONAL AMENDMENT—Continued

The PRESIDING OFFICER. Who yields time?

Mr. DASCHLE. Mr. President, I will take whatever time may be required and use my leader time.

Mr. President, the debate over the last two days has been deeply moving. When we began this debate, I thought to myself how much I would prefer it if we were talking about veterans' health care, prescription drugs, or raising the minimum wage.

But, I stand corrected. This debate has proved meaningful and proved that our reputation as the deliberative body is earned.

I thank especially the distinguished Senior Senator from Vermont, the Ranking Member of the Judiciary Committee, Senator LEAHY for his fine stewardship of this debate. As always Senator LEAHY has offered much wisdom and demonstrated much skill as he managed this amendment.

This afternoon, as we close this debate I want to draw my colleagues' attention to the statements of Senator ROBERT BYRD and Senator CHUCK ROBB. Both men gave eloquent statements about how they came to their decision to oppose this constitutional amendment. These statements moved me and I dwell on them because they represent my views so well. For neither of these men, was their decision easy. I have come to believe, however, that it is not in easy decisions that you find the measure of a Senator—it is the hard decisions that distinguish the men and women we remember long after they leave this place.

Senator BYRD, in his usual way, reminded us why the Bill of Rights has never been amended in our history. Why? Because it was our founders' design. They set the bar for passage of a constitutional amendment high because they strongly believed that the Constitution should be amended in only the rarest of circumstances. And that has been the case. As Senator BYRD points out, setting aside the amendments involving prohibition, the Constitution has been amended only 15 times in 209 years.

As Senator BYRD noted, ''In the final analysis, it is the Constitution—not the flag—that is the foundation and guarantor of the people's liberties.'' Thus, Senator BYRD conceded that, as much as he loves the flag, and as much as he salutes the patriotism of those who support this measure, he must oppose the amendment. His sentiments reflect so well the struggle I have felt over the years when we have considered this amendment in the past.

I, like other veterans, love the flag that has united us at so many critical times. I cannot understand why anyone would burn the flag simply to call attention to a cause. But as Senator ROBB reminded me—it was to protect the rights of such an unpopular dissenter that I once wore a military uniform. Senator ROBB noted that there will always be another flag to hold high, when one is defiled, but there will be no other Constitution—should we defile it.

Senator ROBB held dying men in his arms in Southeast Asia. He understands the sacrifices men and women will make to save this democracy. This afternoon, as we cast this vote, I am proud to stand with him, to stand with Senator BYRD, to stand with Senators BOB KERREY and JOHN KERRY, and others, to fight here—today—to preserve the principals and ideals these patriots fought for.

As Senator BYRD said today: ''From Tripoli in 1805 to Iwo Jima in 1945 to the moon in 1969, the flag has been raised to commemorate some of America's proudest moments.'' By honoring and preserving the Constitution, we ensure that this symbol—our flag—continues to represent a country devoted to democracy and free speech.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, could I inquire about the time remaining?

The PRESIDING OFFICER. The majority leader has 15 minutes.

Mr. LOTT. Is that the only time left before the vote?

The PRESIDING OFFICER. No. Senator LEAHY has 21 minutes. Senator HATCH has 31 minutes.

Mr. LOTT. Thank you, Mr. President.

Mr. President, I yield to Senator HATCH for a request.

Mr. HATCH. Mr. President, I am prepared to yield the remainder of our time, if the minority will yield the remainder of its time. Senator LOTT will be the last speaker.

Mr. LOTT. Mr. President, I believe it was the plan for the leaders to yield the remainder of time. I believe Senator DASCHLE did that. After all time had been used on both sides, I would be the final speaker, and then we would go to a recorded vote. We indicated we would vote sometime around 4:30.

I ask Senator LEAHY, are we prepared to yield back time on both sides at the conclusion of my remarks?

Mr. LEAHY. Mr. President, it is my understanding that the Senator from Utah was going to yield back his time.

Mr. LOTT. That is correct.

Mr. LEAHY. Has the Democratic leader yielded his time?

Mr. LOTT. He completed his remarks and has yielded the remainder of his time.

Mr. LEAHY. Of course, I understand that in the normal course the distinguished leader would be given the right to make final remarks.

I yield my time.

Mr. LOTT. Thank you very much.

Mr. HATCH. I yield the remainder of my time.

The PRESIDING OFFICER. All time is yielded.

The majority leader is recognized.

Mr. LOTT. Thank you, Mr. President.

Mr. President, I commend those who have been involved in the debate on this very important issue over the past 3 days. It is occasions such as this when I think the Senate quite often rises to the greatest height, but it should, because we are debating very important issues here, symbols of our freedom and our democracy, the Constitution, the flag.

I am pleased we have had this discussion. I think the American people want the Senate to act in this area. Now we are prepared to vote.

I rise in support of Senate Joint Resolution 14, the constitutional amendment to protect the flag of the United

States. What we have before the Senate today is a very simple measure. I have had some discussion with some individuals from outside Washington who asked, how long and how complicated is it? It is not long. It is very simple.

It reads in full:

The Congress shall have power to prohibit the physical desecration of the flag of the United States.

That is the entire amendment.

During most of the history of our Republic, the provision expressed in this amendment would have been noncontroversial. Indeed, prior to the Supreme Court's 5–4 decision in Texas v. Johnson in 1989, 48 States and the Federal Government had laws protecting our most basic national symbol, the flag. The Supreme Court's decision in 1989 reflected a fundamental misunderstanding, a misunderstanding of the law, of our history, and of basic common sense.

Those who oppose this amendment argue that defacing the flag somehow represents speech that must be protected under the first amendment of the Constitution. I think people have a pretty good understanding of what speech is—at least outside of Washington—and what type of activity is protected under our Constitution. I imagine there are some close situations where there is room for disagreement, obviously, but I don't think that is the case here.

We live in a free society where individuals are free to express their views. People can express dissatisfaction with their government, and they do; with the laws, and they do; and even with the flag. They can express those disagreements. While the speech in which some of our fellow citizens choose to engage can at times be repulsive and offensive or even dangerous, we do respect the fundamental right of individuals to express their ideas. No one is suggesting it should be otherwise.

In my opinion, burning the flag is not speech, it is conduct of the most offensive kind. Protecting the right of individuals to destroy property has no relation to the question of whether people are free to speak or to write or to campaign or to petition against the leaders of their government. I strongly reject the notion that those who support this amendment lack concern or respect for our traditions of free speech or for the notion that people should be free to criticize their government. This amendment simply will not hinder those basic freedoms.

Certainly, Senator HATCH, who has led the debate on this side, and many other Senators who will vote for this have great respect for our traditions of free speech and for the Constitution. But they think this is an issue that rises to the level of being considered as an amendment.

This measure does not change the first amendment nor does it alter our historical respect of free speech. It merely restores the original understanding of our Constitution, an understanding that led nearly every State and the Federal Government to maintain for decades laws protecting the flag.

As we consider this amendment, it is essential to remind ourselves that our rights, our constitutional guarantees, do not exist in a vacuum. They exist for a reason—namely, to further our great experiment in self-government and a constitutional republic. They exist to help us thrive as individuals and as a nation.

The American flag is a sacred, basic, fundamental symbol of our Nation's ideals—the symbol of those goals and values for which we have asked our young men and women to fight and die. It is a symbol that causes citizens to rise in pride and to salute. It is a symbol men and women have followed. It is a symbol men have carried into battle. It does represent those basic tenets in which we believe in this country.

Some argue that allowing the desecration of this most vital symbol somehow shows our strength and self-assurance as a nation. I disagree. I think it reflects a perversion of liberty and a misunderstanding of our system of government. Allowing the desecration of our national symbol is not a sign of strength, it is a sign of self-indulgence, as we have in so many areas of our society today, of a nation that does not take seriously the obvious point that our rights coexist with responsibilities and limitations.

The flag is unique. When we went to the Moon, we didn't take some other sign of military might, some billboard, some expression of our great wealth. No, instead we planted the flag, the same flag that was raised over Iwo Jima, the same flag we lower to half mast at times of national tragedy, the same flag we drape over the coffin of our American heroes and our veterans. Surely protecting such a symbol is not only consistent with our deepest traditions but essential to preserve the society that has developed and fostered those traditions.

I sympathize with those who express concern that a constitutional amendment is an extraordinary event and should not be taken lightly. It never is. We have had some tremendous debates over the years on constitutional amendments. Most of them were defeated, but, on occasion, some have passed and they have proven to be good for the advancement of our country.

Had the Supreme Court interpreted the Constitution appropriately, we would not be forced to take this serious and unusual step. However, the Supreme Court's failure to act responsibly on this issue leaves us no other means to protect this symbol for which so many Americans have sacrificed their lives and to which they have pledged their sacred honor.

Some Members of this body claim that these goals can be accomplished through statute. I can say frankly that I wish it would be so but I don't believe it can be so. Make no mistake, the Supreme Court has stated over and over and over again that its interpretation of the first amendment trumps any statute Congress may pass.

If we truly wish to protect the flag—and I know an overwhelming number of Americans do—we have no choice but to vote for a constitutional amendment.

There are those who belittle this amendment and our effort to protect the flag. They claim it is too narrow an issue, too small a problem, and that this is an issue not worthy of Congress' attention. I believe this issue is more important than any appropriation or any new set of regulations for it goes to the heart of who we are as a people and what we are as a nation.

The United States is different from almost every other nation on Earth. Those who come to America don't share the same language, the same religion, the same ethnicity, the same history, or the same geography. Instead of those tangible similarities, Americans are united by intangibles—by our commitment to certain ideals. One of those ideals is the principle of free speech. But another is the devotion to our country and a commitment to work for its success. By asking Americans to respect the flag, we simply ask them to demonstrate that any protest, criticism, or complaint they may have is made with the best interests of the Nation at heart. The measure before the Senate today furthers that basic and essential principle upon which our Nation was founded.

Once again, we are being told that the Senate should reject this, that we know better. Yet look at what has happened. The States have voted overwhelmingly to protect the flag. Forty-eight States had laws protecting it before the Supreme Court decision.

Many State legislatures have called upon the Congress to send this amendment to the States. In fact, I think every State legislature has done that. The House of Representatives has passed a flag amendment by a large, overwhelmingly bipartisan vote. Now it is up to the Senate to do what we should. Are we saying we know better than the American people? That we know better than every State legislature in the Nation? That we know better than the House of Representatives? We know better? Why not allow the people, through their State legislatures, to have the final say? Why not pass this amendment, send it to the people, and let them make the final determination? I think they will make the right decision.

I think we should work together today on both sides of the aisle to pass this amendment and send it to the people.

I yield the floor.

Mr. HATCH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time having expired, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. VOINOVICH). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 37, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—63

| | | |
|---|---|---|
| Abraham | Fitzgerald | Mack |
| Allard | Frist | McCain |
| Ashcroft | Gorton | Murkowski |
| Baucus | Graham | Nickles |
| Bayh | Gramm | Reid |
| Bond | Grams | Roberts |
| Breaux | Grassley | Rockefeller |
| Brownback | Gregg | Roth |
| Bunning | Hagel | Santorum |
| Burns | Hatch | Sessions |
| Campbell | Helms | Shelby |
| Cleland | Hollings | Smith (NH) |
| Cochran | Hutchinson | Smith (OR) |
| Collins | Hutchison | Snowe |
| Coverdell | Inhofe | Specter |
| Craig | Johnson | Stevens |
| Crapo | Kyl | Thomas |
| DeWine | Landrieu | Thompson |
| Domenici | Lincoln | Thurmond |
| Enzi | Lott | Voinovich |
| Feinstein | Lugar | Warner |

NAYS—37

| | | |
|---|---|---|
| Akaka | Edwards | McConnell |
| Bennett | Feingold | Mikulski |
| Biden | Harkin | Moynihan |
| Bingaman | Inouye | Murray |
| Boxer | Jeffords | Reed |
| Bryan | Kennedy | Robb |
| Byrd | Kerrey | Sarbanes |
| Chafee, L. | Kerry | Schumer |
| Conrad | Kohl | Torricelli |
| Daschle | Lautenberg | Wellstone |
| Dodd | Leahy | Wyden |
| Dorgan | Levin | |
| Durbin | Lieberman | |

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 37.

Two-thirds of the Senators duly chosen and sworn not having voted in the affirmative, the resolution is rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. BENNETT. 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. LEAHY. Mr. President, last fall I became the 21st or 22nd person in the history of this body to cast 10,000 votes. When somebody asked me about those votes, whether they were all important, I said: No, a lot of them were merely procedural votes that we all cast, but some were important. Some of those 10,000 were.

Certainly this vote, whatever number of votes I might be privileged to cast on the floor of the Senate, will go down as one of the most important votes, as it will for all Senators. Whether they voted for or against the amendment, it will be one of the most important votes they will cast in their career.

I take a moment to commend the Senate for its actions this afternoon. It protected the Constitution, the Bill of Rights, in particular our first amendment freedoms. This has been an emotional debate, as one would expect, about a highly charged political issue. I believe the Senate fulfilled its constitutional responsibility to both debate and then vote on this proposed 28th amendment to the Constitution.

I thank Senators on both sides of the aisle, Democrats and Republicans, and on both sides of this issue—those who voted, in my estimation, to protect the Constitution as it presently stands and those who used their constitutional right to vote to amend the Constitution. There were thoughtful and heartfelt statements on both sides.

The distinguished Senator from Wisconsin, Mr. FEINGOLD, who is ranking Democrat on the Constitution subcommittee, spoke eloquently on the floor, as he has in committee. He has been a leader on constitutional issues since he arrived in the Senate. I thank him for all he has done.

We heard from Senator KENNEDY. We heard from Senator MOYNIHAN, one of 11 Senators in this body who fought in World War II. We heard from Senator DODD, Senator DORGAN, Senator CONRAD, Senator DURBIN, Senator WELLSTONE, and so many others. All were thoughtful and constructive contributors to the debate.

In particular, I commend my dear and very special friend, TOM DASCHLE, Democratic leader, for his remarks closing this debate and also for his leadership throughout this debate.

Over the last 24 hours, we heard compelling statements—if I may single out a couple—from Senator BOB KERREY, Senator CHUCK ROBB, and Senator JOHN KERRY. Each of these men was an heroic veteran of the Vietnam war. Each was decorated for his bravery, and one had the highest decoration of this country, the Congressional Medal of Honor. Each of them rose to the defense of our freedoms. We have heeded their counsel. We have heeded their service, as we have our former colleague, Senator John Glenn, another American hero; Gen. Colin Powell, another American hero; our late colleague, Senator JOHN CHAFEE; and the many veterans who testified and contacted us urging that we preserve, protect, and defend the Constitution by not amending the first amendment to the Bill of Rights for the first time in the history of our great Nation.

I recognize the courage shown by the distinguished senior Senator from West Virginia, Mr. BYRD—Senator BYRD gave us a history lesson which will be studied long after all of us are gone—and the distinguished Senator from Nevada, Mr. BRYAN, who, during the course of consideration of this proposal, looked inside themselves, looked to the principles of this country and changed the position they had held before. I commend them for that. I thank them. Their legacy will include their dedication to the Constitution and their vote to uphold, protect, and defend it.

I thank Prof. Gary May, Keith Kruel, James Warner, Rev. Nathan Wilson, Prof. Robert Cole, the American Bar Association, People for the American Way, and the ACLU for their views.

I thank Maj. Gen. Patrick Brady and Lt. Gen. Edward Baca for their testimony opposed to the position I have taken today.

I commend Senate staff on both sides of the aisle, those for the amendment and those opposed. I think in this case I may be allowed to thank Bruce Cohen and Julie Katzman of my staff, who spent far more hours than this Senator had any right to ask them to spend on this in answering every question I ever asked, anticipating those I was not wise enough to ask, and always giving me good counsel. Bob Schiff, Andrea LaRue, Michaela Sims, and Barbara Riehle, they should be proud of their work and of the Senate's action today.

I would also like to thank my friend and Chairman, Orrin HATCH, who has fought so hard for this amendment over the years.

Mr. President, I see other Senators seeking recognition. I will yield the floor in one moment. Again, I thank all Senators on both sides of the issue for their dedication to this issue.

I yield the floor.

Mr. WARNER. Mr. President, we respect the comments of our colleague from Vermont. Recognition should also go to Senator HATCH. I realize Senator LEAHY also was about to speak on behalf of Senator HATCH. I want to recognize his efforts in working with the Senator from Vermont on this issue. The final vote was 63, and that is well beyond 50 percent of the Senate by which most issues are decided.

Mr. President, at this time, I notice the senior Senator from South Carolina on the floor. I ask unanimous consent that I be recognized following his presentation.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## MORNING BUSINESS

Mr. THURMOND. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## THE PLIGHT OF ANDREI BABITSKY

Mr. KENNEDY. Mr. President, I welcome this opportunity to express my concern about Andrei Babitsky, the accomplished Russian journalist who still faces serious charges in Russia after being held captive first by Russian authorities, then by Chechens, and now again by Russian authorities.

Mr. Babitsky has worked for the last 10 years for the U.S. government-funded broadcasting service, Radio Free Europe/Radio Liberty. He is well-known as one of the most courageous reporters who has covered the conflict in Chechnya. The skill and courage he demonstrated in his coverage of the conflict are clearly the major reasons for his continuing plight.

Russian authorities repeatedly expressed displeasure with Mr. Babitsky's reporting of Russian troop casualties and Russian human rights violations against Chechen civilians in the weeks leading up to his arrest. On January 8, his Moscow apartment was ransacked by members of the Federal Security Service, the FSB, which is the successor organization to the KGB. They confiscated film alleged to contain photos of dead Russian soldiers in Chechnya.

On January 16, Mr. Babitsky was seized by Russian police in the Chechen battle zone. After first denying that he was in their custody, Russian authorities claimed that Mr. Babitsky had been assisting the Chechen forces and was to stand trial in Moscow.

On February 3, the Russian government announced that Mr. Babitsky had been handed over to Chechen units in exchange for Russian prisoners, a violation of the Geneva Convention to which Russia is a party. Subsequently, Russian authorities claimed to have no knowledge of Mr. Babitsky's whereabouts. As it turns out, he was taken to a so-called ''filtration camp'' for suspected Chechen collaborators, then held at an undisclosed location by Chechen forces loyal to Moscow.

On February 25, Mr. Babitsky was taken to the Republic of Dagestan and told he was about to be freed. But authorities said he was carrying false identity papers, and they arrested and jailed him. Mr. Babitsky says the papers were forced on him by his captors in Chechnya and used to smuggle him over the border.

Facing international pressure to account for Mr. Babitsky's whereabouts since his disappearance, Russian authorities flew Mr. Babitsky to Moscow and released him on his own recognizance.

The allegations of assisting Chechen forces and carrying forged identity papers still stand against Mr. Babitsky. If convicted, he faces at least two years in prison on the identity papers charges alone. The State Department would like to see this case resolved. Radio Free Europe/Radio Liberty is seeking to have all charges against Mr. Babitsky dropped, and I strongly support this effort.

Article 19 of the Universal Declaration of Human Rights guarantees the right to seek and to impart information through the media, regardless of frontiers. Taking into custody any reporter, and transferring him to the custody of hostile forces, is a serious human rights violation and behavior unbefitting a democracy.

I urge the newly-elected Russian President, Vladimir Putin, to demonstrate his commitment to the principles of democracy and respect for human rights and freedom of the press by seeing to it that the trumped-up charges against Mr. Babitsky are dropped.

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## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 28, 2000, the Federal debt stood at $5,733,741,907,422.83 (Five trillion, seven hundred thirty-three billion, seven hundred forty-one million, nine hundred seven thousand, four hundred twenty-two dollars and eighty-three cents).

Five years ago, March 28, 1995, the Federal debt stood at $4,849,996,000,000 (Four trillion, eight hundred forty-nine billion, nine hundred ninety-six million).

Ten years ago, March 28, 1990, the Federal debt stood at $3,051,947,000,000 (Three trillion, fifty-one billion, nine hundred forty-seven million).

Fifteen years ago, March 28, 1985, the Federal debt stood at $1,710,720,000,000 (One trillion, seven hundred ten billion, seven hundred twenty million).

Twenty-five years ago, March 28, 1975, the Federal debt stood at $508,988,000,000 (Five hundred eight billion, nine hundred eighty-eight million) which reflects a debt increase of more than $5 trillion—$5,224,753,907,422.83 (Five trillion, two hundred twenty-four billion, seven hundred fifty-three million, nine hundred seven thousand, four hundred twenty-two dollars and eighty-three cents) during the past 25 years.

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## ELECTIONS IN SENEGAL

Mr. FEINGOLD. Mr. President, I rise today to congratulate the people of Senegal on their recent democratic presidential elections. On March 19, the citizens of Senegal selected a new leader, Abdoulaye Wade of the Senegalese Democratic Party, in run-off elections for the presidency. This election was not just for show. The Senegalese people were not simply going through the motions of political participation. Rather this was a remarkable moment in Senegalese and African history. After 40 years of Socialist Party rule, the Senegalese people peacefully and democratically took control of their country's destiny and chose to make a change.

I also want to acknowledge the behavior of incumbent President Abdou Diouf, who has held power for two decades. President Diouf lost the vote, but he won the respect of champions of democracy worldwide when he accepted the choice of the voters and gracefully congratulated Mr. Wade on his victory. The manner in which he leaves office will be one of the richest elements of his legacy.

Mr. President, so often the only news that Americans hear from Africa is news of war and oppression, of flood and famine, of disease and drought. As a member of the Senate Foreign Relations Committee's Subcommittee on Africa, I have often come to this floor to speak about abuses and conflicts in the sub-Saharan region. But I have also spent enough time learning about Africa to know that small victories are won each day—in cities and villages across the continent, individuals, families, and communities are making real progress in their quest for a better future. This month the people of Senegal won a truly great victory, and it is my pleasure to call this Senate's attention to their achievement.

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## DEPOSIT INSURANCE FAIRNESS AND ECONOMIC OPPORTUNITY ACT

Mr. SANTORUM. Mr. President, Senator JOHN EDWARDS and I introduced S. 2293, the Deposit Insurance Fairness and Economic Opportunity Act. Also joining in this effort are Senators JESSE HELMS, FRANK MURKOWSKI, and KAY BAILEY HUTCHISON.

This bill is a continuation of an effort begun last year during consideration of S. 900, the now Gramm-Leach-Bliley Act. I offered an amendment on the Senate floor regarding the annual obligation that banks and thrifts pay into their respective deposit insurance funds to retire the debt on bonds issued by the Financing Corporation (FICO) in the late 1980s. This annual assessment for banks and thrifts totals nearly $800 million. This money is used to support the federal deposit insurance system consisting of the Bank Insurance Fund [BIF] and the Savings Association Insurance Fund (SAIF).

By law, banks and thrifts are required to contribute the equivalent of 1.25 percent of their deposits into the insurance funds for it to be considered capitalized. Presently, and for the last several years, these funds have met—and exceeded—that statutory requirement. For example, the SAIF steadily increased from 1.25 percent in 1996 to 1.45 percent in 1999. Similarly, the BIF rose from 1.34 percent in 1996 to 1.37 percent in 1999.

Over time, this situation has evolved where banks and thrifts are required to meet the annual obligation despite an overcapitalization of the insurance funds. In short, this is money that is leaving our communities that could be used for expanded lending in the areas of home buying, small business start-ups, and educational expenses. According to a former Federal Deposit Insurance Corporation [FDIC] Commissioner, every dollar available for capital can yield $10 in additional community lending. Therefore, it is projected that this bill could generate up to $8 billion in new loans each year.

To achieve the goals of requiring the banking community to meet their financial obligation to the funds; maintain the safety and soundness of the deposit insurance funds; and allow needed dollars to remain in our communities,

Senator EDWARDS and I have proposed the following in S. 2293: (1) Raise the designated reserve ratio of the deposit insurance funds from the current 1.25 percent of assets to 1.4 percent of assets. This will provide an enhanced buffer in the deposit insurance funds to ensure their continued safety and soundness; (2) Allow funds in excess of the 1.4 reserve ratio to be used to pay the annual FICO obligation; (3) Allow money to be returned to banks and thrifts on a pro-rata basis when the debt is retired on the FICO bonds in 2017. As mentioned before, the BIF and SAIF are overcapitalized, and continue to grow since the funds are invested in government bonds and generate investment income. The legislation specifies that only when both BIF and SAIF exceed the 1.4 reserve ratio can the excess be used to pay the annual assessment.

I believe the approach set out in S. 2293 is one of common sense. Congress required the two deposit insurance funds to be capitalized at a set level. The mandate was accepted and met by the bank and thrift industries, and growth in the fund has led them to exceed the original requirements. This legislation simply affirms that banks and thrifts must continue to meet their statutorily-required financial obligation, and if the deposit insurance funds are healthy and sound, then such excess dollars can be kept in their communities.

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## SUPREME COURT CASE OF DOE VERSUS SANTA FE INDEPENDENT SCHOOL DISTRICT

Mr. THURMOND. Mr. President, among the greatest traditions in my state and in many parts of the country are high school football games on Friday nights. These are very important events each fall in the lives of students and their families in countless communities.

These athletic activities often include a simple, non-denominational prayer to set the tone for the evening, and to promote good sportsmanship and safety for the students. These prayers are beneficial to students and spectators alike. Recently, prayer at high school football games in a Texas public school district was challenged as unconstitutional. The Fifth Circuit Court of Appeals held in a divided opinion that this practice violated the establishment clause of the First Amendment. The case is being considered by the Supreme Court today, and it is my hope that the Court will reverse this misguided decision.

I have long believed that non-denominational prayer should be permitted in public schools. I believe that our society for years has been going too far in trying to create a complete separation between church and state. The fact is that religion has always been a central part in the lives of Americans, and each generation seeks to pass these values on to their children. The courts should recognize the role of religion, and not try to separate it from every aspect of public life. Indeed, the government should encourage the expression of religious beliefs by our young people. We should not require them to check their religion at the door when they enter the school house or any other public building.

When I open the Senate each morning, we have our Chaplain deliver an opening prayer. I think it is vital that we start each day with this prayer. Yet, there is no more public building than the United States Capitol. Our children certainly should not be denied this same benefit at football games.

In the case the Supreme Court is considering, it is entirely clear that the prayer is not controlled or sponsored by the state. The prayer is conducted during an extracurricular activity, not during school hours. Also, the prayer is not led or controlled by teachers or school administrators. Rather, the students choose whether they wish to have prayer at their football game and, if so, which student will lead the prayer. The students make the decisions.

I hope that the Supreme Court will decide that the school's policy of permitting student-led, student-initiated prayer at football games does not violate the establishment clause. Student prayers at these events are a vital part of these traditions, and I sincerely hope the Court will agree.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

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## COMMENDING SENATOR THURMOND FOR HIS REMARKS ON SCHOOL PRAYER

Mr. WARNER. Mr. President, I commend our distinguished colleague from South Carolina for his excellent remarks. He speaks from the heart on that subject, as he does on all of his work in the Senate. It is a privilege for me and others to learn from him constantly.

Mr. THURMOND. I thank the Senator.

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# ADDITIONAL STATEMENTS

## DEDICATION OF WILLIE MAYS PLAZA AT PACIFIC BELL PARK

● Mrs. BOXER. Mr. President, it is a pleasure to alert my colleagues to the March 31 dedication of Willie Mays Plaza at the new Pacific Bell Park in San Francisco. This dedication is the first in a series of events leading to opening day on April 11, when the hometown Giants begin a new era against their old rivals the Los Angeles Dodgers.

The opening of the new park is cause for great excitement among baseball fans in San Francisco, in California and throughout the country. Situated a short distance from downtown and directly on the Bay, Pacific Bell Park is both an architecturally stunning building and a state-of-the-art baseball facility. Notably, it is the first privately financed professional ballpark in the United States in 35 years. And unlike the Giants former home at Candlestick Park, PacBell Park is for baseball only.

Willie Mays Plaza is located at the main entrance to the park at Third and King Streets. In recognition of Willie Mays' number, the official address of the stadium is 24 Willie Mays Plaza. In addition, the plaza features 24 palm trees and a nine-foot bronze sculpture of the hall of famer. This handsome public space is a fitting tribute to a living legend.

It is very appropriate that the Giants have chosen to honor Willie Mays in this way. Arguably the greatest all-around player to ever play the game, if Willie Mays is not synonymous with baseball, he is certainly synonymous with the Giants. He began his career with the team in 1951 and made the move to San Francisco with the club in 1957. All told he played 20 years in a Giants uniform. Over the course of his fabled career, he hit 660 homeruns, had 3,283 hits and 1,903 runs batted in. And if this were not enough, he scored 2,062 runs, stole 338 bases, earned 12 consecutive Gold Gloves and had a career batting average of .302. A true student of the game, it is small wonder that Willie Mays remains a hero to countless fans the world over.

After a brief stint with the New York Mets at the very end of his career, Willie Mays soon returned to the Giants. Since his retirement in 1972, he has never strayed far from the game or the organization. He is currently Special Assistant to Giant's President Peter Magowan. In this capacity, he is an ambassador for the team at all manner of civic and charitable events.

On the field and off it, Willie Mays has always embodied dedication, teamwork and the pursuit of excellence. In naming this prominent part of Pacific Bell Park in his honor, the San Francisco Giants are assuring that the Say Hey Kid's example will grace this city, this team and its loyal fans for many years to come.●

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## TRIBUTE TO IOWA STATE UNIVERSITY AND DRAKE UNIVERSITY BASKETBALL TEAMS

● Mr. HARKIN. Mr. President, I wanted to take a moment to express my congratulations to and praise for the outstanding performance of both the men's and women's basketball teams at Iowa State University and the women's basketball team at Drake University this year. Drake concluded its season with a 23–7 record, while winning its fourth Missouri Valley Conference championship in the last six years and another automatic bid to the NCAA Tournament. Carla Bennet was named to the MVC All-Tournament team along with junior guard Kristin Santa. This year was Drake's seventh appearance in the tournament. The Bulldogs have advanced to the tournament four

times in the last six years, with appearances in 1986, 1984, and 1982 as well so they continue a long, proud tradition.

Both Iowa State teams finished as regular season champions of the Big XII conference, then followed up that feat with convincing wins at the conference championship tournament, entitling each team to an automatic bid in the 2000 NCAA basketball tournaments. The men's championship was the university's first since 1945, when the conference was still the Big 6, while it was the first women's conference title since varsity women's basketball started at Iowa State in 1973. So these are great accomplishments.

Their achievements are exemplified by the selections of Marcus Fizer as a first-team All-American from the men's program and Stacy Frese as a second-team All-American from the women's program, but each team is much more than just its stars. Both All-Americans are complemented by strong position players throughout their respective teams, and neither team would have reached this pinnacle without the enthusiastic support of Iowa State's fans. On the weekend of the Big XII championships, held in Kansas City, a substantial portion of the city of Ames migrated south for that event, filling the arenas with loyal wearers of cardinal and gold, the team colors.

As an Iowa State graduate myself, I want to salute their accomplishments, including their fine performances in the NCAA tournaments. Both teams were active in the tournament through last weekend, the men losing in the regional finals and the women in the regional semifinals. We have a long, proud tradition of excellent basketball teams in the state of Iowa at the high school and college level, and Iowa State's 1999–2000 men's and women's basketball teams and the Drake women's team have shown themselves worthy of joining that pantheon. They're both great teams, and they did Iowa proud.●

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## CELEBRATING GREEK INDEPENDENCE DAY

● Mr. DURBIN. Mr. President, the annual March 25th celebration of Greek Independence Day commemorates the independence of Greece from 400 years of oppression under the Ottoman Empire. Greeks have made great contributions to the world in literature, philosophy, mathematics and government. The names of Homer, Socrates, Euclid and Alexander echo through the pages of world history. It was the Greek people who started the Olympic Games saying there was more honor in peaceful competition than in wars of conquest. The greatest gift Greek people have given the world, though, is a simple yet powerful idea that was born over 2,000 years ago. It is the idea that a nation's power lies in the hands of its people. The Athenian republic was the world's first democracy, a fact that all free nations must respect.

The bonds that join the United States and Greece are deep and long lasting. Our fore-fathers recognized the spirit and idealism of ancient Greece when drafting our Constitution. Forty-five years after our own revolution for independence, Greece freed itself with its own revolutionary struggle.

In every major international conflict of this century, Greece has been a proud ally of the United States. Honoring this day will pay special tribute to those Greek men and women who gave their lives for the common cause of freedom. Greek-Americans can especially take pride in their ancestors' sacrifice. The many Greek sons and daughters who have come to the United States have worked honorably in all areas of American life, including public service. Greek culture flourishes in American cities, adding to our country's rich diversity.

I hope Greece will resolve its differences with its Turkish neighbors over Cyprus. I hope all people in the region share in America's belief that this can be achieved through diplomacy instead of violence. Let us be mindful of the olive tree and the Olympic flame, the great symbols of Greece, and remember, too, that they are also symbols of peace.●

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## THE PEACE CORPS' 40TH ANNIVERSARY

● Mr. KENNEDY. Mr. President, at a recent event at the John F. Kennedy Library in Boston, the Chairman of the Library Foundation, Paul G. Kirk, Jr., and the new Director of the Peace Corps, Mark Schneider, spoke of the importance of the Peace Corps as it launched its year-long, 40th anniversary celebration. Mr. Schneider announced a new initiative to expand the role of Peace Corps volunteers in bringing information technology to the task of reducing poverty in developing countries. He also outlined a plan to expand the Peace Corps' efforts to raise global awareness about HIV, the virus that causes AIDS.

It is fitting that this occasion was held at President Kennedy's library. In March 1961, President Kennedy launched the Peace Corps as a new idea to demonstrate that a new generation of Americans was moving into positions of leadership in the United States, and they intended to serve the cause of peace around the world.

The Peace Corps today continues its vital and thriving mission, with 7,400 volunteers serving in 77 countries, including recent missions in South Africa, Jordan, Mozambique and Bangladesh. In the past four decades, more than 150,000 Americans have served as Peace Corps volunteers in 134 countries, promoting peace, education, economic development and international cooperation.

Mr. President, I commend the significant current role of the Peace Corps in involving U.S. citizens in world affairs, and making the world a better place by their efforts. I ask consent that the addresses by Mark Schneider and Paul Kirk be printed in the RECORD.

The material follows:

REMARKS OF PAUL G. KIRK, JR.

Thank you, Jim. Good evening. I know this is a special occasion for all of you, but I want you to know that it is an equally special evening for those of us associated with the Kennedy Library. Like each of you, I am also a volunteer in an important cause. And in my responsibilities as Chairman of the Board of Directors of the John F. Kennedy Library Foundation, few privileges are as significant as having the honor to welcome home so many Peace Corps Volunteers to the nation's memorial to President Kennedy.

Senator Kennedy and Mark Schneider agreed that this Library, whose mission it is to honor John Kennedy's public life and career and to perpetuate his passion for service, is the most appropriate site at which to begin the celebration of the 40th Anniversary of the Peace Corps. And I congratulate you and I am delighted to welcome you all on behalf of the Kennedy Family, our Board of Directors and our dedicated staff.

Here in New England, as you know, we enjoy many seasons. At this time of year, we look forward to the springtime—a season when nature's energy bursts forth, when promise and hope are renewed—when opportunities seem limitless—and when a spirit of confidence and optimism make all of us, regardless of our age, feel younger than our years.

If it could be said that politics also has seasons, 40 years ago there began a season in our history that proved to be—and remains today—the height of America's political springtime—as the nation, renewed in energy, hope and idealism, responded to the patriotic call to service of the newly elected, youthful 35th President of the United States.

If, as I believe, his 1000 days were ''the height of America's political springtime'', then it must be said that the planting and the subsequent flowering of the Peace Corps epitomizes all that is the very best in the lasting legacy of that season of service.

On March 1, 1961, 6 weeks after his inauguration, upon signing the Executive Order establishing the Peace Corps, President Kennedy said he was convinced that ''We have in this country, an immense reservoir of men and women—anxious to sacrifice their energies and time and toil to the cause of world peace and human progress.''

He acknowledged that ''life in the Peace Corps will not be easy,'' but he also promised it would be ''rich and satisfying.''

''. . . (E)very young American who participates in the Peace Corps—who works in a foreign land''—he said, ''will know that he or she is sharing in the great common task of bringing to man that decent way of life which is the foundation of freedom and a condition of peace.''

40 years later, thanks to your service and what you continue to do, his words have a timeless quality.

Tonight, you begin your 40th Anniversary celebration at a Library and Museum that celebrates scholarship and service in John Kennedy's memory each day it opens its doors. His history and yours are preserved here for scholastic research.

We seek to perpetuate his inspiration and yours by the various activities and programs which take place here: the Profile in Courage Award, the Distinguished Foreign Visitors Programs, the forums and symposia promoting public discourse on the issues of our time, the 1st Pres. Debate of general election

2000 which we will co-host with the University of Massachusetts-Boston, the John F. Kennedy Library Corps a youth based community service and leadership program modeled after the Peace Corps itself.

Your own service in the Peace Corps and your presence here tonight speak the mission of the Kennedy Library. At a time when citizen participation, even voting, in the world's greatest democracy, is embarrassingly low, reminding others of the importance of service is at the core of our message.

No group can take greater pride in having lived President Kennedy's mantra that ''each individual can make a difference, and all of us must try'' than Peace Corps Volunteers. We are honored by your presence, and the country is honored by the difference you have made by your service, and we hope you'll return next year to wind up your anniversary celebration in the tone and spirit and at the place where it begins tonight.

In addition to marking your 40th Anniversary, tonight could also serve as the 30th Reunion of Mark Schneider and myself. As you know, Mark is the second returned Peace Corps Volunteer to head the agency. Upon his return from El Salvador, 30 years ago Mark and I began working together in the Washington office of Senator Ted Kennedy. Mark came to Massachusetts for the Senator's 1970 campaign and tonight could probably tell you as much about the issues and demographics of this state as could the head of our Chamber of Commerce.

From those days to this, Mark has demonstrated the idealism, energy and leadership qualities reflecting the very best in a career of public service. In key posts at the Department of State, Pan American Health Organization, and at USAID, Mark's values, his leadership and commitment made a difference in the lives of hundreds of thousands of families in other lands who will never know his name.

I can tell you that the Peace Corps is in the hands of the best of individuals under the direction and leadership of a man whose name and values I know well and respect greatly. Please join me in a rousing New England Peace Corps welcome for the Peace Corps' able Director, Mark Schneider.

Mark, as a way of sharing and renewing and celebrating all that was begun by President Kennedy 40 years ago, on behalf of all of us here who seek to remind future generations of his inspiration and to perpetuate his challenge for sacrifice and service, I present this bust of John Kennedy to you, as Peace Corps Director, from the Kennedy Library and Foundation.

It is our hope that this bust will be displayed in the Director's Office not only commemorating this occasion and this Anniversary year but also reminding those in years to come that Peace Corps Volunteers will forever remain the best products of ''the height of America's political springtime''.

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REMARKS OF MARK L. SCHNEIDER

I would like to begin by saying on behalf of all our Volunteers serving around the world and all of the thousands of returned Volunteers who continue to serve our communities here at home that we are deeply honored to celebrate the third annual Peace Corps Day at the John F. Kennedy Memorial Library. I cannot think of a more appropriate place to celebrate one of President Kennedy's most enduring legacies than this wonderful library .

I would like to express our deep gratitude to Brad Gerratt of the Kennedy Library, and Paul Kirk of the Kennedy Library Foundation, for their generous invitation and cosponsorship of this event. Let me also thank Doane Perry and the Boston Area Returned Peace Corps Volunteers for also cosponsoring the activities planned for Peace Corps Day in Boston today and tomorrow.

I also would like to say a special thanks to Senator Edward Kennedy, who could not join us but sends his best wishes. As some of you may know, I had the honor of working as a member of Senator Kennedy, who could not join us but sends his best wishes. As some of you may know, I had the honor of working as a member of Senator Kennedy's staff some years ago. It is a privilege for me to call him both a friend and a mentor. Our country owes Senator Kennedy an enormous debt of gratitude for his years of distinguished public service, his enduring commitment to working people in our society, and his continuing support for the Peace Corps. The work still goes on. The hope has endured and the dream will never die.

Let me welcome all of the returned Volunteers in the audience and thank you for helping us celebrate Peace Corps Day. When President Kennedy signed the Executive Order establishing the Peace Corps on March 1, 1961, he said, ''. . . we have, in this country, an immense reservoir of [such] men and women—anxious to sacrifice their energies and time and toil to the cause of world peace and human progress.'' And you have proved him right.

Over the years, more than 7,000 thousand Peace Corps Volunteers have been recruited from Massachusetts and its many institutions of higher education. Indeed, just a few weeks ago, we released a list of the top 25 colleges and universities that have produced the most Peace Corps Volunteers currently serving overseas. Massachusetts can take great pride in the fact that Boston University and UMASS/Amherst were among those top 25 schools. Tufts, Williams and Brandies were among the top ten of small colleges and universities. Massachusetts also can take pride that it elected the first former Peace Corps Volunteer to the United States Senate in 1978, the late Sen. Paul Tsongas, who had served in Ethiopia. His daughter, Ashley, is carrying on the Peace Corps tradition, also serving in Africa.

I am delighted to be with you here at the Kennedy Library to give you a brief update on what is happening at the Peace Corps, to talk about Peace Corps, to talk about Peace Corps Day, and to announced a special initiative for the Peace Corps in the 21st century.

In my view, this is an exciting time to be associated with the Peace Corps. Let me tell you just a few of the many reasons why I say this.

Today, there are more than 7,000 Peace Corps Volunteers serving in 77 countries. In the last month, I have had the chance to visit with some Peace Corps Volunteers in Guatemala, Honduras, El Salvador, Guinea, Togo, Ghana and Bulgaria. I am pleased to report that they are doing outstanding development work to improve the lives of people in their communities.

In Guinea, I met with Volunteers who had worked with an NGO and the public health ministry helping to end female genital mutilation, and who convinced an entire area to give up the practice when the women excisers were given an alternative way to earn income. Another Volunteer who had been stung by a bee turned that experience into a women's micro enterprise project that is exporting honey to neighboring countries. I also saw teachers who were helping prepare the next generation of leaders. In Togo, I saw a Peace Corps Volunteer working with a local NGO where skits kept 300 high school students mesmerized as they learned of the killing nature of HIV/AIDS and how to prevent its transmission.

In Ghana, I met Melinda Patterson from Watertown, Connecticut. She is helping her community, Mafia-Dove, build a school. She has also organized a women's water and sanitation committee to introduce clean water and latrines into their community to break the transmission cycle of water-borne diseases that needlessly kill thousands of Ghanaian children under the age of five, each year. I had a special introduction to that community when I was greeted by a celebration there last week. A deputy chief from the EWE tribe formally welcomed me, and as loin-clothed dancers performed, the water-sanitation committee women placed a beaded peace bracelet on my arm and sprinkled it with good luck powder. They understand well the balance between tradition and modern technology and were helpful that the new electric power mainline nearby would reach their community soon.

Across Ghana, Volunteers are working with small businessmen, teaching thousands of high school students and collaborating with their local communities to promote eco-tourism and protect bio-diversity, from protecting the last hippopotamus, to securing national park status for a unique monkey preserve.

My pride in the work of Volunteers was matched by that of the country's leaders. The Ghanaian Vice President—as did almost all leaders I met—recalled the name of a volunteer who had taught him math two decades earlier. He said that Peace Corps Volunteers, then and now, go to the most distant and difficult communities, places where some of his own countrymen will not live. The Volunteers provide an example of service, of sacrifice. He said we all need to learn that you have to ''die a little bit'' to help the country progress.

In Bulgaria, where the historic transition to democracy is barely a decade old and where environmental awareness is just awakening, I met Jeremy West, a forestry volunteer from North Carolina working in the beautiful town of Etropole, nestled against snow-capped mountains. In an open town meeting, the mayor and council approved Jeremy's plans, developed with local teenagers, to turn the former communist party headquarters into an environmental resource center where young people will help spotlight the area's bio-diversity and the threat of pollution.

The Peace Corps is alive and well and keeping faith with its legacy. That is why it remains one of the most effective, best-known and widely accepted international volunteer organizations in the world. Each year, we continue to receive more than 100,000 inquiries from people interested in serving in the Peace Corps. We have strong bipartisan support in Congress, and earlier this year, President Clinton proposed a $30 million increase for our budget.

Those funds are crucial if we are to keep pace with the bi-partisan decision of the Congress, approved last May, to support President Clinton's proposal to restore the Peace Corps to 10,000 Volunteers.

We also are strengthening our ties to Returned Peace Corps Volunteers. After their overseas service, many returned Volunteers continue to serve their own communities through countless volunteer activities. And we thank those of you who help us recruit new Volunteers. Over the next 12 months, we look forward to working with returned Volunteers here in Boston and across the country, as well as with the National Peace Corps Association and other friends of the agency, on plans to celebrate our 40th anniversary in 2001.

Peace Corps Day was started three years ago to shine a spotlight on the agency, the development work of our Volunteers around the world, and the continuing service that returned volunteers across the country bring

to their communities here in the United States. And it's been an extraordinary success.

I am pleased to report that tomorrow, according to our best estimates, nearly 12,000 returned Peace Corps Volunteers and educators will lead classroom presentations to more than 500,000 students in our nation's classrooms on Peace Corps Day. These presentations enable young people to learn about what it is like to live in another country, to learn another language, and adapt to a new culture.

Tomorrow, I will visit Woodrow Wilson Elementary School in Framingham, where State Senator David Magnani and I will talk about our own Peace Corps experiences in Sierra Leone and El Salvador. I also will make a trip to Maria Royston's classroom at the Placentino Elementary School in Holliston. Maria, who is here with us tonight, served as a Peace Corps Volunteer in Cameroon. She, another returned Volunteer, Tasha Ferraro, and I will speak with her students and then make an international telephone call to a Peace Corps Volunteer who is serving as a teacher in the west African nation of Burkina Faso. This Volunteer, Molly Shabica, who hails form Providence, helps bring the world back home throughout the year by participating in the Peace Corps' outstanding program, World Wise Schools, which links more than 7,000 teachers here at home to Peace Corps Volunteers serving overseas.

As returned Volunteers speak about their Peace Corps experience, I think the visits they make to classrooms in their communities tomorrow will promote an even larger purpose for our nation's young people: these returned Peace Corps Volunteers stand as examples of the ideal of service. Over the years, virtually every American who has taken the oath to become a Volunteer, and returned home after two years, transforms that oath into a lifetime pledge of public service. This ideal is at the heart of the Peace Corps, and it is what has motivated more than 150,000 of our citizens to answer President Kennedy's call to serve our country and the world.

So I want to thank every returned Volunteer who is participating in Peace Corps Day here in New England and in cities and towns across our country. They are continuing that legacy.

Since I became Director of the Peace Corps, I have thought a lot about what our Volunteers have accomplished over the last 39 years, and what they are doing today in this new and exciting century. We have established a great legacy and tradition of service. Our Volunteers do much to strengthen the ties of friendship and international understanding between Americans and the people of other countries.

If there has been a change over the past four decades, I believe it may be the following. Today's Peace Corps Volunteers have a unique capacity to produce an even greater development impact than their predecessors. They possess new skills and talents that can help the communities where they serve, bridge the digital divide. Our Volunteers can bring the power of information technology to enable hundreds of thousands of people in developing countries learn more, live healthier lives, and earn more income.

Most of our Volunteers who are serving in the Peace Corps are comparative experts in information technology, and many of them already are pioneering computer access in some of the poorest communities in the world.

For instance, Peace Corps Volunteers are helping to set up a cyber cafe in Senegal and a millennium computer literacy project in Ghana for small businesses, that has won international awards. One innovative education Volunteer in Kenya powered his laptop with abandoned solar panels so he could surf the Net in order to help prepare his lesson plans for his students.

A few weeks ago during my trip to Central America, I met an outstanding senior Volunteer who had spent 40 years as a marketing executive at the Goodyear tire company. He served two years as a business Volunteer in Ukraine. Today, he is in his second tour as a business Volunteer in Guatemala, where he is working with a small company that helps Mayan women's cooperatives expand their markets and improve their products. He taught them how to make a web page that now is advertising their traditional fabrics in the E-commerce marketplace.

In Bulgaria, I met Allison Rainville, Angela Roe, and Heidi Berbee. Allison from North Andover, Massachusetts, is teaching English to students in the town of Bourgas. But she also is working with the Bulgarian Red Cross to provide basic computer training to Red Cross workers. Angela, from Stockbridge, Georgia, is working on community economic development and she is helping her business students link into the Internet for the first time and teaching them how to make their own web page. Heidi, from Minnetonka, Minnesota, is teaching students to use the Internet for research and is giving some of her female students an opportunity to learn about government by e-mailing mayors to ask them about their jobs.

These are just several examples of how Volunteers are using technology to help their communities develop and prosper. But I believe that more can be done. History has taught us that whenever technological advances are made—whether it is electricity, telephones, or modern modes of transportation—the poor tend to benefit last. Globalization is having the same impact. As the developed world moves forward every day with even new advances in technology, the poorest countries and the poorest communities in each country are left farther behind, largely because of lower educational levels. Our Volunteers, with their computer skills and presence in some of the smallest towns can help alter that reality.

That is why I am announcing today a new initiative that will expand the role that our Volunteers play in bringing the power of information technology to the task of poverty reduction. I am asking the Peace Corps' staff at our headquarters and at our overseas posts to place a new and more coordinated focus on technology and develop specific Volunteer projects that will expand the use of information technology, computers, and the Internet in developing countries.

For instance, we will see what more our Volunteers can do to help micro-entrepreneurs explore new markets through technology. Volunteers can work with farmers to use information technology for improving agricultural practices. They can help local health workers use technology to monitor immunization programs for children. Peace Corps Volunteers and teachers can find new ways to bring the Internet into more classrooms. They can work on a wider basis with municipal governments, non-governmental organizations, environmental groups, and youth organizations to bring the power of technology to bear on local problems.

This technology initiative will, in my view, simply give Volunteers the green light to innovate, in bridging the digital divide, while remaining true to the core mission that President Kennedy set out for the Peace Corps—to help the people of the developing world help themselves.

Information technology is not a development panacea to solve the many challenges that confront the world's poorest countries. But it can contribute to new solutions. Nor am I suggesting that the Peace Corps can or should become the financier for computers. That is the task of others.

But the technology skills of Peace Corps Volunteers can, where appropriate, play a significant role in introducing technology to their overseas communities. Our Volunteers can serve as advisers, collaborators, and facilitators for their communities and their counterparts. In that way, the many technology projects that are financed by other organizations can become accessible to students and businesses that are not in the main square of capital cities, but at the end of the road in distant villages.

I also would like to challenge America's information giants to expand their cooperation to respond to computer projects that Volunteers, in collaboration with their students, communities and counterparts, are beginning to develop around the world.

After my trip these last two weeks, I feel even more strongly about two other issues that I also would like to highlight today. Both are global in nature but each impacts with greatest urgency in Africa.

First, I come here with a great sadness, concern and determination to do something more about the horrendous destruction being caused by HIV/AIDS in Africa. The spread of AIDS is inflicting a terrible and devastating toll on millions of innocent people and preventing many countries from consolidating their gains in economic and social development. Last year, ten times as many people died of AIDS in Africa as were killed in all the continent's wars combined. It will soon double child mortality and reduce life expectancy by 20 years.

The magnitude of the HIV/AIDS devastation is hard to comprehend fully. UNAIDS and other international health organizations report that of the 33.4 million cases of HIV/AIDS reported worldwide; 23.5 million of them are in Africa. There are 7.8 million AIDS orphans, and while the average infection rate in sub-Saharan Africa among adults is 8%, it ranges in some countries up to 26%. Africa has 10% of the world's population and 70% of the world's HIV/AIDS. Already, an estimated 13.7 million Africans have lost their lives to AIDS.

There is no greater humanitarian crisis. There is no greater development obstacle. There is no greater political challenge than adopting effective HIV/AIDS prevention and control strategies in Africa.

For that reason, I was pleased that the country directors in Africa all agreed to explore how to incorporate a health education component on HIV/AIDS into every program. Almost all of our programs in health do. Now we must take the next step. We simply have to find additional ways to assist the countries where we serve to do even more in their efforts to reduce the spread of AIDS.

Secondly, three decades ago, Peace Corps Volunteers played an important role in the successful international effort to eradicate smallpox. More recently, they have made significant contributions to the world's efforts to eradicate Guinea worm.

Today, the World Health Organization, UNICEF, and Rotary International are embarked on a major project to eradicate polio by the year 2005. Given that many of our Volunteers serve in remote areas of their countries, Peace Corps will seek to become part of this international effort to eradicate polio. Some of our Volunteers already help organize immunization campaigns in their villages. We will be expanding these immunization efforts in countries where the threat of polio still exists, collaborating with national immunization efforts that are part of the global campaign. The Peace Corps would be making yet another enormous contribution to protecting children from the devastating impact of a preventable disease.

President Kennedy said in his second State of the Union, ''I sometimes think that we are too much impressed by the clamor of daily events. . . . Yet it is the profound tendencies of history and not the passing excitement that will shape our future.'' The Peace Corps has been addressing those profound tendencies of history over the past four decades. With your help, I have no doubt that Volunteers will continue to do so as we enter this 21st century.

So as I said a few moments ago, this is an exciting time to be a part of the Peace Corps. I am thrilled to be its Director and I am delighted that so many of you could be here with us to celebrate Peace Corps Day.

Thank you very much.●

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## HOPE NETWORK, S.E. FIFTH ANNIVERSARY CELEBRATION

● Mr. ABRAHAM. Mr. President, I rise today to recognize Hope Network, S.E., an organization which will hold its Fifth Anniversary Celebration on April 9, 2000. Since it opened in 1994, Hope Network, S.E. has provided disabled and disadvantaged individuals of Oakland, Macomb, and Wayne Counties not only with places to live, but, more importantly, with communities to live in.

Hope Network, S.E. is a member organization of the Hope Network, which employs more than 2000 people and operates from more than 130 different locations throughout the state of Michigan. The mission of Hope Network is to enhance the dignity and independence of people who have disabilities and/or are disadvantaged. The foundation of its efforts is the belief that every individual is created in the image of God and therefore has intrinsic worth and dignity.

The primary goal of Hope Network, S.E. is to provide the highest quality of living for people with disabilities. This is done by respecting the dignity and independence of these individuals, by giving them the opportunity to offer input and make decisions about their own personalized plan of service. The success of Hope Network, S.E. lies in this process, for it is a process which encourages disabled individuals to become involved in community and social activities.

Part of the Fifth Anniversary Celebration is an art show and auction. The pieces of art on display were created at The Art Experience, a gallery in Oakland County which offers art therapy for mentally ill individuals. Its biggest client, not surprisingly, is Hope Network, S.E. Employees of Hope Network, S.E. transport individuals, men and women who usually do not like to stray far from their homes, twenty-five miles to The Art Experience. I am told that it is a place where disabilities, though they do not disappear, are briefly forgotten.

Mr. President, I applaud Hope Network, S.E. Executive Director Pat Crandall, and her many employees and volunteers, for five years of successful service to Oakland, Macomb and Wayne Counties. Their dedication and selfless efforts have touched numerous lives and indelibly left their mark on these communities. On behalf of the entire United States Senate, I wish Hope Network, S.E. a happy fifth anniversary. I hope that the coming years are as successful as the first five have been.●

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## WAYNE METRO DIVISION OF THE OFFICE OF JUVENILE JUSTICE HONORS MS. DIANE RANSOM-MCGHEE

● Mr. ABRAHAM. Mr. President, I rise today in honor of Ms. Diane Ransom-McGhee, who on March 31, 2000, will be honored by the Wayne Metro Division of the Office of Juvenile Justice for twenty-seven years of service to the families and children of the State of Michigan. Early in her life, Ms. Ransom-McGhee decided that she wished to work in the field of Human Services, and over the past twenty-seven years she has continually demonstrated not only a love for helping people, but also impressive leadership capabilities.

Ms. Ransom-McGhee has worked at a number of organizations in the Detroit metropolitan area: from 1972 to 1979 she worked at the Wayne County Department of Social Services, from 1979 to 1986 she worked as a Child Welfare Specialist at the State of Michigan Children Youth and Services, from 1988 to 1989 she worked as the Director of the Monte Vista Reception Center, from 1989 to 1994 she worked as a Clinical Director in the State of Michigan Burton Youth Reception Center, from 1994 to 1997 she worked as the Administrative Director of Wayne Metro Day Treatment Services for juvenile delinquents, and in 1997 she returned to Burton Youth Reception Center to serve as its Director.

In addition to her work in the Human Services field, Ms. Ransom-McGhee has a number of outside interests. She is a board member of the State of Michigan Judiciary Detention Association; she is a Youth Counselor Consultant of the Girl Scouts of America; she is an Advisor Consultant of the National Association for the Advancement of Colored People Youth Council, she is a sponsor of the N.A.A.C.P. Black College Tour and Mentorship program; and she is a Youth Minister and Sunday School teacher at the New Hope Missionary Baptist Church.

Ms. Ransom-McGhee has received several awards for her dedication to her work and to her community. In 1996, she received the Pastoral Community Service Award. In 1997, she received the Director of the Year Award from the State of Michigan Office of Juvenile Justice. And in 1998, the city of Southfield, Michigan, awarded her with its Community Pride Award.

On April 1, 2000, Ms. Ransom-McGhee will assume new duties as Assistant Division Director at the Wayne County Juvenile Detention Center. Mr. President, I applaud Ms. Ransom-McGhee for her dedication to her job and her tireless work over the past twenty-seven years. She is a role model for us all. On behalf of the entire United States Senate, I wish her the best of luck in her new position.●

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## SOUTHEASTERN MICHIGAN CHAPTER OF THE AMERICAN RED CROSS SEVENTH ANNUAL RHAPSODY IN RED MASQUERADE BALL

● Mr. ABRAHAM. Mr. President, on April 1, 2000, the Southeastern Michigan Chapter of the American Red Cross will hold its seventh annual Rhapsody in Red Masquerade Ball, a celebration which allows its patrons to enjoy themselves and to support one of the most noble causes our country has ever known at the same time. I rise today not only to honor this occasion, but also to bestow praise and thanks upon an organization that truly deserves both.

Since 1994, this annual gala has raised over one million dollars for the Southeastern Michigan Chapter. The Rhapsody in Red Masquerade Ball plays a significant role in allowing this chapter to continue its disaster relief efforts in Macomb, Oakland, and Wayne counties. The annual event also provides members of the community with an opportunity to recognize the tireless efforts of the administrative staff and the volunteers of the Southeastern Michigan Chapter, and to appropriately thank them for these efforts.

In 1999 alone, the Southeastern Michigan Chapter provided disaster relief to more than 6,000 individuals. More than 14,000 volunteers offered their time to the chapter, collectively working more than 500,000 hours. I am proud to say that, of the fifty states, Michigan ranks fourth in the nation for exporting volunteers into emergency zones, and the efforts and organization of the Southeastern Michigan Chapter undoubtedly play a role in this success. In addition, through its Blanket Days for the Homeless Campaign, an operation spearheaded by fourteen volunteers, the Southeastern Michigan Chapter collected over 13,000 blankets, which were then distributed to seventy homeless shelters in Wayne, Oakland and Macomb counties. Recently, in response to an increase in residential fires, the Southeastern Michigan Chapter maintained 24-hour Disaster Action Teams, formed from a pool of sixty-four trained volunteers.

Mr. President, as I was preparing this statement I was reminded once again of the essential role the American Red Cross plays in our communities. Born from the mythic efforts of Clara Barton during the Civil War, the organization currently has more than 1.3 million volunteers working underneath its banner, providing disaster relief services for victims of more than 66,000 disasters per year. More importantly, the American Red Cross still holds firm to the principles it was founded upon. Its mission remains to prevent and alleviate human suffering wherever it may

be found. That is why, when things are at their worst, it continues to be the American Red Cross and its volunteers that are there to make them better.

Mr. President, I applaud the administrative staff and volunteers of the Southeastern Michigan Chapter of the American Red Cross for their remarkable efforts. Every day they remind the people of Michigan that the spirit of Clara Barton is alive and well. On behalf of the entire United States Senate, I hope that the Red Rhapsody Masquerade Ball is a success for a seventh time.●

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## IN RECOGNITION OF YOUTH CONNECTION, DETROIT, MICHIGAN

● Mr. ABRAHAM. Mr. President, I rise today to recognize Youth Connection, a strategic, non-profit prevention campaign with a ten-year goal of reducing youth violence, substance abuse and early sexual activity in Detroit, Michigan. The organization was founded to provide the youth of metropolitan Detroit with a sense of belonging to the present, and also with a sense of hope and inspiration for the future.

Presently, in coordination with Detroit Public Schools, Mt. Clemens Community Schools and the School District of Pontiac, Youth Connection is promoting an activity called Free 4 the Weekend, which encourages students within these districts to remain drug free during a designated weekend in April.

Mr. President, statistics tell us that eighty-seven percent of high school seniors report using alcohol. In addition, middle and high school students drink nearly thirty-five percent of all wine coolers consumed in the United States. These patterns have devastating consequences. Research shows that most youth misconduct and violence takes place after school between the hours of 3 p.m. and 8 p.m. It is my belief that by supporting and enhancing after school programs, expanding the ''Safe Night'' initiatives in partner communities, and expanding youth leadership programs and activities, we can enhance the quality of life for all metropolitan Detroit youth.

Mr. President, with Alcohol Awareness Month just a few days away, I applaud Youth Connection for encouraging the youth of metropolitan Detroit to remain sober. On behalf of the entire United States Senate, and also the State of Michigan, I would like to thank them for their efforts.●

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## MESSAGES FROM THE HOUSE

At 11:41 a.m., a message from the House of Representatives, delivered by Ms. Niland, once of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 910. An act to authorize the Secretary of the Army, acting through the Chief of Engineers and in coordination with other Federal agency heads, to participate in the funding and implementation of a balanced, long-term solution to the problems of groundwater contamination, water supply, and reliability affecting the San Gabriel groundwater basin in California, and for other purposes.

H.R. 1279. An act to designate the Federal building and United States post office located at 236 Sharkey Street in Clarksdale, Mississippi, as the ''Aaron E. Henry Federal Building and United States Post Office.''

H.R. 2412. An act to designate the Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, as the ''E. Ross Adair Federal Building and United States Courthouse.''

H.R. 3707. An act to authorize funds for the construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 269. Concurrent resolution commending the Library of Congress and its staff for 200 years of outstanding service to the Congress and the Nation and encouraging the American public to participate in bicentennial activities.

H. Con. Res. 292. Concurrent resolution congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5) to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

### ENROLLED BILL SIGNED

At 12:05 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5. An act to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

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## MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 910. An act to authorize the Secretary of the Army, acting through the Chief of Engineers and in coordination with other Federal agency heads, to participate in the funding and implementation of a balanced, long-term solution to the problems of groundwater contamination, water supply, and reliability affecting the San Gabriel groundwater basin in California, and for other purposes; to the Committee on Environment and Public Works.

H.R. 1279. An act to designate the Federal building and United States post office located at 236 Sharkey Street in Clarksdale, Mississippi, as the ''Aaron E. Henry Federal Building and United States Post Office''; to the Committee on Environment and Public Works.

H.R. 2412. An act to designate the Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, as the ''E. Ross Adair Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

H.R. 3707. An act to authorize funds for the construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan; to the Committee on Foreign Relations.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 269. Concurrent resolution commending the Library of Congress and its staff for 200 years of outstanding service to the Congress and the Nation and encouraging the American public to participate in bicentennial activities; to the Committee on the Judiciary.

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## MEASURES PLACED ON THE CALENDAR

The following concurrent resolution was read and placed on the calendar.

H. Con. Res. 292. Concurrent resolution congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China.

The following joint resolution was read the second time and placed on the calendar:

S.J. Res. 43. Joint resolution expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru.

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## 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–8217. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation relative to the National Park System; to the Committee on Energy and Natural Resources.

EC–8218. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled ''Community Access to Health Care Act of 2000''; to the Committee on Health, Education, Labor, and Pensions.

EC–8219. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled ''Energy Employee Protection Amendments of 2000''; to the Committee on Health, Education, Labor, and Pensions.

EC–8220. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'' (Docket No. 94F–0334, received March 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8221. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Polymers'' (Docket No. 98F–0567, received

March 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8222. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Secondary Direct Food Additives Permitted in Food for Human Consumption'' (Docket No. 99F–5523, received March 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8223. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'' (Docket No. 99F–0298, received March 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8224. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'' (Docket No. 99F–0126, received March 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8225. A communication from the Secretary of Labor, transmitting, pursuant to law, the 1998 annual report of the Employee Retirement Income Security Act; to the Committee on Health, Education, Labor, and Pensions.

EC–8226. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report of Pay-As-You-Go Calculations; to the Committee on the Budget.

EC–8227. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Refugee Resettlement Program: Requirements for Refugee Cash Assistance, and Refugee Medical Assistance'' (RIN0970–AB83), received March 27, 2000; to the Committee on the Judiciary.

EC–8228. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, a report relative to waivers granted to aviators who fail to meet the operational flying duty requirements; to the Committee on Armed Services.

EC–8229. A communication from the Assistant Secretary of Defense, Command, Control, Communications, and Intelligence, transmitting, pursuant to law, a report relative to software development; to the Committee on Armed Services.

EC–8230. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Veterinary Services User Fees; Export Certificate Endorsements'' (Docket #98–003–2), received March 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8231. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Poultry Meat and Other Poultry Products from Sinaloa and Sonora, Mexico'' (Docket #98–034–2), received March 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8232. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled ''Increase in Fees for the Federal Seed Testing and Certification Services'' (LS–99–06), received March 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8233. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 1999–2000 Marketing Year'' (FV00–985–3 IFR–A), received March 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8234. A communication from the Regulatory Liaison, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled ''Fees for Official Inspection and Weighing Services'' (RIN0580–AA69), received March 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8235. A communication from the Regulatory Liaison, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled ''Fees for Rice Inspection'' (RIN0580–AA70), received March 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8236. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri'' (FRL #6568–8), received March 27, 2000; to the Committee on Environment and Public Works.

EC–8237. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Alabama'' (FRL #6568–6), received March 27, 2000 ; to the Committee on Environment and Public Works.

EC–8238. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Phase 2 Emission Standards for New Nonroad Spark-Ignition Handheld Engines At or Below 19 Kilowatts and Minor Amendments to Emission Requirements Applicable to Small Spark-Engines and Marine Spark-Engines'' (FRL #6548–2), received March 27, 2000; to the Committee on Environment and Public Works.

EC–8239. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report for fiscal year 1999; to the Committee on Environment and Public Works.

EC–8240. A communication from the General Counsel, National Credit Union Administration transmitting, pursuant to law, the report of a rule entitled ''12 CFR Parts 701.21(c)(3); Organization and Operations of Federal Credit Unions'', received March 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8241. A communication from the General Counsel, National Credit Union Administration transmitting, pursuant to law, the report of a rule entitled ''12 CFR Parts 790; Description of NCUA; Requests for Agency Action'', received March 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8242. A communication from the General Counsel, National Credit Union Administration transmitting, pursuant to law, the report of a rule entitled ''12 CFR Parts 741.4; Insurance Premium and One Percent Deposit'', received March 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8243. A communication from the General Counsel, National Credit Union Administration transmitting, pursuant to law, the report of a rule entitled ''12 CFR Parts 701.34; Organization and Operations of Federal Credit Unions; Secondary Capital'', received March 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8244. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 2000–18), received March 27, 2000; to the Committee on Finance.

EC–8245. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Transfer of Qualified Replacement Property to a Partnership'' (Rev. Rul. 2000–18), received March 27, 2000; to the Committee on Finance.

EC–8246. A communication from the Regulations Officer, Social Security Administration transmitting, pursuant to law, the report of a rule entitled ''CFR Corrections'' (RIN0960–AF04), received March 27, 2000; to the Committee on Finance.

EC–8247. A communication from the Chairman, Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 1999; to the Committee on Governmental Affairs.

EC–8248. A communication from the Chief Counsel, Foreign Claims Settlement Commission, Department of Justice, transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 1999; to the Committee on Governmental Affairs.

EC–8249. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation relative to the Highway Trust Fund; to the Committee on Commerce, Science, and Transportation.

EC–8250. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation relative to motor vehicle safety standards; to the Committee on Commerce, Science, and Transportation.

EC–8251. A communication from the Assistant Secretary, Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Export Administration Regulations Entity List: Removal of Entities'' (RIN0694–AB73), received March 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8252. A communication from the Chief, Endangered Species Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, Department of Commerce transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions to Fishing Activities'' (RIN0648–AN45; Docket No. 991207322–9328–02), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8253. A communication from the Chief, Endangered Species Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, Department of

Commerce transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Shrimp Trawling Requirements'' (RIN0648–AN30; Docket No. 991207322–9322–01), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8254. A communication from the Chief, Endangered Species Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, Department of Commerce transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Shrimp Trawling Requirements'' (RIN0648–AN30; Docket No. 950427117–9378–11), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8255. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inshore Fee System for Repayment of the Loan to Harvesters of Pollock from the Directed Fishing Allowance Allocated to the Inshore Component under Section 206(b)(1) of the American Fisheries Act'' (RIN0648–AN34), received March 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8256. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock Closure in Statistical Area 630 Outside the Shelikof Strait Conservation Area in the Gulf of Alaska'', received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8257. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Trawling in Stellar Sea Lion Critical Habitat in the Western Aleutian District of the Bering Sea and Aleutian Islands'', received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8258. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closes B Season Pollock Directed Fishing in Statistical Area 610 of the Gulf of Alaska'', received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8259. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Extension of Effective Date of Red Snapper Bag Limit Reduction'' (RIN0648–AM73), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8260. A communication from the Deputy Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Emergency Interim Rule to Increase the Minimum Size Limit for Red Snapper in the Exclusive Economic Zone (EEZ)of the Gulf of Mexico from 15 inches (38.1 cm) to 18 inches (45.7 cm) for Persons Subject to the Bag Limit'' (RIN0648–AM71), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8261. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Pass Manchac, LA (CGD08–00–003)'' (RIN2115–AE47) (2000–0016), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8262. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Pine River (Charlevoix, MI) (CGD09–00–001)'' (RIN2115–AE47) (2000–0014), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8263. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Saint Pete Beach, FL (COTP Tampa 00–016)'' (RIN2115–AA97) (2000–0005), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8264. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (74); Amdt. No. 1982 {3–23/3–27}'' (RIN2120–AA65) (2000–0018), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8265. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (6); Amdt. No. 1983 {3–23/3–27}'' (RIN2120–AA65) (2000–0019), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8266. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (78); Amdt. No. 1981 {3–23/3–27}'' (RIN2120–AA65) (2000–0017), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8267. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of the Prohibition Against Certain Flights Within the Territory and Airspace of Serbia-Montenegro; Removal {3–24/3–23}'' (RIN2120–ZZ24), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8268. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Visual Flight Rules, Direct Final Rule; Request for Comments; FAA Docket No. 2000–7110 {3–24/3–23}'' (RIN2120–AG94), received March 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8269. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Terrain Awareness and Warning System; Docket No. 29312 {3–29/3–27}'' (RIN2120–AG46), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8270. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class D Airspace; Hobbs, NM; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–32 {3–24/3–27}'' (RIN2120–AA66) (2000–0079), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8271. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Corsicana, TX; Direct Final Rule; Confirmation of Effective Date; Docket No. 2000–ASW–01 {3–24/3–27}'' (RIN2120–AA66) (2000–0078), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8272. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class D Airspace; Hobbs, NM; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–32 {3–24/3–27}'' (RIN2120–AA66) (2000–0079), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8273. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class D Airspace; Alexandria England AFB, LA; Revocation of Class D Airspace, Alexandria Esler Regional Airport, LA; and Revocation of Class E Airspace Alexandria, LA; Direct Final Rule; Request for Comments; Docket No. 2000–ASW–10 {3–24/3–27}'' (RIN2120–AA66) (2000–0076), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

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## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 2310. A bill to amend chapter 44 of title 18, United States Code, with respect to penalties for licensed firearms dealers; to the Committee on the Judiciary.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. FRIST, Mr. HATCH, Mr. DODD, Mr. ENZI, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mr. REED, Mr. BIDEN, and Mr. DURBIN):

S. 2311. A bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUGAR:

S. 2312. A bill to amend title XVIII of the Social Security Act to provide for a moratorium on the mandatory delay of payment of claims submitted under part B of the medicare program and to establish an advanced informational infrastructure for the administration of Federal health benefits programs; to the Committee on Finance.

By Mr. SPECTER:

S. 2313. A bill to provide each Member of the Senate with an additional mail allowance sufficient to permit at least 1 mailing per fiscal year to each postal address in each county in the State of that Member where the Member holds and personally attends a

town meeting; to the Committee on Rules and Administration.

By Mr. SMITH of New Hampshire (for himself, Mr. MACK, Mr. GRAHAM, and Mr. MCCAIN):

S. 2314. A bill for the relief of Elian Gonzalez and other family members; read the first time.

By Mr. MOYNIHAN (for himself, Mr. REID, and Mr. BAUCUS):

S. 2315. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of genetically engineered foods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRAHAM:

S. 2316. A bill to authorize the lease of real and personal property under the jurisdiction of the National Aeronautics and Space Administration; to the Committee on Commerce, Science, and Transportation.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 2317. A bill to provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. DORGAN (for himself, Mr. CRAIG, and Mr. ROBB):

S. 2318. A bill to amend title 18, United States Code, to eliminate good time credits for prisoners serving a sentence for a crime of violence, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Hampshire (for himself and Mr. ALLARD):

S. 2319. A bill to amend title XVIII of the Social Security Act to establish a voluntary Medicare Prescription Drug Plan under which eligible medicare beneficiaries may elect to receive coverage under the Rx Option for outpatient prescription drugs and a combined deductible; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Mr. BREAUX, Mr. FRIST, Mrs. LINCOLN, and Ms. SNOWE):

S. 2320. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for health insurance costs, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself and Ms. SNOWE):

S. 2321. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for development costs of telecommunications facilities in rural areas; to the Committee on Finance.

By Mr. MCCAIN:

S. 2322. A bill to amend title 37, United States Code, to establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance, and for other purposes; to the Committee on Armed Services.

By Mr. MCCONNELL (for himself, Mr. DODD, Mr. JEFFORDS, Mr. ENZI, Mr. ABRAHAM, Mr. BENNETT, Mr. ROBB, Mr. WARNER, Mrs. MURRAY, Mr. GORTON, Mr. HUTCHINSON, Mr. LIEBERMAN, Mr. BINGAMAN, Mr. REED, Mr. KERRY, and Mr. LUGAR):

S. 2323. A bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act; read the first time.

By Mr. KOHL (for himself and Mrs. FEINSTEIN):

S. 2324. A bill to amend chapter 44 of title 18, United States Code, to require ballistics testing of all firearms manufactured and all firearms in custody of Federal agencies, and to add ballistics testing to existing firearms enforcement strategies; to the Committee on the Judiciary.

By Mr. TORRICELLI:

S. 2325. A bill to amend title 49, United States Code, to ensure equity in the provision of transportation by limousine services; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. BURNS):

S. 2326. A bill to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HOLLINGS (for himself, Mr. STEVENS, Ms. SNOWE, Mr. KERRY, Mr. BREAUX, Mr. INOUYE, Mr. CLELAND, Mr. WYDEN, Mr. AKAKA, Mrs. BOXER, Mrs. MURRAY, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. MOYNIHAN, Mr. REED, Mr. SARBANES, and Mr. SCHUMER):

S. 2327. A bill to establish a Commission on Ocean Policy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL (for himself and Mr. KERREY):

S. Con. Res. 100. A concurrent resolution expressing support of Congress for a National Moment of Remembrance to be observed at 3:00 p.m. eastern standard time on each Memorial Day; to the Committee on the Judiciary.

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## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 2310. A bill to amend chapter 44 of title 18, United States Code, with respect to penalties for licensed firearms dealers; to the Committee on the Judiciary.

### FIREARMS DEALER PENALTY FLEXIBILITY ACT OF 2000

• Mrs. FEINSTEIN. Mr. President, today I rise to introduce the first in a series of several bills I will be proposing to provide law enforcement with the tools they need to enforce our current gun laws.

Let me be clear—I do believe that our current laws need to be enhanced. Too many loopholes allow too many criminals to circumvent the laws already in place. To that end, I will continue to work on legislation to further restrict criminals' access to deadly firearms.

But it is also clear that we can do better in enforcing the laws already on the books. As a result, today I am proposing legislation that will tighten up the enforcement of our current laws. The legislation I have sent to the desk, the Firearms Dealer Penalty Flexibility Act of 2000, will provide the Treasury Department, and the Bureau of Alcohol, Tobacco and Firearms, the ability to punish dealers according to the severity of their crimes.

I urge my colleagues to join me in this effort, and I hope the National Rifle Association is listening, too. It is time for that organization to stop just talking about enforcing our current gun laws, and to start supporting legislation to help in that process. So today I challenge the NRA to support this bill and others like it. For too long, opponents of gun control have talked about enforcement, while at the same time working to tie the hands of those that enforce the laws. It is time to move forward.

Now let me describe just what this legislation would accomplish.

Mr. President, under current law there exists only one penalty for firearms dealers who violate the law—revocation of their license. If a dealer violates the law, the ATF is left with only two options—permanently revoke the dealer's license, or do nothing.

The problem, of course, is that not every violation merits the permanent revocation of a dealer's license. The current law is like having the death penalty for every crime—from jaywalking to murder. We have graduated sanctions in the criminal law because different crimes merit different punishment.

In most instances, the ATF is understandably reluctant to destroy a dealer's livelihood—and the dealers know this. As a result, thousands of violations every year go unpunished.

Last year, ATF conducted 11,234 examinations, and reported 3,863 violations.

Yet only 20 licenses were actually revoked.

Almost 4,000 violations, just 20 revocations.

And this may have actually been the appropriate response. Again, not every violation is deserving of revocation. Many of these dealers are simply businessmen, who may have made one or two simple mistakes. Taking away their livelihood would be inappropriately harsh.

But at the same time, ATF has informed me that there are other dealers out there who are taking advantage of the current system. These dealers know that if they commit a violation, they probably won't even get caught—after all, with more than 100,000 dealers and only a few hundred inspectors, the odds of catching a dealer in the act are slim. And even worse than that, these dealers know that even if they are caught, and even if ATF does discover a violation or even a pattern of violations, it is very unlikely that anything will be done.

According to ATF, only the most egregious or repeat offenders are punished.

Mr. President, it was clearly not the intent of Congress when passing laws to regulate firearms dealers in this country that dealers would be effectively immune from those laws.

The current situation leaves law enforcement with little choice—if ATF revokes the license of every dealer that commits a minor violation, the NRA would be up in arms. But if they do the right thing under current law and allow dealers to stay in business, they are criticized for failing to enforce the current law.

Well the bill I propose today would put an end to this quandary, and allow

the Treasury Department to impose the proper, proportionate penalties for the variety of violations currently on the books.

Specifically, this legislation, supported by the Administration, would do the following:

For willful violations of the law, this legislation would allow the Treasury Department to suspend or revoke a dealer's license, or to assess a fine of up to $10,000 per violation;

Those same penalties would be available for any dealer who willfully transfers armor piercing ammunition;

The legislation allows the Treasury Department to negotiate a compromise with a dealer at any time;

And the legislation outlines some clear, procedural protections for dealers—

A right to notice and opportunity for a hearing before any action is taken, so that the dealer may be made aware of the charges and seek to avert the action;

A right to written notice of any action taken, including the grounds upon which the action was based;

A right to a prompt hearing after a penalty is assessed, during which time the dealer can contest the outcome. This hearing must even be held at a location convenient to the dealer;

If the second hearing is not fruitful, the dealer has an additional right to appeal the decision of the Department to federal court, during which time any action is stayed.

Mr. President, these procedural safeguards prevent an aggressive agent from pursuing unfair penalties. There are at least three clear opportunities for an aggrieved dealer to make his or her case, including the right to appeal any decision to federal court.

As a result, I believe that this bill gives law abiding firearms dealers every opportunity necessary to protect themselves against unwarranted claims.

At the same time, this bill provides law enforcement with the variety of sanctions necessary to force true compliance with the laws already on the books. No more will rogue dealers flout the law knowing that no viable recourse is available to law enforcement.

Once this legislation passes, the punishment will finally fit the crime.

Mr. President, again I challenge the NRA and my colleagues to join me in moving this bill forward. We cannot continue to allow miscreant gun dealers to ignore the laws passed by this Congress.●

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By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. FRIST, Mr. HATCH, Mr. DODD, Mr. ENZI, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mr. REED and Mr. BIDEN):

S. 2311. A bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

RYAN WHITE CARE ACT AMENDMENTS OF 2000

Mr. JEFFORDS. Mr. President, it gives me great pleasure to join my colleagues today in introducing the Ryan White Comprehensive AIDS Resources and Emergency Act Amendments of 2000; a measure that will reauthorize a national program of providing primary health care services for people living with HIV and AIDS. I especially want to commend Senators HATCH and KENNEDY for the leadership they have provided since the inauguration of the legislation establishing the Ryan White programs over a decade ago. I also want to commend Senator FRIST whose medical expertise played a critical role in key provisions of the bill and continues to be an invaluable resource to our efforts on the range of health issues that come before the Senate. Finally, I want to acknowledge Senator ENZI's recognition of the growing burden that AIDS and HIV is having on rural communities throughout the country and the need to address those gaps in services.

Since its inception in 1990, the Ryan White program has enjoyed broad bipartisan support. When I looked back to the last time the Ryan White CARE Act was reauthorized in 1996, I was heartened to see that the measure had garnered a vote of 97 to 3 on its final passage. I urge my colleagues to examine this bill we are introducing today and to join me in working toward its passage.

With this reauthorization, we mark the ten years through which the Ryan White CARE Act has provided needed health care and support services to HIV positive people around the country. Titles I and II have provided much needed relief to cities and states hardest hit by this disease, while Titles III and IV have had a direct role in providing healthcare services to underserved communities. Ryan White program dollars provide the foundation of care so necessary in fighting this epidemic.

Fortunately, we have experienced significant success over the last decade, and especially over the last five years. The General Accounting Office recently released a report that found that CARE Act funds are reaching the infected groups that have generally been found to be underserved, including the poor, the uninsured, women, and ethnic minorities. In fact, these groups form a majority of CARE Act clients and are being served by the CARE Act in higher proportions than their representation in the AIDS population. The GAO also found that CARE Act funds support a wide array of primary care and support services, including the provision of powerful therapeutic regimens for people with HIV/AIDS that have dramatically reduced AIDS diagnoses and deaths.

Mr. President, there have also been successes in the reduction of HIV/AIDS among women, infants and children. During the last reauthorization, Congressman COBURN and our colleague, Senator FRIST, focused our attention on the needs of women living with HIV/AIDS and the problems associated with perinatal transmission of HIV. Since then, the CARE Act has helped to dramatically reduce mother-to-child transmission through more effective outreach, counseling, and voluntary testing of mothers at risk for HIV infection. Between 1993 and 1998, perinatal-acquired AIDS cases declined 74% in the U.S. In this bill, I have continued to support efforts to reach women in need of care for their HIV disease and have included provisions to ensure that women, infants and children receive resources in accordance with the prevalence of the infection among them.

Another key success has been the AIDS Drug Assistance Program. New therapies and improved systems of care have led to impressive reductions in the AIDS death rate and the number of new AIDS cases. From 1996 to 1998, deaths from AIDS dropped 54% while new AIDS cases have been reduced by 27%. However, these treatments are very expensive, do not provide a cure, and do not work for everyone.

Much has occurred to change the course of the AIDS epidemic since the last reauthorization. A whole new class of therapeutic drugs called antiretrovirals have been developed and people are living longer and the rate of increase of the number of new AIDS cases has begun to level off. AIDS, HIV, the people it infects and families that it has affected are not in the news today as often as they have been in the past. But for too many of us, this lack of bad news has created a false sense of complacency. The epidemic of HIV continues to grow, to infect whole new groups of people, and to expand both within our urban areas and beyond to our rural communities.

While the rate of decline in new AIDS cases and AIDS deaths is leveling off, HIV infection rates continue to rise in many areas; becoming increasingly prevalent in rural and underserved urban areas; and also among women, youth, and minority communities. Local and state healthcare systems face an increasing burden of disease, despite our success in treating and caring for people living with HIV and AIDS. Unfortunately, rural and underserved urban areas are often unable to address the complex medical and support services needs of people with HIV infection.

The bill being introduced today was developed on a bipartisan basis, working with other Committee Members, community stakeholders and elected officials at the state and local levels from whom we sought input to ensure that we addressed the most important

problems facing communities of people with HIV infection. Earlier this month, I held a hearing before the Committee on Health, Education, Labor, and Pensions to learn whether the program has been successful and whether it needed to be changed. We received testimony from Ryan White's mother, Jeanne White, from Surgeon General David Satcher, from a person living with AIDS, as well as state and local officials familiar with the importance of this program. I especially want to commend Dr. Chris Grace of Vermont who testified as to the particular challenges of providing care to people living with HIV/AIDS in rural, and sometimes remote, parts of the country. It was clear from our witnesses' statements that, despite the successes, challenges remain.

To address these challenges, we have developed a bill that will improve access to care in underserved urban and rural areas. My bill will double the minimum base funding available to states through the CARE Act to assist them in developing systems of care for people struggling with HIV and AIDS. The bill also includes a new supplemental state grant that will target assistance to rural and underserved areas to help them address the increasing number of people with HIV/AIDS living outside of urban areas that receive assistance under Title I of the Act. Furthermore, these areas will be given preference for direct care grants and we have strengthened the AIDS Drug Assistance Program to supplement those states struggling to provide lifesaving drugs to their HIV/AIDS patients.

We have not changed the unique flexibility of CARE Act programs; it remains primarily a system of grants to State and local jurisdictions. States and EMAs will still decide how to best prioritize and address the healthcare needs of their HIV-positive citizens.

Today, there are few people who can say they have not been touched by this epidemic. Recently, I had the opportunity to visit with Jeanne White. We talked about the impact of this disease; about the loved ones it has taken, and the damage to the lives of those it has left behind—about the infected, and about the affected. We talked about her son Ryan, and about my good friend David Curtis of Burlington, Vermont, who testified before my committee in 1995, but who passed away just last year. As an advocate of the program and as a person living with AIDS, David helped me to understand the terrible impact of this disease. Ryan White and David and countless others, worked long and hard to ensure that all people affected by AIDS could receive both the care and compassion they deserve.

The AIDS epidemic, despite our success in developing treatments and providing systems of care, is still ravaging communities in this country. This program remains as vital to the public health of this nation as it was in 1990 and in 1996. As the AIDS epidemic reaches into rural areas and into underserved urban communities across the country, this legislation being introduced today will allow us to adapt our care systems to meet the most urgent needs in the communities hardest hit by the epidemic.

I intend to see this bill become law this year so that the people struggling to overcome the challenges of HIV and AIDS continue to benefit from high quality medical care and access to lifesaving drugs. We have made incredible progress in the fight against HIV/AIDS and I want to be sure that every person in America that needs our assistance, benefits from our tremendous advances.

Mr. President I ask unanimous consent that the text of this measure be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2311

*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 ''Ryan White CARE Act Amendments of 2000''.

**SEC. 2. REFERENCES; TABLE OF CONTENTS.**

(a) REFERENCES.—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, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. References; table of contents.
TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM
Subtitle A—Purpose; Amendments to Part A (Emergency Relief Grants)
Sec. 101. Duties of planning council, funding priorities, quality assessment.
Sec. 102. Quality management.
Sec. 103. Funded entities required to have health care relationships.
Sec. 104. Support services required to be health care-related.
Sec. 105. Use of grant funds for early intervention services.
Sec. 106. Replacement of specified fiscal years regarding the sunset on expedited distribution requirement.
Sec. 107. Hold harmless provision.
Sec. 108. Set-aside for infants, children, and women.
Subtitle B—Amendments to Part B (Care Grant Program)
Sec. 121. State requirements concerning identification of need and allocation of resources.
Sec. 122. Quality management.
Sec. 123. Funded entities required to have health care referral relationships.
Sec. 124. Support services required to be health care-related.
Sec. 125. Use of grant funds for early intervention services.
Sec. 126. Authorization of appropriations for HIV-related services for women and children.
Sec. 127. Repeal of requirement for completed Institute of Medicine report.
Sec. 130. Supplement grants for certain States.
Sec. 131. Use of treatment funds.
Sec. 132. Increase in minimum allotment.
Sec. 133. Set-aside for infants, children, and women.
Subtitle C—Amendments to Part C (Early Intervention Services)
Sec. 141. Amendment of heading; repeal of formula grant program.
Sec. 142. Planning and development grants.
Sec. 143. Authorization of appropriations for categorical grants.
Sec. 144. Administrative expenses ceiling; quality management program.
Sec. 145. Preference for certain areas.
Subtitle D—Amendments to Part D (General Provisions)
Sec. 151. Research involving women, infants, children, and youth.
Sec. 152. Limitation on administrative expenses.
Sec. 153. Evaluations and reports.
Sec. 154. Authorization of appropriations for grants under parts A and B.
Subtitle E—Amendments to Part F (Demonstration and Training)
Sec. 161. Authorization of appropriations.
TITLE II—MISCELLANEOUS PROVISIONS
Sec. 201. Institute of Medicine study.

## TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

### Subtitle A—Purpose; Amendments to Part A (Emergency Relief Grants)

**SEC. 101. DUTIES OF PLANNING COUNCIL, FUNDING PRIORITIES, QUALITY ASSESSMENT.**

Section 2602 (42 U.S.C. 300ff–12) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(C), by inserting before the semicolon the following: '', including providers of housing and homeless services''; and

(B) in paragraph (4), by striking ''shall—'' and all that follows and inserting ''shall have the responsibilities specified in subsection (d).''; and

(2) by adding at the end the following:

''(d) DUTIES OF PLANNING COUNCIL.—The planning council established under subsection (b) shall have the following duties:

''(1) PRIORITIES FOR ALLOCATION OF FUNDS.—The council shall establish priorities for the allocation of funds within the eligible area, including how best to meet each such priority and additional factors that a grantee should consider in allocating funds under a grant, based on the following factors:

''(A) The size and demographic characteristics of the population with HIV disease to be served, including, subject to subsection (e), the needs of individuals living with HIV infection who are not receiving HIV-related health services.

''(B) The documented needs of the population with HIV disease with particular attention being given to disparities in health services among affected subgroups within the eligible area.

''(C) The demonstrated or probable cost and outcome effectiveness of proposed strategies and interventions, to the extent that data are reasonably available.

''(D) Priorities of the communities with HIV disease for whom the services are intended.

''(E) The availability of other governmental and non-governmental resources, including the State medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease.

''(F) Capacity development needs resulting from gaps in the availability of HIV services in historically underserved low-income communities.

''(2) COMPREHENSIVE SERVICE DELIVERY PLAN.—The council shall develop a comprehensive plan for the organization and delivery of health and support services described in section 2604. Such plan shall be compatible with any existing State or local plans regarding the provision of such services to individuals with HIV disease.

''(3) ASSESSMENT OF FUND ALLOCATION EFFICIENCY.—The council shall assess the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the eligible area.

''(4) STATEWIDE STATEMENT OF NEED.—The council shall participate in the development of the Statewide coordinated statement of need as initiated by the State public health agency responsible for administering grants under part B.

''(5) COORDINATION WITH OTHER FEDERAL GRANTEES.—The council shall coordinate with Federal grantees providing HIV-related services within the eligible area.

''(6) COMMUNITY PARTICIPATION.—The council shall establish methods for obtaining input on community needs and priorities which may include public meetings, conducting focus groups, and convening ad-hoc panels.

''(e) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—

''(1) IN GENERAL.—Not later than 24 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall—

''(A) consult with eligible metropolitan areas, affected communities, experts, and other appropriate individuals and entities, to develop epidemiologic measures for establishing the number of individuals living with HIV disease who are not receiving HIV-related health services; and

''(B) provide advice and technical assistance to planning councils with respect to the process for establishing priorities for the allocation of funds under subsection (d)(1).

''(2) EXCEPTION.—Grantees under subsection (d)(1)(A) shall not be required to establish priorities for individuals not in care until epidemiologic measures are developed under paragraph (1).''.

**SEC. 102. QUALITY MANAGEMENT.**

(a) FUNDS AVAILABLE FOR QUALITY MANAGEMENT.—Section 2604 (42 U.S.C. 300ff–14) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

''(c) QUALITY MANAGEMENT.—

''(1) REQUIREMENT.—The chief elected official of an eligible area that receives a grant under this part shall provide for the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection and to develop strategies for improvements in the access to and quality of medical services.

''(2) USE OF FUNDS.—From amounts received under a grant awarded under this part, the chief elected official of an eligible area may use, for activities associated with its quality management program, not more than the lesser of—

''(A) 5 percent of amounts received under the grant; or

''(B) $3,000,000.''.

(b) QUALITY MANAGEMENT REQUIRED FOR ELIGIBILITY FOR GRANTS.—Section 2605(a) (42 U.S.C. 300ff–15(a)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) that the chief elected official of the eligible area will satisfy all requirements under section 2604(c);''.

**SEC. 103. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.**

(a) USE OF AMOUNTS.—Section 2604(e)(1) (42 U.S.C. 300ff–14(d)(1)) (as so redesignated by section 102(a)) is amended by inserting ''and the State Children's Health Insurance Program under title XXI of such Act'' after ''Social Security Act''.

(b) APPLICATIONS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended by inserting after paragraph (3), as added by section 102(b), the following:

''(4) that funded entities within the eligible area that receive funds under a grant under section 2601(a) shall maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, and homeless shelters) and other entities under section 2652(a) for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care;''.

**SEC. 104. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.**

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff–14(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''HIV-related—'' and inserting ''HIV-related services, as follows:'';

(2) in subparagraph (A)—

(A) by striking ''outpatient'' and all that follows through ''substance abuse treatment and'' and inserting the following: ''OUTPATIENT HEALTH SERVICES.—Outpatient and ambulatory health services, including substance abuse treatment,''; and

(B) by striking ''; and'' and inserting a period;

(3) in subparagraph (B), by striking ''(B) inpatient case management'' and inserting ''(C) INPATIENT CASE MANAGEMENT SERVICES.—Inpatient case management''; and

(4) by inserting after subparagraph (A) the following:

''(B) OUTPATIENT SUPPORT SERVICES.—Outpatient and ambulatory support services (including case management), to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.''.

(b) CONFORMING AMENDMENT TO APPLICATION REQUIREMENTS.—Section 2605(a) (42 U.S.C. 300ff–15(a)), as amended by section 102(b), is further amended—

(1) in paragraph (6) (as so redesignated), by striking ''and'' at the end thereof;

(2) in paragraph (7) (as so redesignated), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(8) that the eligible area has procedures in place to ensure that services provided with funds received under this part meet the criteria specified in section 2604(b)(1).''.

**SEC. 105. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.**

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff–14(b)(1)), as amended by section 104(a), is further amended by adding at the end the following:

''(D) EARLY INTERVENTION SERVICES.—Early intervention services as described in section 2651(b)(2), with follow-through referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

''(i)(I) is receiving funds under subparagraph (A) or (C); or

''(II) is an entity constituting a point of access to services, as described in paragraph (2)(C), that maintains a relationship with an entity described in subclause (I) and that is serving individuals at elevated risk of HIV disease; and

''(ii) demonstrates to the satisfaction of the chief elected official that no other Federal, State, or local funds are available for the early intervention services the entity will provide with funds received under this paragraph.''.

(b) CONFORMING AMENDMENTS TO APPLICATION REQUIREMENTS.—Section 2605(a)(1) (42 U.S.C. 300ff–15(a)(1)) is amended—

(1) in subparagraph (A), by striking ''services to individuals with HIV disease'' and inserting ''services as described in section 2604(b)(1)''; and

(2) in subparagraph (B), by striking ''services for individuals with HIV disease'' and inserting ''services as described in section 2604(b)(1)''.

**SEC. 106. REPLACEMENT OF SPECIFIED FISCAL YEARS REGARDING THE SUNSET ON EXPEDITED DISTRIBUTION REQUIREMENTS.**

Section 2603(a)(2) (42 U.S.C. 300ff–13(a)(2)) is amended by striking ''for each of the fiscal years 1996 through 2000'' and inserting ''for a fiscal year''.

**SEC. 107. HOLD HARMLESS PROVISION.**

Section 2603(a)(4) (42 U.S.C. 300ff-13(a)(4)) is amended to read as follows:

''(4) LIMITATIONS.—

''(A) IN GENERAL.—With respect to each of fiscal years 2001 through 2005, the Secretary shall ensure that the amount of a grant made to an eligible area under paragraph (2) for such a fiscal year is not less than an amount equal to 98 percent of the amount the eligible area received for the fiscal year preceding the year for which the determination is being made.

''(B) APPLICATION OF PROVISION.—Subparagraph (A) shall only apply with respect to those eligible areas receiving a grant under paragraph (2) for fiscal year 2000 in an amount that has been adjusted in accordance with paragraph (4) of this subsection (as in effect on the day before the date of enactment of the Ryan White CARE Act Amendments of 2000).''.

**SEC. 108. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.**

Section 2604(b)(3) (42 U.S.C. 300ff-14(b)(3)) is amended—

(1) by inserting ''for each population under this subsection'' after ''established priorities''; and

(2) by striking ''ratio of the'' and inserting ''ratio of each''.

## Subtitle B—Amendments to Part B (Care Grant Program)

**SEC. 121. STATE REQUIREMENTS CONCERNING IDENTIFICATION OF NEED AND ALLOCATION OF RESOURCES.**

(a) GENERAL USE OF GRANTS.—Section 2612 (42 U.S.C. 300ff-22) is amended—

(1) by striking ''A State'' and inserting ''(a) IN GENERAL.—A State''; and

(2) in the matter following paragraph (5)—

(A) by striking ''paragraph (2)'' and inserting ''subsection (a)(2) and section 2613'';

(b) APPLICATION.—Section 2617(b) (42 U.S.C. 300ff–27(b)) is amended—

(1) in paragraph (1)(C)—

(A) by striking clause (i) and inserting the following:

''(i) the size and demographic characteristics of the population with HIV disease to be served, except that by not later than October 1, 2002, the State shall take into account the needs of individuals not in care, based on epidemiologic measures developed by the Secretary in consultation with the State, affected communities, experts, and other appropriate individuals (such State shall not be required to establish priorities for individuals not in care until such epidemiologic measures are developed);'';

(B) in clause (iii), by striking ''and'' at the end; and

(C) by adding at the end the following:

''(v) the availability of other governmental and non-governmental resources;

''(vi) the capacity development needs resulting in gaps in the provision of HIV services in historically underserved low-income and rural low-income communities; and

''(vii) the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the State;''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by redesignating subparagraph (C) as subparagraph (F); and

(C) by inserting after subparagraph (B), the following:

''(C) an assurance that capacity development needs resulting from gaps in the provision of services in underserved low-income and rural low-income communities will be addressed; and

''(D) with respect to fiscal year 2003 and subsequent fiscal years, assurances that, in the planning and allocation of resources, the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), will make appropriate provision for the HIV-related health and support service needs of individuals who have been diagnosed with HIV disease but who are not currently receiving such services, based on the epidemiologic measures developed under paragraph (1)(C)(i);''.

**SEC. 122. QUALITY MANAGEMENT.**

(a) STATE REQUIREMENT FOR QUALITY MANAGEMENT.—Section 2617(b)(4) (42 U.S.C. 300ff–27(b)(4)) is amended—

(1) by striking subparagraph (C) and inserting the following:

''(C) the State will provide for—

''(i) the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and to develop strategies for improvements in the access to and quality of medical services; and

''(ii) a periodic review (such as through an independent peer review) to assess the quality and appropriateness of HIV-related health and support services provided by entities that receive funds from the State under this part;'';

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D), the following:

''(E) an assurance that the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), has considered strategies for working with providers to make optimal use of financial assistance under the State medicaid plan under title XIX of the Social Security Act, the State Children's Health Insurance Program under title XXI of such Act, and other Federal grantees that provide HIV-related services, to maximize access to quality HIV-related health and support services;

(4) in subparagraph (F), as so redesignated, by striking ''and'' at the end; and

(5) in subparagraph (G), as so redesignated, by striking the period and inserting ''; and''.

(b) AVAILABILITY OF FUNDS FOR QUALITY MANAGEMENT.—

(1) AVAILABILITY OF GRANT FUNDS FOR PLANNING AND EVALUATION.—Section 2618(c)(3) (42 U.S.C. 300ff–28(c)(3)) is amended by inserting before the period '', including not more than $3,000,000 for all activities associated with its quality management program''.

(2) EXCEPTION TO COMBINED CEILING ON PLANNING AND ADMINISTRATION FUNDS FOR STATES WITH SMALL GRANTS.—Paragraph (6) of section 2618(c) (42 U.S.C. 300ff–28(c)(6)) is amended to read as follows:

''(6) EXCEPTION FOR QUALITY MANAGEMENT.—Notwithstanding paragraph (5), a State whose grant under this part for a fiscal year does not exceed $1,500,000 may use not to exceed 20 percent of the amount of the grant for the purposes described in paragraphs (3) and (4) if—

''(A) that portion of such amount in excess of 15 percent of the grant is used for its quality management program; and

''(B) the State submits and the Secretary approves a plan (in such form and containing such information as the Secretary may prescribe) for use of funds for its quality management program.''.

**SEC. 123. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.**

Section 2617(b)(4) (42 U.S.C. 300ff–27(b)(4)), as amended by section 122(a), is further amended by adding at the end the following:

''(H) that funded entities maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, and homeless shelters), and other entities under section 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care.''.

**SEC. 124. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.**

(a) TECHNICAL AMENDMENT.—Section 3(c)(2)(A)(iii) of the Ryan White CARE Act Amendments of 1996 (Public Law 104-146) is amended by inserting ''before paragraph (2) as so redesignated'' after ''inserting''.

(b) SERVICES.—Section 2612(a)(1) (42 U.S.C. 300ff–22(a)(1)), as so designated by section 121(a), is amended by striking ''for individuals with HIV disease'' and inserting '', subject to the conditions and limitations that apply under such section''.

(c) CONFORMING AMENDMENT TO STATE APPLICATION REQUIREMENT.—Section 2617(b)(2) (42 U.S.C. 300ff–27(b)(2)), as amended by section 121(b), is further amended by adding at the end the following:

''(F) an assurance that the State has procedures in place to ensure that services provided with funds received under this section meet the criteria specified in section 2604(b)(1)(B); and''.

**SEC. 125. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.**

Section 2612(a) (42 U.S.C. 300ff–22(a)), as amended by section 121, is further amended by adding at the end the following:

''(6) EARLY INTERVENTION SERVICES.—The State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), may provide early intervention services, as described in section 2651(b)(2), with follow-up referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

''(A)(i) is receiving funds under section 2612(a)(1); or

''(ii) is an entity constituting a point of access to services, as described in section 2617(b)(4), that maintains a referral relationship with an entity described in clause (i) and that is serving individuals at elevated risk of HIV disease; and

''(B) demonstrates to the State's satisfaction that no other Federal, State, or local funds are available for the early intervention services the entity will provide with funds received under this paragraph.''.

**SEC. 126. AUTHORIZATION OF APPROPRIATIONS FOR HIV-RELATED SERVICES FOR WOMEN AND CHILDREN.**

Section 2625(c)(2) (42 U.S.C. 300ff–33(c)(2)) is amended by striking ''fiscal years 1996 through 2000'' and inserting ''fiscal years 2001 through 2005''.

**SEC. 127. REPEAL OF REQUIREMENT FOR COMPLETED INSTITUTE OF MEDICINE REPORT.**

Section 2628 (42 U.S.C. 300ff–36) is repealed.

**SEC. 128. SUPPLEMENT GRANTS FOR CERTAIN STATES.**

Subpart I of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-11 et seq.) is amended by adding at the end the following:

**''SEC. 2622. SUPPLEMENTAL GRANTS.**

''(a) IN GENERAL.—The Secretary shall award supplemental grants to States determined to be eligible under subsection (b) to enable such States to provide comprehensive services of the type described in section 2612(a) to supplement the services otherwise provided by the State under a grant under this subpart in areas within the State that are not eligible to receive grants under part A.

''(b) ELIGIBILITY.—To be eligible to receive a supplemental grant under subsection (a) a State shall—

''(1) be eligible to receive a grant under this subpart; and

''(2) demonstrate to the Secretary that there is severe need (as defined for purposes of section 2603(b)(2)(A) for supplemental financial assistance in areas in the State that are not served through grants under part A.

''(c) APPLICATION.—A State that desires a grant under this section shall, as part of the State application submitted under section 2617, submit a detailed description of the manner in which the State will use amounts received under the grant and of the severity of need. Such description shall include—

''(1) a report concerning the dissemination of supplemental funds under this section and the plan for the utilization of such funds;

''(2) a demonstration of the existing commitment of local resources, both financial and in-kind;

''(3) a demonstration that the State will maintain HIV-related activities at a level that is equal to not less than the level of such activities in the State for the 1-year period preceding the fiscal year for which the State is applying to receive a grant under this part;

''(4) a demonstration of the ability of the State to utilize such supplemental financial resources in a manner that is immediately responsive and cost effective;

''(5) a demonstration that the resources will be allocated in accordance with the local demographic incidence of AIDS including appropriate allocations for services for

infants, children, women, and families with HIV disease;

''(6) a demonstration of the inclusiveness of the planning process, with particular emphasis on affected communities and individuals with HIV disease; and

''(7) a demonstration of the manner in which the proposed services are consistent with local needs assessments and the statewide coordinated statement of need.

''(d) AMOUNT RESERVED FOR EMERGING COMMUNITIES.—

''(1) IN GENERAL.—For awarding grants under this section for each fiscal year, the Secretary shall reserve the greater of 50 percent of the amount to be utilized under subsection (e) for such fiscal year or $5,000,000, to be provided to States that contain emerging communities for use in such communities.

''(2) DEFINITION.—In paragraph (1), the term 'emerging community' means a metropolitan area—

''(A) that is not eligible for a grant under part A; and

''(B) for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of between 1000 and 1999 cases of acquired immune deficiency syndrome for the most recent period of 5 calendar years for which such data are available.

''(e) APPROPRIATIONS.—With respect to each fiscal year beginning with fiscal year 2001, the Secretary, to carry out this section, shall utilize 50 percent of the amount appropriated under section 2677 to carry out part B for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved.

**SEC. 129. USE OF TREATMENT FUNDS.**

(a) STATE DUTIES.—Section 2616(c) (42 U.S.C. 300ff-26(c)) is amended—

(1) in the matter preceding paragraph (1), by striking ''shall—'' and inserting ''shall use funds made available under this section to—'';

(2) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively and realigning the margins of such subparagraphs appropriately;

(3) in subparagraph (D) (as so redesignated), by striking ''and'' at the end;

(4) in subparagraph (E) (as so redesignated), by striking the period and ''; and''; and

(5) by adding at the end the following:

''(F) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.'';

(6) by striking ''In carrying'' and inserting the following:

''(1) IN GENERAL.—In carrying''; and

(7) by adding at the end the following:

''(2) LIMITATIONS.—

''(A) IN GENERAL.—No State shall use funds under paragraph (1)(F) unless the limitations on access to HIV/AIDS therapeutic regimens as defined in subsection (e)(2) are eliminated.

''(B) AMOUNT OF FUNDING.—No State shall use in excess of 10 percent of the amount set-aside for use under this section in any fiscal year to carry out activities under paragraph (1)(F) unless the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to therapeutics.''.

(b) SUPPLEMENT GRANTS.—Section 2616 (42 U.S.C. 300ff-26(c)) is amended by adding at the end the following:

''(e) SUPPLEMENTAL GRANTS FOR THE PROVISION OF TREATMENTS.—

''(1) IN GENERAL.—From amounts made available under paragraph (5), the Secretary shall award supplemental grants to States determined to be eligible under paragraph (2) to enable such States to provide access to therapeutics to treat HIV disease as provided by the State under subsection (c)(1)(B) for individuals at or below 200 percent of the Federal poverty line.

''(2) CRITERIA.—The Secretary shall develop criteria for the awarding of grants under paragraph (1) to States that demonstrate a severe need. In determining the criteria for demonstrating State severity of need (as defined for purposes of section 2603(b)(2)(A)), the Secretary shall consider whether limitation to access exist such that—

''(A) the State programs under this section are unable to provide HIV/AIDS therapeutic regimens to all eligible individuals living at or below 200 percent of the Federal poverty line; and

''(B) the State programs under this section are unable to provide to all eligible individuals appropriate HIV/AIDS therapeutic regimens as recommended in the most recent Federal treatment guidelines.

''(3) STATE REQUIREMENT.—The Secretary may not make a grant to a State under this subsection unless the State agrees that—

''(A) the State will make available (directly or through donations from public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to $1 for each $4 of Federal funds provided in the grant; and

''(B) the State will not impose eligibility requirements for services or scope of benefits limitations under subsection (a) that are more restrictive than such requirements in effect as of January 1, 2000.

''(4) USE AND COORDINATION.—Amounts made available under a grant under this subsection shall only be used by the State to provide AIDS/HIV-related medications. The State shall coordinate the use of such amounts with the amounts otherwise provided under this section in order to maximize drug coverage.

''(5) FUNDING.—

''(A) RESERVATION OF AMOUNT.—The Secretary may reserve not to exceed 4 percent, but not less than 2 percent, of any amount referred to in section 2618(b)(2)(H) that is appropriated for a fiscal year, to carry out this subsection.

''(B) MINIMUM AMOUNT.—In providing grants under this subsection, the Secretary shall ensure that the amount of a grant to a State under this part is not less than the amount the State received under this part in the previous fiscal year, as a result of grants provided under this subsection.''.

(c) SUPPLEMENT AND NOT SUPPLANT.—Section 2616 (42 U.S.C. 300ff-26(c)), as amended by subsection (b), is further amended by adding at the end the following:

''(f) SUPPLEMENT NOT SUPPLANT.—Notwithstanding any other provision of law, amounts made available under this section shall be used to supplement and not supplant other funding available to provide treatments of the type that may be provided under this section.''.

**SEC. 130. INCREASE IN MINIMUM ALLOTMENT.**

(a) IN GENERAL.—Section 2618(b)(1)(A)(i) (42 U.S.C. 300ff-28(b)(1)(A)(i)) is amended—

(1) in subclause (I), by striking ''$100,000'' and inserting ''$200,000''; and

(2) in subclause (II), by striking ''$250,000'' and inserting ''$500,000''.

(b) TECHNICAL AMENDMENT.—Section 2618(b)(3)(B) (42 U.S.C. 300ff-28(b)(3)(B)) is amended by striking ''and the Republic of the Marshall Islands'' and inserting '', the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau''.

**SEC. 131. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.**

Section 2611(b) (42 U.S.C. 300ff-21(b)) is amended—

(1) by inserting ''for each population under this subsection'' after ''State shall use''; and

(2) by striking ''ratio of the'' and inserting ''ratio of each''.

## Subtitle C—Amendments to Part C (Early Intervention Services)

**SEC. 141. AMENDMENT OF HEADING; REPEAL OF FORMULA GRANT PROGRAM.**

(a) AMENDMENT OF HEADING.—The heading of part C of title XXVI is amended to read as follows:

''PART C—EARLY INTERVENTION AND PRIMARY CARE SERVICES''.

(b) REPEAL.—Part C of title XXVI (42 U.S.C. 300ff-41 et seq.) is amended—

(1) by repealing subpart I; and

(2) by redesignating subparts II and III as subparts I and II.

(c) CONFORMING AMENDMENTS.—

(1) INFORMATION REGARDING RECEIPT OF SERVICES.—Section 2661(a) (42 U.S.C. 300ff–61(a)) is amended by striking ''unless—'' and all that follows through ''(2) in the case of'' and inserting ''unless, in the case of''.

(2) ADDITIONAL AGREEMENTS.—Section 2664 (42 U.S.C. 300ff–64) is amended—

(A) in subsection (e)(5), by striking ''2642(b) or'';

(B) in subsection (f)(2), by striking ''2642(b) or''; and

(C) by striking subsection (h).

**SEC. 142. PLANNING AND DEVELOPMENT GRANTS.**

(a) ALLOWING PLANNING AND DEVELOPMENT GRANT TO EXPAND ABILITY TO PROVIDE PRIMARY CARE SERVICES.—Section 2654(c) (42 U.S.C. 300ff–54(c)) is amended—

(1) in paragraph (1), to read as follows:

''(1) IN GENERAL.—The Secretary may provide planning and development grants to public and nonprofit private entities for the purpose of—

''(A) enabling such entities to provide HIV early intervention services; or

''(B) assisting such entities to expand the capacity, preparedness, and expertise to deliver primary care services to individuals with HIV disease in underserved low-income communities on the condition that the funds are not used to purchase or improve land or to purchase, construct, or permanently improve (other than minor remodeling) any building or other facility.''; and

(2) in paragraphs (2) and (3) by striking ''paragraph (1)'' each place that such appears and inserting ''paragraph (1)(A)''.

(b) AMOUNT; DURATION.—Section 2654(c) (42 U.S.C. 300ff–54(c)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) AMOUNT AND DURATION OF GRANTS.—

''(A) EARLY INTERVENTION SERVICES.—A grant under paragraph (1)(A) may be made in an amount not to exceed $50,000.

''(B) CAPACITY DEVELOPMENT.—

''(i) AMOUNT.—A grant under paragraph (1)(B) may be made in an amount not to exceed $150,000.

''(ii) DURATION.—The total duration of a grant under paragraph (1)(B), including any renewal, may not exceed 3 years.''.

(c) INCREASE IN LIMITATION.—Section 2654(c)(5) (42 U.S.C. 300ff–54(c)(5)), as so redesignated by subsection (b), is amended by striking ''1 percent'' and inserting ''5 percent''.

**SEC. 143. AUTHORIZATION OF APPROPRIATIONS FOR CATEGORICAL GRANTS.**

Section 2655 (42 U.S.C. 300ff–55) is amended by striking ''1996'' and all that follows

through ''2000'' and inserting ''2001 through 2005''.

**SEC. 144. ADMINISTRATIVE EXPENSES CEILING; QUALITY MANAGEMENT PROGRAM.**

Section 2664(g) (42 U.S.C. 300ff–64(g)) is amended—

(1) in paragraph (3), to read as follows:

''(3) the applicant will not expend more than 10 percent of the grant for costs of administrative activities with respect to the grant;'';

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(5) the applicant will provide for the establishment of a quality management program to assess the extent to which medical services funded under this title that are provided to patients are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and that improvements in the access to and quality of medical services are addressed.''.

**SEC. 145. PREFERENCE FOR CERTAIN AREAS.**

Section 2651 (42 U.S.C. 300ff-51) is amended by adding at the end the following:

''(d) PREFERENCE IN AWARDING GRANTS.—Beginning in fiscal year 2001, in awarding new grants under this section, the Secretary shall give preference to applicants that will use amounts received under the grant to serve areas that are otherwise not eligible to receive assistance under part A.''.

**Subtitle D—Amendments to Part D (General Provisions)**

**SEC. 151. RESEARCH INVOLVING WOMEN, INFANTS, CHILDREN, AND YOUTH.**

(a) ELIMINATION OF REQUIREMENT TO ENROLL SIGNIFICANT NUMBERS OF WOMEN AND CHILDREN.—Section 2671(b) (42 U.S.C. 300ff–71(b)) is amended—

(1) in paragraph (1), by striking subparagraphs (C) and (D); and

(2) by striking paragraphs (3) and (4).

(b) INFORMATION AND EDUCATION.—Section 2671(d) (42 U.S.C. 300ff-71(d)) is amended by adding at the end the following:

''(4) The applicant will provide individuals with information and education on opportunities to participate in HIV/AIDS-related clinical research.''.

(c) QUALITY MANAGEMENT; ADMINISTRATIVE EXPENSES CEILING.—Section 2671(f) (42 U.S.C. 300ff–71(f)) is amended—

(1) by striking the subsection heading and designation and inserting the following:

''(f) ADMINISTRATION.—

''(1) APPLICATION.—''; and

(2) by adding at the end the following:

''(2) QUALITY MANAGEMENT PROGRAM.—A grantee under this section shall implement a quality management program.''.

(d) COORDINATION.—Section 2671(g) (42 U.S.C. 300ff-71(g)) is amended by adding at the end the following: ''The Secretary acting through the Director of NIH, shall examine the distribution and availability of ongoing and appropriate HIV/AIDS-related research projects to existing sites under this section for purposes of enhancing and expanding voluntary access to HIV-related research, especially within communities that are not reasonably served by such projects.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 2671(j) (42 U.S.C. 300ff–71(j)) is amended by striking ''fiscal years 1996 through 2000'' and inserting ''fiscal years 2001 through 2005''.

**SEC. 152. LIMITATION ON ADMINISTRATIVE EXPENSES.**

Section 2671 (42 U.S.C. 300ff-71) is amended—

(1) by redesignating subsections (i) and (j), as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h), the following:

''(i) LIMITATION ON ADMINISTRATIVE EXPENSES.—

''(1) DETERMINATION BY SECRETARY.—Not later than 12 months after the date of enactment of the Ryan White Care Act Amendments of 2000, the Secretary, in consultation with grantees under this part, shall conduct a review of the administrative, program support, and direct service-related activities that are carried out under this part to ensure that eligible individuals have access to quality, HIV-related health and support services and research opportunities under this part, and to support the provision of such services.

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—Not later than 180 days after the expiration of the 12-month period referred to in paragraph (1) the Secretary, in consultation with grantees under this part, shall determine the relationship between the costs of the activities referred to in paragraph (1) and the access of eligible individuals to the services and research opportunities described in such paragraph.

''(B) LIMITATION.—After a final determination under subparagraph (A), the Secretary may not make a grant under this part unless the grantee complies with such requirements as may be included in such determination.''.

**SEC. 153. EVALUATIONS AND REPORTS.**

Section 2674(c) (42 U.S.C. 399ff–74(c)) is amended by striking ''1991 through 1995'' and inserting ''2001 through 2005''.

**SEC. 154. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS UNDER PARTS A AND B.**

Section 2677 (42 U.S.C. 300ff–77) is amended to read as follows:

**''SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated—

''(1) such sums as may be necessary to carry out part A for each of the fiscal years 2001 through 2005; and

''(2) such sums as may be necessary to carry out part B for each of the fiscal years 2001 through 2005.''.

**Subtitle E—Amendments to Part F (Demonstration and Training)**

**SEC. 161. AUTHORIZATION OF APPROPRIATIONS.**

(a) SCHOOLS; CENTERS.—Section 2692(c)(1) (42 U.S.C. 300ff–111(c)(1)) is amended by striking ''fiscal years 1996 through 2000'' and inserting ''fiscal years 2001 through 2005''.

(b) DENTAL SCHOOLS.—Section 2692(c)(2) (42 U.S.C. 300ff–111(c)(2)) is amended by striking ''fiscal years 1996 through 2000'' and inserting ''fiscal years 2001 through 2005''.

**TITLE II—MISCELLANEOUS PROVISIONS**

**SEC. 201. INSTITUTE OF MEDICINE STUDY.**

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning the appropriate epidemiological measures and their relationship to the financing and delivery of primary care and health-related support services for low-income, uninsured, and under-insured individuals with HIV disease.

(b) REQUIREMENTS.—

(1) COMPLETION.—The study under subsection (a) shall be completed not later than 21 months after the date on which the contract referred to in such subsection is entered into.

(2) ISSUES TO BE CONSIDERED.—The study conducted under subsection (a) shall consider—

(A) the availability and utility of health outcomes measures and data for HIV primary care and support services and the extent to which those measures and data could be used to measure the quality of such funded services;

(B) the effectiveness and efficiency of service delivery (including the quality of services, health outcomes, and resource use) within the context of a changing health care and therapeutic environment as well as the changing epidemiology of the epidemic;

(C) existing and needed epidemiological data and other analytic tools for resource planning and allocation decisions, specifically for estimating severity of need of a community and the relationship to the allocations process; and

(D) other factors determined to be relevant to assessing an individual's or community's ability to gain and sustain access to quality HIV services.

(c) REPORT.—Not later than 90 days after the date on which the study is completed under subsection (a), the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report describing the manner in which the conclusions and recommendations of the Institute of Medicine can be addressed and implemented.

Mr. KENNEDY. Mr. President, it is a privilege to join Senators JEFFORDS, FRIST, DODD, HATCH, BINGAMAN, and WELLSTONE in introducing the Ryan White CARE Reauthorization Act. I commend Senator JEFFORDS for his leadership and commitment in making this legislation a top priority of the Health, Education, Labor, and Pensions Committee for enactment this year. I commend Senator FRIST for his medical knowledge and expertise in drafting this legislation. Senator DODD has been strongly committed to this issue for many years and I am pleased that he continues his commitment this year. Senator HATCH joined me more than a decade ago when we first introduced this legislation, and he has remained committed and involved ever since, and I commend his leadership. Senators BINGAMAN and WELLSTONE are members of our Senate Committee, and they have shown a great deal of interest in making sure that these resources reach rural Americans and other emerging populations.

Over the past twenty years, the nation has made extraordinary progress in responding to the AIDS epidemic. Medical advances, new and effective treatments, and the development of an HIV care infrastructure in every state have dramatically improved the access to care for individuals and families with HIV who would otherwise not be able to afford such care. By providing life-sustaining health and related support services, we have reduced the spread of AIDS.

The CARE Act has contributed to the significant drop in new AIDS cases. AIDS-related deaths have decreased significantly, dropping 42% from 1996 to 1997, and 20% from 1997 to 1998. Persons with HIV/AIDS are living longer and healthier lives because of the CARE Act.

Perinatal HIV transmission from mother to child has been reduced by 75% from 1992 to 1997. We are closing the gap in health care disparities in vulnerable populations such as communities of color, women, and persons with HIV who are uninsured and underinsured.

Medications have made a difference too. Highly active anti-retroviral

therapies have given a second lease on life to many Americans with HIV/AIDS. An estimated 80% of persons in treatment have used one or more of these new and effective drugs.

HIV health care and supportive services have also made a difference. An estimated 600,000 persons have received HIV services through the Ryan White CARE Act, including primary care, substance abuse treatment, dental care, hospice care, and other specialized HIV health care services, and the availability of these services has enabled them to lead productive lives.

In Massachusetts, for example, we have seen an overall 77% decline in AIDS and HIV-related deaths since 1995. At the same time, however, like many other states, we are concerned about the changing HIV/AIDS trends and profiles. AIDS and HIV cases increased in women by 11% from 1997 to 1998, and 55% of persons living with AIDS in the state are persons of color.

Clearly, we have had significant successes in fighting AIDS. We have come a long way from the days when ideology dictated care for people with AIDS and not sound public health policy. Fortunately, with the leadership of Senator HATCH and Senator JEFFORDS and our bipartisan coalition, we were able to enact the Ryan White CARE Act in memory of Ryan White. He was a young man with hemophilia who contracted AIDS through blood transfusions, and touched the world's heart through his valiant efforts to speak out against the ignorance and discrimination faced by many persons living with AIDS. His mother, Jeanne White carried on her son's message after Ryan's death in 1990. She was instrumental in the passage of the Care Act in 1990 and then again in 1996 and now in 2000.

The enactment of the Ryan White CARE Act in 1900 provided an emergency response to the devastating effects of HIV on individuals, families, communities, and state and local governments. The CARE Act signaled a comprehensive approach by targeting funds to respond to the specific needs of communities. Title I targets the hardest hit metropolitan areas in the country. Local planning and priority setting requirements under Title I assure that each of the Eligible Metropolitan Areas respond to the local HIV/AIDS demographics.

Title II of the Act funds emergency relief to the states. It helps them to develop an HIV care infrastructure and provide effective and life-sustaining HIV/AIDS drug therapies through the AIDS Drug Assistance Program to over 61,000 persons each month.

Title III funds community health centers and other primary health care providers that serve communities with a significant and disproportionate need for HIV care. Many of these community health centers are located in the hardest hit areas, serving low income communities.

Finally, Title IV of the CARE Act is designed to meet the specific needs of women, children and families.

While the CARE Act has benefited large numbers of Americans in need, a number of critical areas remain where improvements are essential if we are to meet the growing needs in our communities. We know that of the estimated 750,000 persons living with HIV/AIDS in the United States, over 215,000 know their HIV status, yet are not in care. New health care access points are needed to bring these persons into care. At the same time, the CARE Act programs currently serving an estimated 600,000 persons annually are challenged more than ever in meeting the growing need and demand for services. The Centers for Disease Control and Prevention estimates that the need will continue to grow since we have an estimated 40,000 new cases of HIV/AIDS annually in the United States.

Also, not everyone is benefiting from the advances in the development of new and effective drug treatments. The skyrocketing costs of expensive AIDS drugs, estimated at $15,000 annually per person, has led 26% of the CARE Act's AIDS Drug Assistance Programs to cap enrollment, establish waiting lists, or limit eligibility. Guaranteeing that effective drug treatments are available and affordable to all persons with HIV/AIDS has always been a priority for the CARE Act. Reducing barriers to access in communities of color and other vulnerable populations is a priority for this reauthorization.

We are fortunate in Massachusetts to have a state budget that has also been able to provide funding for primary care, prevention, and outreach efforts, but no state by itself can provide the significant financial resources to help persons living with HIV to obtain needed medical and support access.

We still find serious disparities in access to HIV health care in communities of color, women, the uninsured and underinsured. The demographics of the epidemic have been steadily changing. The majority of new AIDS cases reported are among racial and ethnic minority populations and groups that traditionally have faced heavy barriers in obtaining adequate health care services. While African Americans make up 12% of the general population, they account for 45% of new AIDS cases. 80% of new AIDS cases are occurring in women of color. As many as half of all new infections are occurring in people under the age of 25, and one quarter of all new infections are occurring in persons under the age of 22. The CARE Act must be able to adjust to meet these changing trends in the HIV/AIDS epidemic. Geographic shifts in the epidemic as well as the availability of new sources of financing for HIV/AIDS care must be taken into account to assure equity in how the federal government and states respond to the epidemic.

The CARE Act must continue to provide resources to help local communities to plan and to set priorities for CARE dollars. We must develop better ways to measure the severity of need and the health disparities, and assure that these improvements are taken into account in HIV planning, in establishing priorities, and in allocating funds.

This bill addresses these new challenges in ensuring access to HIV drug treatments for all, reducing health disparities in vulnerable communities, and improving the distribution and quality of services under the CARE Act. Proposed changes will ensure greater access to care in low income, historically underserved urban and rural communities, by increasing targeted funding to areas where the HIV care infrastructure may not exist. This bill also focuses on quality and accountability of HIV service delivery by requiring effective quality management activities that ensure their consistency with Public Health Service guidelines, and by making changes to ensure that CARE Act dollars are used for their intended purposes.

These improvements are intended to close the gap in health care disparities and improve inequities in services and funding among states. They will build capacity in underserved rural and urban areas, and focus state and local program priorities on underserved populations and persons not in care. They will develop new points of entry relationships to improve coordination of care. They will increase early access to care, in order to begin HIV treatment earlier and improve the quality of care that patients receive.

We know that the CARE Act has made a difference not only in the lives of persons with HIV/AIDS, but also in the lives of countless loved ones who have seen despair turned to hope through support of CARE Act services. The story of Lory in Massachusetts is a compelling example of young woman living with HIV, unable to work full-time, and unable to afford anti-retroviral medications without Ryan White CARE Act assistance. The support she has received from the caring staff at Fenway Clinic in Boston is impressive. As Lory told us at our committee hearing on March 2nd on the reauthorization of the Act ''It is not an exaggeration when I tell you that without Fenway I would be dead. They have saved my life.''

I'm sure that Lory's eloquent testimony is true of countless others across the country who are living with this tragic disease. The Ryan White CARE Act has made an enormous difference in their lives. I look forward to early action by Congress on this important legislation, so that we can continue to help as many people as possible.

Mr. FRIST. Mr. President, the Centers for Disease Control and Prevention estimate that between 650,000 and 900,000 Americans are currently living with human immunodeficiency virus (HIV), of whom 280,000 have acquired immune deficiency syndrome (AIDS). As of June 1999, there were 8,814 people in my home state of Tennessee living with HIV/AIDS. As a physician, I have seen first hand the deadly impact of

this disease on patients, and have also seen first hand what can happen if the prevalence of AIDS goes unchecked. On February 24, 2000, as chairman of the Foreign Relations Subcommittee on Africa, I held a hearing on the AIDS crisis in Africa. In Africa, this disease has reached truly pandemic proportions, causing cultural and economic devastation. Every day, there are 16,000 new infections globally, despite the great strides we have made in the treatment and prevention of this condition.

Ironically and unfortunately, the new advancements in treatment may have caused many to become complacent. A survey co-authored by Yale revealed that more than 80% of our youth do not believe they are at risk for HIV infections. However, the fact is that the number of new infections among adolescents continues to rise and it is rising disproportionally among minorities. AIDS remains the leading cause of death among African-Americans 25–44 years of age and the second leading cause of death among Latinos in the same age range. Furthermore, in 1998, African-American and Hispanic women accounted for 80% of the total AIDS cases reported for women nationwide. In my own state of Tennessee, 59% of the new AIDS cases were among African-Americans, who make up 45% of the total AIDS cases in the state. Since its original discovery, it is estimated that over 13.9 million have died worldwide and over 400,000 have died in the United States as a result of HIV/AIDS. Fortunately, over the last 15 years, we have doubled the life expectancy of people with AIDS, developed new and powerful drugs for the treatment of HIV infection, and made advances in the treatment and prevention of AIDS-related opportunistic infections.

Another important component in the struggle against HIV/AIDS has been the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act, which I am pleased to join with Senator JEFFORDS in supporting today. The Ryan White CARE Act, a unique partnership between federal, local, and state governments; non-profit community organizations, health care and supportive service providers. For the last decade, this Act has successfully provided much needed assistance in health care costs and support services for low-income, uninsured and underinsured individuals with HIV/AIDS.

Through programs such as AIDS Drug Assistance Program (ADAP), which provides access to pharmaceuticals, the CARE Act has helped extend and even save lives. Last year alone, nearly 100,000 people living with HIV and AIDS received access to drug therapy because of the CARE Act. Half the people served by the CARE Act have family incomes of less than $10,000 annually, which is lower than the $12,000 annual average cost of new drug ''cocktails'' for treatment. The CARE Act is critical in ensuring that the number of people living with AIDS continues to increase, as effective new drug therapies are keeping HIV-infected persons healthy longer and dramatically reducing the death rate. Investments in enabling patients with HIV to live healthier and more productive lives have helped to reduce overall health costs. For example, the National Center for Health Statistics reported that the nation has seen a 30% decline in HIV related hospitalizations, which results in nearly one million fewer HIV related hospital days and a savings of more than $1 billion.

During the 104th Congress, I had the pleasure of working with Senator Kassebaum on the Ryan White CARE Act Amendments of 1996 to ensure this needed law was extended. Today I am pleased to join Senator JEFFORDS as an original cosponsor to the Ryan White CARE Act Amendments of 2000, which will further improve and extend this law. Senator JEFFORDS, who has done a terrific job in crafting this bill, has already outlined some specifics of this legislation, however, I would like to conclude by discussing a specific provision which I am grateful Senator JEFFORDS included in this reauthorization.

This bill contains a provision, under Title II of this Act, to address the fact that the face of this disease is changing and is moving into and affecting more rural communities. A recent GAO audit found that rural areas may offer more limited medical and social services than cities because urban areas generally receive more money per AIDS case. To help address this concern, this new provision will provide supplemental grants to States for additional HIV/AIDS services in underserved areas. One important aspect of this provision is the creation of supplemental grants for emerging metropolitan communities, which do not qualify for Title I funding but have reported between 1,000 and 2,000 AIDS cases in the last five years. Currently, this provision would provide 7 cities, including Memphis and Nashville, a general pot of money to divide of at least $5 million in new funding each year, or 25% of new monies under Title II, whichever is greater.

Mr. President, I would like to thank Senator JEFFORDS for his leadership on this issue, and Sean Donohue and William Fleming of his staff for all their expertise in drafting this bill. I would also like to thank Senator KENNEDY and Stephanie Robinson of his staff for their work and dedication to this issue. I would also like to thank Dr. Bill Moore of the Tennessee Department of Health and Mr. Joe Interrante of Nashville CARES for their counsel and assistance on this legislation and for their efforts in helping Tennesseans with HIV/AIDS.

Mr. DODD. Mr. President, I am pleased to join Senators KENNEDY, JEFFORDS, FRIST, HATCH, BINGAMAN, HARKIN, WELLSTONE, REED, ENZI, and MIKULSKI in sponsoring the Ryan White CARE Reauthorization Act, legislation which will provide for the continuation of critical support services for those living with HIV and AIDS. I thank Senators JEFFORDS and KENNEDY for their leadership and commitment to this important bill, and commend their efforts to ensure that the reauthorization legislation addresses the new challenges of the HIV/AIDS epidemic.

Over the last two decades, our Nation has made tremendous advances in responding to the HIV/AIDS epidemic. We've all been encouraged by the recent reports that the number of AIDS cases dropped last year for the first time in the 16 year history of the epidemic. The new combination therapies largely responsible for this change in course have brought new hope to families devastated by this disease. Although it was unimaginable just a few years ago, it now appears possible that we may soon view AIDS, if not as curable, than at least as a manageable, chronic illness.

But, despite these advances in treatment options, the HIV/AIDS epidemic remains an enormous health emergency in the United States, with the number of AIDS cases in the U.S. nearly doubling during the last five years. According to a study sponsored by the U.S. Public Health Service, approximately 250,000 to 300,000 people living with HIV or AIDS currently receive no medical treatment. Therefore, while we must sustain our efforts in the areas of research and education, it is also critical that we continue to provide resources to help states and disproportionately affected communities develop the necessary infrastructure to provide HIV/AIDS care. One of the most important changes made to the Ryan White programs by this Reauthorization Act is the emphasis on the need for early diagnosis of the disease. This new emphasis is reflected in the bill's provisions relating to early intervention activities, which will support early diagnosis and encourage linkages into care for populations at high risk for HIV.

In the decade since the enactment of the Ryan White CARE Act we've seen a transformation in the face of AIDS. Since women and children are disproportionately represented among the newly infected, I am especially pleased that this bill provides for the coordination of Ryan White and State Children's Health Insurance Program (SCHIP) funds, and includes a set-aside for infants, children, and women proportionate to the percentage each group represents in the eligible funding area's AIDS affected population.

During the decade of the Ryan White CARE Act, we've also seen a shift in the challenges facing providers. Ten years ago, Ryan White providers focused primarily on helping people while they died. Now, more and more, providers are moving into the business of helping individuals infected with HIV live long and full lives. But, while the discovery of powerful drug therapies has improved the quality and length of life for many who are HIV positive, access to these drugs and to

other critical health services is still difficult for many, since AIDS is fast becoming a disease of poverty. The CARE Act's AIDS Drug Assistance Programs remain a lifeline for low-income individuals who cannot afford the costs of regular care and expensive AIDS drug regimens (now estimated at $15,000 annually per person).

The CARE Act has made a difference to the lives of countless individuals and families affected by a devastating disease. While there is hope for the future, the changing demographics of the disease present new challenges. The Ryan White CARE Act Amendments of 2000 address these challenges while maintaining those aspects of the Act that demonstrate proven results. I look forward to working with Congress as we move forward with the reauthorization, so that the thousands of people who rely on the services of Ryan White programs can continue to maintain their dignity and quality of life.

Mr. WELLSTONE. Mr. President, I join with my colleagues on the HELP committee to cosponsor the Ryan White Care Act Amendments of 2000. I do this with pride in what has been accomplished since I last cosponsored the reauthorization of the Ryan White Care Act in 1996. This legislation since 1991 has enabled the development of community driven systems of care for low-income, uninsured, and underinsured individuals and families affected by HIV disease.

Last year alone, the Ryan White CARE Act served an estimated half million people living with HIV and AIDS and affected the lives of millions more. Nearly 6 in 10 of these people were poor. Last year, this legislation enabled approximately 100,000 people living with HIV and AIDS to receive drug therapy. This is particularly important because half of the people served by the Act have incomes less than $10,000 a year—and the new drug treatments cost more than $12,000 annually.

According to the National Center for Health Statistics, between 1995 and 1997, there has been a 30 percent decline in HIV related hospitalizations, representing a savings of more than $1 billion. Since 1991, according to Sandra Thurman, Director of the Office of National AIDS Policy, the CARE Act has helped to reduce AIDS mortality by 70 percent; to reduce mother-child transmission of HIV by 75 percent; and to enhance both the length and quality of life for people living with HIV/AIDS.

The epidemic is far from over. Each year there are 40,000 new HIV infections in the U.S., and the death rate is no longer dropping so quickly. Although people with HIV disease are living much longer, the highly touted multi-drug therapies are beginning to fall short of their prayed for effectiveness, and they do not work for everyone.

In addition, the nature of the epidemic is changing. HIV/AIDS is devastating communities of color. AIDS is the leading cause of death for African-Americans aged 25 to 44, and the second leading cause of death among Latino Americans of the same age group. HIV/AIDS also disproportionately affects younger Americans. Half of the 40,000 new infections each year occur in individuals under age 25. AIDS is killing the youngest, potentially most productive members of our society. Without a renewed commitment to research, prevention, and culturally sensitive treatment, the rates of infection and death will continue to ravage communities of color.

It is a testament to the success of this legislation that there is such unanimity among the committee members and all of the diverse group of stakeholders that the Ryan White Care Act needs to be reauthorized. The amendments included in this legislation are designed to increase the accountability of the overall program; to meet the challenges of the changing nature of the epidemic; to improve the quality of care; and to reach those affected by this plague who have not been reached before. We often say ''Leave no child behind'' and everyone agrees. We must also say, ''let's leave no one afflicted by this dread disease untreated''.

Provisions for quality management around clinical practice will bring best practices to patients. Holding grantees accountable for quality management and relevance of programs means the money appropriated will be well spent. This is good medicine and responsible lawmaking.

Allowing for flexibility in how the AIDS Drug Assistance Program (ADAP) funds are spent will provide more low-income individuals with life-prolonging medications. Focusing on early intervention services to support early diagnosis will get patients into treatment faster and hopefully also slow the spread of the disease. Requiring grantees to develop and maintain linkages with key points of entry to the medical system, such as mental health and substance abuse treatment centers, will dramatically improve treatment, slow the spread of the disease, and reach previously unserved people. This is good prevention.

In 1990, the HIV/AIDS epidemic was primarily limited to large cities; hence the majority of funds were granted to cities. Over the last decade, unfortunately, the epidemic has spread to more rural areas and to different populations. This bill requires that funds be spent in accordance with local demographics. Several provisions in this bill will allow more funds to go to less populated areas and to provide special grants for infants, youth and women. This is good allocation of resources based on needs.

This bill also contains fiscally responsible caps on administrative costs, and requires all grantees to coordinate with Medicaid and the State Children's Health Insurance Program. This makes good fiscal sense.

Mr. President, the Ryan White CARE Act has saved lives and serves hundreds of thousands of needy people yearly. The Ryan White CARE Act has a proven record of success; let's build on that success. This federal legislation needs to be reauthorized now, as proposed, to meet the continuing needs and new challenges presented by the changing nature of the HIV/AIDS epidemic.

That is why I urge all Senators to join in cosponsoring and passing the Ryan White CARE Act Amendments of 2000, and I urge the members of the Appropriations Committee to provide the funds to fully implement it.

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By Mr. LUGAR:

S. 2312. A bill to amend title XVIII of the Social Security Act to provide for a moratorium on the mandatory delay of payment of claims submitted under part B of the Medicare Program and to establish an advanced informational infrastructure for the administration of Federal health benefits programs; to the Committee on Finance.

HEALTH CARE INFRASTRUCTURE INVESTMENT ACT OF 2000

Mr. LUGAR. Mr. President, I rise to introduce the Health Care Infrastructure Investment Act.

Formerly arcane statistics of interest only to economists, productivity and innovation are now veritable buzzwords in today's much-heralded new economy. Recently released productivity figures drew front page coverage from both the Washington Post and New York Times. Most economists, including Federal Reserve Chairman Alan Greenspan, attribute the surge in productivity to technological improvements. A host of new and improved technologies, including faster computers and rapid expansion of the Internet, have led to improved efficiencies. The result: workers are more productive, companies continue to grow and wealth is created.

Today nearly every industrial sector is involved in a race to apply new technology and management techniques to gain greater efficiencies. Yet one sector that accounts for 13 percent of America's gross domestic product—health care—still uses a patchwork-quilt of outdated technology for the most basic of its transactions.

While individual components within the health industry are adopting advanced communication, manufacturing and other technologies but the inner core of health care—a series of transactions between doctor, patient and insurance provider—remains largely untouched by technological advances that would decrease the administrative load accompanying every transaction.

At a time when America's growing population is seeking a higher quality of care; when the greying of America means that Medicare enrollment will double by 2040; when new medical procedures are being developed that hold great promise for the treatment and cure of diseases like cancer and AIDS; when prescription drugs are becoming available that extend and improve the quality of life—we have every motivation for adopting into health care some

of the same technologies and ideas responsible for transforming other sectors of the American economy.

A robust and modern infrastructure for American health care will enable resources to be shifted to where they are most needed and allow for the dramatic increases in productivity necessary to treat increasing numbers of people at a higher level of care. In this sense, efficiency is not double-speak for additional restrictions placed on the doctor-patient relationship or further regulations on insurance coverage. Instead, greater efficiency means that doctors are free to spend more time treating patients, insurance companies reduce the cost of claims processing and consumers are empowered with a better understanding of treatment and costs.

America's interstate highway system is a prime example of a wise infrastructure investment. As a result of a sustained Federal commitment, Americans enjoy an unprecedented degree of mobility while the economy benefits from the low cost and ease of transportation. A similar approach should be applied to health care whose roads for processing information resemble the rutted cobblestone paths of medieval times.

The Health Care Infrastructure Investment Act is designed to spur Federal and private sector investment so that a nationwide network of systems is built for health care. A network of systems is a descriptive term that refers to the conglomeration of hardware, software and secure information networks designed to speed the flow of information and capital between doctors, patients and insurance providers.

The primary goal of the Health Care Infrastructure Investment Act is to build an advanced infrastructure to efficiently process and handle the vast number of straightforward transactions that now clog the pipeline and drain scarce health care resources. Among the targeted transactions are immediate, point-of-service verification of insurance coverage, point-of-service checking for incomplete or erroneous claim submission and point-of-service resolution of clean claims for doctor office visits including the delivery of an explanation of benefits and payment.

When designing a complex system, a first step is to define performance standards that the system must meet. As configured, the legislation mandates broadly defined performance standards for the federally administered Medicare program that will be phased-in over a ten year period. To ensure that improvements in the infrastructure supporting federally-financed health care are matched in the managed care sector, insurers participating in the Federal Employees Health Benefits program will also be required to meet these same performance standards.

Also critical will be harnessing the expertise of selection of the Federal agency responsible for the design and implementation of an advanced health care infrastructure. Some of my colleagues have suggested that the Department of Defense or even NASA, two agencies with decades of experience with complex, distributed networks, be assigned a leadership role. Accordingly, the legislation forms a Health Care Infrastructure Commission, chaired by the Secretary of Health and Human Services, and composed of senior officials from NASA, the Defense Advanced Research Projects Agency, the National Science Foundation, the Office of Science and Technology Policy and the Department of Veterans Affairs. Officials named to the Health Care Infrastructure Commission are required to be expert in advanced information technology.

The legislation also strives to create a strong partnership with the private sector, as many of the advances in communication technology are driven by companies, both large and small.

Many pieces of a truly advanced health care infrastructure already exist. But like a modern-day Tower of Babel, communication is hindered by differences in language and function. Sorely needed is a combination of vision and commitment: vision to design a system that is secure, efficient and flexible and the commitment to dedicate necessary intellectual and financial resources for its design and implementation.

America has put a man on the moon, designed advanced stealth fighters and is now enjoying a sustained period of economic expansion stimulated by electronic devices, telephone and Internet. We must now develop and build a health care infrastructure that checks insurance status with the swipe of a card, provides speedy payment to doctors for their expertise in healing and allows a patient to leave the doctor's office with a single statement of treatment and cost. I am confident that we will succeed.

I urge my colleagues to support the Health Care Infrastructure Investment Act.

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By Mr. MOYNIHAN (for himself, Mr. REID, and Mrs. BOXER):

S. 2315. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of genetically engineered foods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

GENETICALLY ENGINEERED FOOD SAFETY ACT

• Mr. MOYNIHAN. Mr. President, today I am joined with Senator REID and Senator BOXER to introduce the Genetically Engineered Food Safety Act (S. 2315), a bill to require food safety testing for genetically engineered foods.

The ability to alter an organism by specifically transferring genetic codes between plants and animals is a new realm of science that we have only begun investigating. This technology has the promise to deliver real public goods: increased crop yields and products which combat disease and improve nutrition. But the technology also has the potential to pose a number of threats to the nation's public health, environment, and economy, and U.S. consumers are understandably concerned.

The Federal Government has a duty to ensure that genetically engineered foods (GEFs) are safe to eat. The Food and Drug Administration (FDA) currently requires rigorous pre-market review for pharmaceutical drugs, biological products, and medical devices introduced in the U.S. market. For GEFs, however, FDA only asks the industry to submit safety data voluntarily. Even if industry fully complies, our concern is that a conflict of interest exists when an industry determines its own level of safety review for products it wants to promote.

S. 2315 would simply give FDA discretion to conduct its own safety testing of new GEFs and requires that certain factors are examined. GEFs on the market today will remain on the market as long as FDA also reviews these products for health safety. Much like the current practice, funding for these tests will come primarily from industry. A fee system will be developed that is modeled after FDA's current program for reviewing pharmaceuticals and supplemented by Federal funding.

Mr. President, 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. 2315

*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 ''Genetically Engineered Food Safety Act''.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Genetic engineering is an artificial gene transfer process different from traditional breeding.

(2) Genetic engineering can be used to produce new versions of virtually all plant and animal foods. Thus, within a short time, the food supply could consist almost entirely of genetically engineered products.

(3) This conversion from a food supply based on traditionally bred organisms to one based on organisms produced through genetic engineering could be one of the most important changes in the food supply in this century.

(4) Genetically engineered foods present new issues of safety that have not been adequately studied.

(5) United States consumers are increasing concerned that food safety issues regarding genetically engineered foods are not being adequately addressed.

(6) Congress has previously required that food additives be analyzed for their safety prior to their placement on the market.

(7) Adding new genes, and the substances that the genes code for, into a food should be considered adding a food additive, thus requiring an analysis of safety factors.

(8) The food additive process gives the Food and Drug Administration discretion in

applying the safety factors that are generally recognized as appropriate to evaluate the safety of food and food ingredients.

**SEC. 3. FEDERAL DETERMINATION OF SAFETY OF GENETICALLY ENGINEERED FOOD; REGULATION AS FOOD ADDITIVE.**

(a) INCLUSION IN DEFINITION OF FOOD ADDITIVE.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended—

(1) in paragraph (s), by adding after subparagraph (6) the following:

''Such term includes the different genetic constructs, proteins of or other substances produced by such constructs, vectors, promoters, marker systems, and other appropriate terms that are used or created as a result of the creation of a genetically engineered food, other than a genetic construct, protein or other substance, vector, promoter, marker system, or other appropriate term for which an application has been filed under section 505 or 512.''; and

(2) by adding at the end the following:

''(kk)(1) The term 'genetically engineered food' means food that contains or was produced with a genetically engineered material.

''(2) The term 'genetically engineered material' means material derived from any part of a genetically engineered organism.

''(3) The term 'genetically engineered organism' means—

''(A) an organism that has been altered at the molecular or cellular level by means that are not possible under natural conditions or processes (including recombinant DNA and RNA techniques, cell fusion, microencapsulation, macroencapsulation, gene deletion and doubling, introduction of a foreign gene, and a process that changes the positions of genes), other than a means consisting exclusively of breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture; and

''(B) an organism made through sexual or asexual reproduction (or both) involving an organism described in clause (A), if possessing any of the altered molecular or cellular characteristics of the organism so described.

''(4) The term 'genetic food additive' means a genetic construct, protein or other substance, vector, promoter, marker system, or other appropriate term that is a food additive.''.

(b) PETITION TO ESTABLISH SAFETY.—

(1) DATA IN PETITION.—Section 409(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(b)(2)) is amended—

(A) in subparagraph (D), by striking ''and'' at the end;

(B) in subparagraph (E), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) in the case of a genetic food additive, all data that was collected or developed pursuant to the investigations, including data that does not support the claim of safety for use.''.

(2) NOTICES; PUBLIC AVAILABILITY OF INFORMATION.—Section 409(b)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(b)(5)) is amended—

(A) by striking ''(5)'' and inserting ''(5)(A)''; and

(B) by adding at the end the following subparagraphs:

''(B) In the case of a genetic food additive, the Secretary, promptly after providing the notice under subparagraph (A), shall make available to the public all reports and data described in subparagraphs (E) and (F) of paragraph (2) that are contained in the petition involved, and all other information in the petition to the extent that the information is relevant to a determination of safety for use of the additive. Such notice shall state whether any information in the petition is not being made available to the public because the Secretary has made a determination that the information does not relate to safety for use of the additive. Any person may petition the Secretary for a reconsideration of such a determination, and if the Secretary finds in favor of such person, the information shall be made available to the public and the period for public comment described in subsection (c)(2)(B) shall be extended until the end of the 30th day after the information is made available.

''(C) In the case of a genetic food additive, the following rules shall apply:

''(i) The Secretary shall maintain and make available to the public through electronic and non-electronic means a list of petitions that are pending under this subsection and a list of petitions for which regulations have been established under subsection (c)(1)(A). Such list shall include information on the additives involved, including the source of the additives, and including any information received by the Secretary pursuant to clause (ii).

''(ii) If a regulation is in effect under subsection (c)(1)(A) for a genetic food additive, any person who manufactures such additive for commercial use shall submit to the Secretary a notification of any knowledge of data that relate to the adverse health effects of the additive, in a case in which the knowledge is acquired by the person after the date on which the regulation took effect. If the manufacturer is in possession of the data, the notification shall include the data. The Secretary shall by regulation establish the scope of the responsibilities of manufacturers under this clause, including such limits on the responsibilities as the Secretary determines to be appropriate.''.

(3) EFFECTIVE DATE OF REGULATION REGARDING SAFE USE; OPPORTUNITY FOR PUBLIC COMMENT.—Section 409(c)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(c)(2)) is amended—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following subparagraph:

''(B) In the case of a genetic food additive, an order may not be issued under paragraph (1)(A) before the expiration of the 30-day period beginning on the date on which the Secretary has made information available to the public under subsection (b)(5)(B) regarding the petition involved. During such period (or such longer period as the Secretary may designate), the Secretary shall provide interested persons an opportunity to submit to the Secretary comments on the petition. In publishing a notice for the additive under subsection (b)(5), the Secretary shall inform the public of such opportunity.''.

(4) CONSIDERATION OF CERTAIN FACTORS.—Section 409(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(c)) is amended by adding at the end the following paragraph:

''(6) In the case of a genetic food additive, the factors considered by the Secretary regarding safety for use shall include the following:

''(A) Allergenicity effects resulting from added proteins, including proteins not found in the food supply.

''(B) Appropriate types of toxicity of proteins or other substances added to genetically engineered foods.

''(C) Pleiotropic effects. The Secretary shall require tests to determine the potential for such effects, including increased levels of toxins, or changes in the levels of nutrients.

''(D) Changes in the functional characteristics of food.''.

(5) CERTAIN TESTS.—Section 409(c) of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (4), is further amended by adding at the end the following paragraph:

''(7) In the case of a genetic food additive, the following rules shall apply:

''(A) If a genetic food additive is a protein from a commonly or severely allergenic food, the Secretary may not establish a regulation under paragraph (1)(A) for the additive if the petition filed under subsection (b)(1) for the additive fails to include full reports of investigations that used serum or skin tests (or other advanced techniques) on a sensitive population to determine whether such additive is commonly or severely allergenic.

''(B)(i) If a genetic food additive is a protein that has not undergone the investigations described in subparagraph (A), the Secretary may not establish a regulation under paragraph (1)(A) for the additive if the petition filed under subsection (b)(1) fails to include full reports of investigations that used the best available biochemical and physiological protocols to evaluate whether it is likely that the protein involved is an allergen.

''(ii)(I) For purposes of clause (i), the Secretary shall by regulation determine the best available biochemical and physiological protocols.

''(II) In carrying out rulemaking under subclause (I), the Secretary shall consult with the Director of the National Institutes of Health.''.

(6) PROHIBITED ADDITIVES.—Section 409(c) of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (5), is further amended by adding at the end the following paragraph:

''(8)(A) In the case of a genetic food additive, the Secretary may only establish a regulation under paragraph (1)(A) for the additive if the regulation requires that a food containing the additive meet the requirements of subparagraph (C), in a case in which—

''(i) the additive is a protein and a report of an investigation described in subsection (b)(2)(E) finds that the additive is likely to be commonly or severely allergenic; or

''(ii) the additive is a protein and such a report of an investigation that uses a protocol described in paragraph (7)(B) fails to find with reasonable certainty that the additive is unlikely to be an allergen.

''(B) Effective June 1, 2004, in the case of a genetic food additive, the Secretary may not establish a regulation under paragraph (1)(A), and shall repeal any regulation in effect under that paragraph, for the additive if a selective marker is used with respect to the additive, the selective marker will remain in the food involved when the food is marketed, and the selective marker inhibits the function of 1 or more antimicrobial drugs.

''(C) In a case described in clause (i) or (ii) of subparagraph (A), in order to meet the requirements of this subparagraph, a food that contains a genetic food additive shall—

''(i) bear a label or labeling that clearly and conspicuously states the name of the allergen involved; or

''(ii) be offered for sale under a name that includes the name of the allergen.''.

(7) ADDITIONAL PROVISIONS.—Section 409(c) of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (6), is further amended by adding at the end the following paragraph:

''(9)(A) In determining the safety for use of a genetic food additive under this subsection, the Secretary may (directly or through contract) conduct an investigation of such additive for purposes of supplementing the information provided to the Secretary pursuant to a petition filed under subsection (b)(1).

''(B) To provide Congress with a periodic independent, external review of the Secretary's formulation of the approval process

carried out under paragraph (1)(A) that relates to genetic food additives, the Secretary shall enter into an agreement with the Institute of Medicine of the National Academy of Sciences. Such agreement shall provide that, if the Institute of Medicine has any concerns regarding the approval process, the Institute of Medicine will submit to Congress a report describing such concerns.

''(C) In the case of genetic food additives, petitions filed under subsection (b)(1) may not be categorically excluded from the application of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

(c) REGULATION ISSUED ON SECRETARY'S INITIATIVE.—Section 409(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(d)) is amended—

(1) by striking ''(d) The Secretary'' and inserting ''(d)(1) Subject to paragraph (2), the Secretary''; and

(2) by adding at the end the following paragraph:

''(2) The provisions of subsections (b) and (c) that expressly refer to genetic food additives apply with respect to a regulation proposed by the Secretary under paragraph (1) to the same extent and in the same manner as such provisions apply with respect to a regulation issued under subsection (c) in response to a petition filed under subsection (b)(1). For purposes of this subsection, references in such provisions to information contained in such a petition shall be considered to be references to similar information in the possession of the Secretary.''.

(d) CIVIL PENALTIES.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following subsection:

''(h)(1) With respect to a violation of section 301(a), 301(b), or 301(c) involving the adulteration of food by reason of failure to comply with the provisions of section 409 that relate to genetic food additives, any person engaging in such a violation shall be liable to the United States for a civil penalty in an amount not to exceed $100,000 for each such violation.

''(2) Paragraphs (3) through (5) of subsection (g) apply with respect to a civil penalty under paragraph (1) of this subsection to the same extent and in the same manner as such paragraphs (3) through (5) apply with respect to a civil penalty under paragraph (1) or (2) of subsection (g).''.

(e) RULE OF CONSTRUCTION.—With respect to section 409 of the Federal Food, Drug, and Cosmetic Act, compliance with the provisions of such section 409 that relate to genetic food additives does not constitute an affirmative defense in any cause of action under Federal or State law for personal injury resulting in whole or in part from a genetic food additive.

**SEC. 4. USER FEES REGARDING DETERMINATION OF SAFETY OF GENETIC FOOD ADDITIVES.**

Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by inserting after section 409 the following section:

**''SEC. 409A. USER FEES REGARDING SAFETY OF GENETIC FOOD ADDITIVES.**

''(a) IN GENERAL.—In the case of genetic food additives, the Secretary shall, in accordance with this section, assess and collect a fee on each petition that is filed under section 409(b)(1). The fee shall be collected from the person who submits the petition, shall be due upon submission of the petition, and shall be assessed in an amount determined under subsection (c). This section applies as of the first fiscal year that begins after the date of promulgation of the final regulation required in section 5 of the Genetically Engineered Food Safety Act (referred to in this section as the 'first applicable fiscal year').

''(b) PURPOSE OF FEES.—

''(1) IN GENERAL.—The purposes of fees required under subsection (a) are as follows:

''(A) To defray increases in the costs of the resources allocated for carrying out section 409 for the first applicable fiscal year over the costs of carrying out such section for the preceding fiscal year, other than increases that are not attributable to the responsibilities of the Secretary with respect to genetic food additives.

''(B) To provide for a program of basic and applied research on the safety of genetic food additives (to be carried out by the Commissioner). The program shall address fundamental questions and problems that arise repeatedly during the process of reviewing petitions under section 409(b)(1) with respect to genetic food additives, and shall not directly support the development of new genetically engineered foods.

''(2) ALLOCATIONS BY SECRETARY.—Of the total fee revenues collected under subsection (a) for a fiscal year, the Secretary shall reserve and expend—

''(A) 95 percent for the purpose described in paragraph (1)(A); and

''(B) 5 percent for the purpose described in paragraph (1)(B).

''(3) CERTAIN PROVISIONS REGARDING INCREASED ADMINISTRATIVE COSTS.—With respect to fees required under subsection (a)—

''(A) increases referred to in paragraph (1)(A) include the costs of the Secretary in providing for investigations under section 409(c)(9)(A); and

''(B) increases referred to in paragraph (1)(A) include increases in costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in carrying out section 409 with respect to genetic food additives.

''(c) TOTAL FEE REVENUES; INDIVIDUAL FEE AMOUNTS.—The total fee revenues collected under subsection (a) for a fiscal year shall be the amounts appropriated under subparagraph (A) or (B) of subsection (f)(2) for such fiscal year. Individual fees shall be assessed by the Secretary on the basis of an estimate by the Secretary of the amount necessary to ensure that the sum of the fees collected for such fiscal year equals the amount so appropriated.

''(d) FEE WAIVER OR REDUCTION.—The Secretary shall grant a waiver from or a reduction of a fee assessed under subsection (a) if the Secretary finds that—

''(1) the fee to be paid will exceed the anticipated present and future costs incurred by the Secretary in carrying out the purposes described in subsection (b) (which finding may be made by the Secretary using standard costs); or

''(2) collection of the fee would result in substantial hardship for the person assessed for the fee.

''(e) ASSESSMENT OF FEES.—

''(1) LIMITATION.—

''(A) IN GENERAL.—Fees may not be assessed under subsection (a) for a fiscal year beginning after the first applicable fiscal year unless the amount appropriated for salaries and expenses of the Food and Drug Administration for such fiscal year is equal to or greater than the amount appropriated for salaries and expenses of the Food and Drug Administration for the first applicable fiscal year multiplied by the adjustment factor applicable to the later fiscal year.

''(B) DETERMINATIONS.—In making determinations under this paragraph for the fiscal years involved, the Secretary shall exclude—

''(i) the amounts appropriated under subsection (f)(2) for the fiscal years involved; and

''(ii) the amounts appropriated under section 736(g) for such fiscal years.

''(2) AUTHORITY.—If under paragraph (1) the Secretary does not have authority to assess fees under subsection (a) during a portion of a fiscal year, but does at a later date in such fiscal year have such authority, the Secretary, notwithstanding the due date under such subsection for fees, may assess and collect such fees at any time in such fiscal year, without any modification in the rate of the fees.

''(f) CREDITING AND AVAILABILITY OF FEES.—

''(1) IN GENERAL.—Fees collected for a fiscal year pursuant to subsection (a) shall be credited to the appropriation account for salaries and expenses of the Food and Drug Administration and shall be available in accordance with appropriation Acts until expended without fiscal year limitation. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for the purposes described in paragraph (1) of subsection (b), and the sums are subject to allocations under paragraph (2) of such subsection.

''(2) AUTHORIZATION OF APPROPRIATIONS.—

''(A) FIRST FISCAL YEAR.—For the first applicable fiscal year—

''(i) there is authorized to be appropriated for fees under subsection (a) an amount equal to the amount of increase determined under subsection (b)(1)(A) by the Secretary (which amount shall be published in the Federal Register); and

''(ii) in addition, there is authorized to be appropriated for fees under subsection (a) an amount determined by the Secretary to be necessary to carry out the purpose described in subsection (b)(1)(B) (which amount shall be so published).

''(B) SUBSEQUENT FISCAL YEARS.—For each of the 4 fiscal years following the first applicable fiscal year—

''(i) there is authorized to be appropriated for fees under subsection (a) an amount equal to the amount that applied under subparagraph (A)(i) for the first applicable fiscal year, except that such amount shall be adjusted under paragraph (3)(A) for the fiscal year involved; and

''(ii) in addition, there is authorized to be appropriated for fees under subsection (a) an amount equal to the amount that applied under subparagraph (A)(ii) for the first applicable fiscal year, except that such amount shall be adjusted under paragraph (3)(B) for the fiscal year involved.

''(C) SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS.—In addition to sums authorized to be appropriated under subparagraphs (A) and (B), there are authorized to be appropriated, for the purposes described in subsection (b)(1)(A), such sums as may be necessary for the first applicable fiscal year and each of the 4 subsequent fiscal years.

''(3) ADJUSTMENTS.—

''(A) AGENCY COST OF RESOURCES.—For each fiscal year other than the first applicable fiscal year, the amount that applied under paragraph (2)(A)(i) for the first applicable fiscal year shall be multiplied by the adjustment factor.

''(B) RESEARCH PROGRAM.—For each fiscal year other than the first applicable fiscal year, the amount that applied under paragraph (2)(A)(ii) for the first applicable fiscal year shall be adjusted by the Secretary (and as adjusted shall be published in the Federal Register) to reflect the greater of—

''(i) the total percentage change that occurred since the beginning of the first applicable fiscal year in the Consumer Price

Index for All Urban Consumers (all items; United States city average); or

''(ii) the total percentage change that occurred since the beginning of the first applicable fiscal year in basic pay under the General Schedule in accordance with section 5332 of title 5, United States Code, as adjusted by any locality-based comparability payment pursuant to section 5304 of such title for Federal employees stationed in the District of Columbia.

''(4) OFFSET.—Any amount of fees collected for a fiscal year under subsection (a) that exceeds the amount of fees specified in appropriation Acts for such fiscal year shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for a subsequent fiscal year.

''(g) COLLECTION OF UNPAID FEES.—In any case in which the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after the fee is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

''(h) CONSTRUCTION.—This section may not be construed as requiring that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employers, and advisory committees not engaged in carrying out section 409 with respect to genetic food additives be reduced to offset the number of officers, employees, and advisory committees so engaged.

''(i) DEFINITION OF ADJUSTMENT FACTOR.—

''(1) IN GENERAL.—In this section, the term 'adjustment factor' applicable to a fiscal year means the lower of—

''(A) the Consumer Price Index for All Urban Consumers (all items; United States city average) for April of the preceding fiscal year divided by such Index for April of the first applicable fiscal year; or

''(B) the total of discretionary budget authority provided for programs in categories other than the defense category for the preceding fiscal year (as reported in the Office of Management and Budget sequestration preview report, if available, required under section 254(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904(c))) divided by such budget authority for the first applicable fiscal year (as reported in the Office of Management and Budget final sequestration report submitted for such year under section 254(f) of such Act).

''(2) BUDGET AUTHORITY; CATEGORY.—In this subsection, the terms 'budget authority' and 'category' have the meanings given such terms in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900).''.

**SEC. 5. RULEMAKING; EFFECTIVE DATE; PREVIOUSLY UNREGULATED MARKETED ADDITIVES.**

(a) RULEMAKING; EFFECTIVE DATE.—

(1) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall by regulation establish criteria for carrying out section 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 349) in accordance with the amendments made by section 3, and criteria for carrying out section 409A of such Act (as added by section 4).

(2) EFFECTIVE DATE.—Such amendments take effect on the first day of the first fiscal year that begins after the date of promulgation of the final regulation described in paragraph (1).

(b) PREVIOUSLY UNREGULATED MARKETED ADDITIVES.—

(1) IN GENERAL.—In the case of a genetic food additive (as defined in section 201(kk)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(kk)(4))) that in the United States was in commercial use in food as of the day before the date on which the final regulation described in subsection (a) is promulgated, the amendments made by this Act apply to the additive on the expiration of the 2-year period beginning on the date on which the final regulation is promulgated, subject to paragraph (2).

(2) USER FEES.—With respect to a genetic food additive described in paragraph (1), such paragraph does not waive the applicability of section 409A of the Federal Food, Drug, and Cosmetic Act to a petition filed under section 409(b)(1) of such Act (21 U.S.C. 348(b)(1)) that is filed before the expiration of the 2-year period described in such paragraph.●

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By Mr. GRAHAM:

S. 2316. A bill to authorize the lease of real and personal property under the jurisdiction of the National Aeronautics and Space Administration; to the Committee on Commerce, Science, and Transportation.

COMMERCIAL SPACE PARTNERSHIP ACT

● Mr. GRAHAM. Mr. President, I rise today to introduce the Commercial Space Partnership Act—legislation to encourage the commercial development of space through the long term lease of real and personal property held by the National Aeronautics and Space Administration (NASA).

The Cox Commission Report identified the need to expand domestic launch capacity to meet the rapidly growing demand for commercial U.S. launch services. It is vital that we increase our domestic launch capacity, reduce our dependence on foreign launch providers and help eliminate the transfer of critical U.S. technology. The Cox Report specifically recommended that congressional committees ''report legislation to encourage and stimulate further the expansion of such capacity of competition.''

Mr. President, the Commercial Space Partnership Act is the third piece of legislation I have introduced with the goal of increasing our domestic launch capacity. The first was the Commercial Space Act, which became law in 1998. The Act helped break the federal government's monopoly on space travel by establishing a licensing framework for the private sector's reusable launch vehicles. It also provided for the conversion of excess ballistic missiles into space transportation vehicles, thus helping to reduce our nation's cost of access to space.

Last year, along with a similar bipartisan coalition, I introduced the Spaceport Investment Act. This bill would allow spaceports to issue tax-free bonds to attract private sector investment dollars for launch infrastructure. It achieves the dual purpose of reducing pressure on the federal budget while stimulating this crucial industry.

Mr. President, the third leg of this effort is the Commercial Space Partnership Act. Presently, NASA holds real and personal property that would be invaluable in developing new domestic launch resources. At the same time, however, NASA has no appropriations with which to cover the costs that result from integrating new commercial launch facilities into its existing infrastructure. The Commercial Space Partnership Act is designed to resolve this problem by allowing public and private interests with development money to lease property from NASA for the purpose of expanding commercial launch capacity, and by permitting NASA to make use of some of the lease proceeds to cover the resulting costs it incurs.

The Commercial Space Partnership Act will empower NASA to assist the commercial space industry in expanding the domestic launch capacity at no cost to the taxpayer. Under this new lease authority, NASA will receive fair market value for its property and will further be empowered to apply the lease proceeds to cover the full costs resulting from the integration of the new commercial launch facilities into NASA's existing infrastructure. The Act further provides that any lease proceeds in excess of NASA's full costs shall be forwarded to the U.S. Treasury as miscellaneous receipts.

The fair market value approach also ensures that NASA property will be leased to industry at a price which is comparable to other similar commercial properties. NASA's property will thereby be leased in a fair and equitable manner that will give in an unfair advantage to those with preexisting launch facilities in commercial locations.

Mr. President, the Commercial Space Partnership Act can only encourage and stimulate the domestic launch capacity of our country. I urge my colleagues in the Senate to join us in this important effort by co-sponsoring this bill.●

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By Mr. DORGAN (for himself and Mr. CRAIG):

S. 2317. A bill to provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes; to the Committee on the Judiciary.

STOP ALLOWING FELONS EARLY RELEASE (SAFER) ACT

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By Mr. DORGAN (for himself, Mr. CRAIG, and Mr. ROBB):

S. 2318. A bill to amend title 18, United States Code, to eliminate good time credits for prisoners serving a sentence for a crime of violence, and for other purposes; to the Committee on the Judiciary.

100 PERCENT TRUTH-IN-SENTENCING ACT

Mr. DORGAN. Mr. President, I offer legislation today that I introduced previously but on which I was not able to get action during a previous Congress, and that is legislation dealing with truth in sentencing.

Let me talk about some folks who have committed violent acts in this country. Recently, I read in a local paper here that a man named Kenneth Lodowski is walking around this metropolitan area. He was sentenced to die in 1984. He murdered two people—one

an off-duty police officer, and the other a clerk in a convenience store. He was sentenced to die in 1984 for two murders. The prosecuting attorney called the murders ''as vicious a crime as I have experienced in my 24 years as State's attorney.''

That is the crime.

After a series of appeals, this man, who was sentenced to death for two murders, had the sentence changed to life imprisonment without parole, then changed again, then changed again. Finally, the sentence was 25 years in prison. After 16 years in prison, this person is walking around the streets of this metropolitan area—free.

Why? Here is the reason. If you commit murder in this country, on average, you are going to be sentenced to about 21 years in prison. On average, a murderer will be sentenced to about 21 years in prison but will serve, on average, only 10 years behind bars.

Most people will be startled to hear that. But let me say that again. The average sentence served by a murderer in this country is about 10 years. Why? Because people are let out early. Murderers go to prison, and they get ''good time,'' time off for good behavior: If you want to get out early, just be good in prison, and we will put you back on the streets.

What happens when you are put back on the streets? You read the stories. I have spoken a number of times about Bettina Pruckmayr, a young woman who moved to town with great expectations, a young lawyer. She was abducted in a carjacking, then taken to an ATM machine to extract cash, and then stabbed 30 times in a horrible death. This young, 26-year-old attorney who was just beginning her career in this town, was stabbed 30 times by a man who had previously been convicted of rape, armed robbery, and murder. That man was on the streets legally, let out by a criminal justice system that does not keep people who we know are violent behind bars—let out early.

Or Jonathan Hall, about whom I have spoken in this Chamber, 13 years old, stabbed by a man who moved into his neighborhood, stabbed 60 times with a screwdriver, thrown down an embankment into a pond. When they found young Jonathan, after being stabbed 60 times, they found dirt and grass between his fingers because even though he had been stabbed 60 times, this 13-year-old boy had tried to crawl out of that pond into which this fellow had thrown him. His clenched fists described his will to survive. But he did not; he died.

Jonathan's murderer was a career criminal. He had been convicted previously of kidnapping and murder, but let out, and was living in the neighborhood and able to murder this 13-year-old boy—paroled just 1 year before he took Jonathan's life.

And Julie Schultz from ND, a woman whom I know fairly well, the mother of three, who stopped at a highway rest area one day on a pleasant, tranquil afternoon in North Dakota. She was attacked by a man who tried to rape her, slashed her throat, cutting her vocal cords, and left her for dead at a rest area on Highway 2 in northern North Dakota.

She survived the attack. In fact, I saw Julie just 2 weeks ago at the Minneapolis Airport. She survived the attack but has lasting scars and difficulties as a result of that attack.

Who attacked Julie? The same kind of person who attacked others around this country—people who we knew were violent, were put behind bars, and let out early because the criminal justice system says: You only have to spend 10 years, on average, in jail if you commit a murder in this country. We will sentence you to 21 years, but you only have to spend 10 years behind bars because we will let you out early if you are good.

The fellow who slashed the throat of Julie Schultz served 7 years of a life sentence in the State of Washington before being released, before being on Highway 2, on an afternoon in North Dakota, able to do what he did to Julie Schultz.

Sara Paulson, 8 years old, went out for a bike ride one day and never came back. Her body was found under a pine tree less than 200 yards from her home. She had been sexually assaulted and strangled to death. Her murderer had been previously sentenced to prison for rape but was paroled after serving less than half of his sentence.

I am introducing legislation today, cosponsored by Senator CRAIG of Idaho, and another piece of legislation cosponsored by Senator CRAIG of Idaho and Senator ROBB of Virginia. The point of it is very simple. I believe in the criminal justice system we ought to have different standards for those who commit acts of violence. Everyone in this country who commits acts of violence ought to understand: You go to prison, and your address is going to be your jail cell until the end of your sentence.

Do you know what the prison folks say to us? We need mechanisms by which we can persuade inmates to behave in prison. The mechanism is to dangle before them an early-out, time off for good behavior. So if we are able to reward them for behaving in prison, we are able to manage them.

I say to them, what about managing them on the streets?

As I stated, there is a fellow who is walking the streets in this metropolitan area now, after 16 years, who killed a policeman and killed a clerk in a store, because he was released early.

What about the people on the streets who are going to meet that fellow? What about their safety? Who is managing that violent offender now? Who managed the violent offender who viciously attacked Julie Schultz? Who managed the behavior of the man who violently attacked Jonathan Hall? Who was watching the fellow who violently attacked Bettina Pruckmayr?

The answer is, nobody.

Let us segregate and separate those who commit violent acts in this country from those who are nonviolent offenders. Let's incarcerate them all. I do not mind early release for nonviolent offenders. But for violent offenders, we ought to have a society in which everyone understands: If you commit an act of violence, the prison cell is your address to the end of your sentence. No good time off for good behavior, no getting back to the streets early. You are going to be in prison to serve your term.

It is the only way, it seems to me, to protect innocent folks, such as Bettina Pruckmayr and Jonathan Hall and Julie Schultz, and so many others who have been victimized by people we know were violent and should have been in a prison cell but, instead, were on the streets early because prison authorities let them out early with ''good time'' credits and ''good time'' releases.

Let's stop it. My legislation will do that. It says to the States: You must do it. If you do not, you are going to lose certain grants under the Criminal Justice Act. Is that tough? Yes. But we must, it seems to me, take these steps to change this.

Again, let me conclude. My colleague from Illinois, I know, wants the floor. But early releases—these are State prisons, incidentally—sexual assault: Sentenced for 10 years, on average, and you are out in 5; robbery: Sentenced for 8 years, on average, and you are out in 4; murder: Sentenced for 21 years, on average, and you are out in 10.

Everyone in this Chamber knows the horrors of crime, if not personally with them and their family, then a neighbor, a friend, a relative.

We know the current system isn't working. Too many violent offenders are sent back to America's streets. There is a way to stop that. Yes, I know we have too many people in prison; But the way to be smart about it is to segregate those who are violent offenders from those who are nonviolent. This piece of legislation would start us doing that.

If any of us, God forbid, would lose a loved one or relative because of a vicious crime committed by someone who should have been in prison but was let out early, we would spend the rest of our days trying to pass legislation like this. We ought to do it.

Let me again say, the piece of legislation I began to talk about today, because of the escape in Chula Vista, CA, has resulted in a convicted murderer walking around on the loose, a man named Prestridge. A violent murderer supposed to be spending the rest of his life behind bars is now loose because he was being transported by a private company and incompetence allowed these violent offenders, two of them, to escape—if we pass Jeanna's bill, named after the young 11-year-old who was violently murdered by Kyle Bell, if we pass that piece of legislation, I won't

be here speaking about those circumstances again because they won't happen again. I hope we will be able to address both of those pieces of legislation in the remaining months of this Congress.

I thank my colleague from Illinois. I wanted to introduce this legislation and talk about it at some length today. I know he is here to talk as well. I yield the floor.

Mr. DURBIN. Mr. President, I rise to comment on the remarks made by my friend and colleague from North Dakota, Senator DORGAN. I know his feelings are heartfelt about this issue. I know he speaks from the heart when he tells us about these terrible tragedies to which many families in America have been subjected. I hope he feels, as I do, that when it comes to violent crime, crimes involving guns and weapons, sexual assault, and the like, we should have no tolerance for that conduct. And when it comes to sentencing those responsible for the crimes, we should do it in a manner to protect American citizens and families across the board. I agree with him on that score. I think if we are ever going to stop the plague of violent crime in this country, we have to deal with enforcement of the law in a realistic way to protect families.

Two weeks ago, I was stuck in an airport in our State capital, my hometown of Springfield, which tends to be part of the job description of being a Senator. The director of the Department of Corrections, Don Snyder, came up and said hello, and we had a chance to chat about incarceration in my home State of Illinois.

There are currently, if I remember the figures off the top of my head, about 45,000 people incarcerated in the State prison system in Illinois. He told me a couple of things that were interesting. Each year, we release from the Illinois prison system over 20,000 inmates. We have this false notion that once a person is incarcerated, they are there forever.

As the Senator from North Dakota has indicated, even for the most violent criminals, that is not the case. About half of them come out each year. When you consider all the crimes for which people are incarcerated, they are back on the street. The question we obviously have to ask is whether they will commit another crime. Unfortunately, about half of them do. Those crimes, when repeated, test our resolve to not only have a system that involves punishment but, where appropriate, rehabilitation.

This director of our Department of Corrections gave me an illustration. He said, if you consider a crime involving drugs to be the possession of a thimbleful of cocaine, in 1987, the Illinois prison system had 400 people incarcerated for the possession of a thimbleful of cocaine. In the year 2000, we have 9,100 inmates incarcerated for the possession of a thimbleful of cocaine. He said: Conceding the fact that we want to end the drug scourge in our country and we want to be effective in doing it, the average drug criminal in Illinois is incarcerated for 7½ months. It is hard to believe that we are going to teach many lessons in 7½ months, but that is the average.

Here is the thing that is troubling. During the period of that incarceration in prison for the commission of the drug crime, there is virtually nothing done to deal with the underlying addiction of the inmate. So when they are released in 7½ months or a little longer, they are back on the streets, still addicted, likely to run back into the same drug culture and be exposed to the same forces that put them in prison in the first place.

He asked me a valid question: Why aren't we doing something, while we have these people who have been convicted and incarcerated, to try to get them off drugs?

I think that is a reasonable suggestion. I am not for letting violent criminals out early, but for those who are in for drug crimes, we ought to have a policy nationwide that deals with some effort to stop their addiction, to end their addiction, to try, when they are released, to give them a chance to lead a normal life that doesn't include another victim at some later point. I hope we address that.

He also indicated to me that over 80 percent of the women in the Illinois prison system have children. And while they are in prison separated from those children, oftentimes those children are in terrible circumstances. We saw in the State of Michigan a few weeks ago when a 6-year-old boy took a gun to school and killed a little classmate. Then we find his father was in prison. His mother is addicted. He was stuck in a home where he slept on a couch. No one paid attention to him. Frankly, a gun was left on a table where he could get his hands on it and take it to school.

That kind of neglect occurs too often in America. It is invited in a situation where mothers are incarcerated and no one is there to care for their kids.

This Director of Corrections said: Can we keep the link between the mother and child alive? We find that the women who are inmates really want to turn their lives around when they think their family can stay together and has a future. We know that the kids would like to keep a relationship with the mother who may turn her life around.

These are troubling questions. In a nation where we incarcerate more per capita than any other country in the world, we have to face these realities. People are coming out of prison. When they come out, we have to wonder whether there has been a part of their experience in prison that will lead to a better life for them and a safer America and less recidivism.

Mr. DORGAN. Will the Senator yield?

Mr. DURBIN. I am happy to yield.

Mr. DORGAN. I agree with what the Senator has said. Nearly half of the people incarcerated in this country are violent offenders, half are not. It seems to me we ought to be smarter in the way we incarcerate them, those half whom we know are violent. For those we know are violent, we should not be incentivizing them to move to the streets earlier. We ought to try to find ways to keep them in prison to the end of their term. Those who are nonviolent they have to be punished, serve their time. But they are not violent and are not a threat to people.

Senator John Glenn used to talk about this in the Senate. He used to bring with him a model of a Quonset hut, apparently made in Ohio. He said: This is the kind of place I lived in during the Korean war. My wife and I lived in one of these huts various places around the world. It was Marine housing, among other things. He said, for nonviolent offenders, we could put up some barbed wire and build Quonset huts. It doesn't take a fortune to create incarceration compounds for nonviolent offenders. We don't have to put them in lockups that are massively secure, lockups that cost a fortune. Use those lockups for violent offenders; then give yourself enough space to keep violent offenders behind bars to the end of their term.

That is the point I was making. I don't disagree with anything the Senator from Illinois said about the crime factor inside the prisons and about the circumstances these days of mandatory sentencing and crimes that have been nonviolent that have crowded the prison system. I thank the Senator for his comments.

Mr. DURBIN. I thank the Senator from North Dakota. I appreciate the importance of the issue of incarceration and corrections.

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By Mr. SMITH of New Hampshire (for himself and Mr. ALLARD):

S. 2319. A bill to amend title XVIII of the Social Security Act to establish a voluntary Medicare Prescription Drug Plan under which eligible Medicare beneficiaries may elect to receive coverage under the Rx Option for outpatient prescription drugs and a combined deductible; to the Committee on Finance.

VOLUNTARY MEDICARE PRESCRIPTION DRUG PLAN ACT OF 2000

Mr. SMITH of New Hampshire. Mr. President, I rise today to introduce a bill entitled the ''Voluntary Medicare Prescription Drug Plan Act of 2000.'' This bill allows seniors to enroll in a new program under Medicare which will provide for prescription drug coverage. This is an issue about which, as you know, many seniors are very concerned.

Seniors who join this plan would have a combined Part A and Part B deductible of $675, which would include all hospital, medical, and drug expenses. After the deductible is met, seniors would receive 50-percent coverage of their prescription drug costs

up to $5,000. If a senior has $2,000 in expenses for prescription drugs, $1,000 of that would be paid for under this plan.

I have spoken to senior groups and health care providers, both in Washington as well as in my State over the past several weeks, about this proposal. The response has been very enthusiastic. Seniors want a prescription drug benefit. Doctors and nurses understand the importance of providing coverage for seniors because of the expense of prescription drugs in this country. It would be a victory for seniors and for health care in this country if we could provide this coverage to them.

I have had discussions with many of my colleagues in the Senate who are working on this very issue. We have all heard from our constituents about the importance of prescription drugs. Senators BREAUX and FRIST have included prescription drugs in their overall Medicare reform package. Senators KENNEDY, SNOWE, WYDEN, GRAMS, and JEFFORDS all have proposed various plans that provide some level of prescription drug coverage in Medicare, and many others are working on separate proposals of their own.

In a recent press conference, President Clinton and Senator DASCHLE outlined their goals for prescription drug coverage. Leaving the politics aside, the fact that elected leaders from both parties are looking at this issue of prescription drug coverage is good news for the senior citizens of America. I have talked with several of my Republican colleagues, and it is clear to me there is overwhelming support for allowing seniors to have this choice. The only question among us all is how we can responsibly structure such a program.

I have heard from seniors in my State about what they are looking for in a prescription drug plan.

First, they are concerned about the solvency of the Medicare program. They want a program that does not add some huge financial burden to the trust fund which will be passed on to their grandchildren. They do not want to increase the national debt, either. Yes, seniors are concerned about the national debt. Ask them the next time you speak to a seniors group.

The President's proposal, as it is written, blows a $168 billion hole in the trust fund, threatening its solvency.

Second, seniors do not want new premiums. My plan requires no premium hike for seniors. Zero. The President's plan requires a $51 annual premium increase.

I will repeat that. Seniors do not want to blow a hole in the national debt. They do not want to inflate the debt. Yet the President's proposal adds $168 billion that is going to come out of that trust fund, threatening its solvency. And seniors do not want more premiums. My plan has no increase in premiums; the President's plan, $51—just to start—annual premium increase.

The guiding principles of this plan, which may come as a shock to some of my colleagues on the other side of the aisle, are the same principles as those of the President and the distinguished minority leader for any prescription drug plan. I want to repeat the six principles the minority leader has introduced on behalf of the President. I am going to add three more to those six and make it even better. I do not know why we cannot have almost unanimous support for this piece of legislation.

First of all, under the plan the Senate Democrats are committed to passing this year, there are six basic principles. I agree with them all.

No. 1, it is voluntary. Medicare beneficiaries who now have dependable, affordable prescription drug coverage should have the option of keeping that coverage.

No. 2, it is accessible to all beneficiaries. I agree with that. A hallmark of Medicare is that all beneficiaries, even those in rural or underserved communities, have access to dependable health care. It should be accessible to everybody. I agree with the second principle.

No. 3, it is designed to provide meaningful protection and bargaining power for seniors. A Medicare drug benefit should assist seniors with the high cost of drugs and protect them against excessive, out-of-pocket expenses. I agree with that.

No. 4, it should be affordable to all beneficiaries, and it should be affordable to the Medicare program itself.

Medicare should contribute enough toward the prescription drug premium to make it affordable and attractive for all beneficiaries and to ensure the viability of the benefit. I agree with that.

No. 5, administered using private-sector entities and competitive purchasing techniques. In other words, the program is administered by using private sector entities and competitive purchasing techniques. The management of the prescription drug benefit should mirror the practices employed by private insurers. Discounts should be achieved through competition, not through price controls or regulation.

I agree with that.

We are five for five.

No. 6, consistent with broader Medicare reform, the addition of a Medicare drug benefit should be consistent with an overall plan to strengthen and modernize Medicare. Medicare will face the same demographic strain as Social Security when the baby boomer generation retires. So it is consistent with broader Medicare reform.

I agree with that.

There are six principles I can support.

I would ask my colleagues on the other side of the aisle to join me now with three more principles I would add:

No. 1, that the plan be revenue neutral to preserve and protect the financial integrity of the Medicare trust fund. In other words, it does not cost the Government any more money.

No. 2, that the plan does not raise Medicare premiums. Their plan, $51 annually to seniors; my plan, zero. So no increase in premiums.

And No. 3, that full benefits be provided, not in 2009, as the administration plan proposes, but in 2001, 8 years sooner.

So my three principles—revenue neutral, do not raise the premiums, provide the benefits in 2001—those three principles enhance and strengthen the other six principles put forth by my colleagues on the other side of the aisle.

My plan accomplishes all three of the principles I have outlined.

Let me briefly explain how it works.

A senior already enrolled in Medicare Parts A and B—already enrolled in Part A, hospital, and Part B, doctor—will have the option of choosing my new voluntary prescription drug plan. It is their option. Nobody is mandated; they choose. It will cover 50 percent of their prescription drug costs toward the first $5,000 worth of prescription drugs. If they buy $4,000 worth of drugs—$2,000 for prescription drugs; $2,000 is covered.

How do we do this? How do we make it work? Medicare Part A—under the old system, the current system—has a $776 deductible. Medicare Part B has a $100 deductible. In other words, if you go to the doctor, the first $100 you pay for; if you go to the hospital, the first $776 you pay for; the rest, Medicare pays. That is a total of $876 you will have to pay.

My new plan would create one new deductible, combining those two deductibles of Part A and Part B into one deductible of $675, which would apply to all hospital costs, all doctor visits, and prescription drugs—50 cents on the dollar up to $5,000. And the prescription drug costs apply to the deductible, so every dollar you pay for a prescription moves you forward to meet the deductible.

Once the $675 deductible is met by the Medicare recipient, Medicare then will pay 50 percent of the cost toward the first $5,000 worth of drugs the senior purchases.

However, the senior could not purchase a Medigap plan that would pay for the $675 deductible. This must be paid for by the senior. But if you have a Medigap plan now as a senior, you will not need it.

As a result, seniors would save about $550 under Medigap plans if they traded their current Medigap plan for my new prescription drug plan. Again, it is their option. It is voluntary. Seniors could even use their $550 in savings to pay the $675 deductible.

If you are a senior out there, and you have Part A, Part B, and you are paying $675 toward the deductible, and you have Medigap insurance of $550, you now can put the $550 toward the $675 to meet your deductible. So you are going to have $550 in savings. You can put that toward the $675, and you are already two-thirds of the way there.

But how do you get the cost savings?

As my colleagues are aware, according to the National Bipartisan Commission on the Future of Medicare, the

Federal Government pays about $1,400 more per senior if the senior owns a Medigap plan that covers their Part A and Part B deductible. This, generally, is because of our overutilization of hospital and doctor visits by the senior. The savings result because Medicare will not have to pay this $1,400 per person per year out of the trust fund.

As I mentioned, all hospital, physician, and prescription drug costs would count toward this $675 deductible. Once it was met, the senior would receive regular, above-the-deductible Medicare coverage, just as you get now. Or if you worked out the numbers and decided against my plan, then you would not have to select it; it is your choice.

I believe the vast majority of seniors will benefit from this plan. In fact, every senior with a Medigap plan will definitely benefit. Any senior with a prescription drug expenditure of more than $15 a month will benefit. Today, the Medicare Part A and Part B deductible totals $876, which most seniors cover by an average $1,611 Medigap insurance premium.

These estimates, as well as the estimate that the bill is budget neutral, come from Mr. Guy King, formerly chief actuary for the Health Care Financing Administration under President Clinton. I received a letter just this morning from Mr. King, from which I would like to quote:

DEAR SENATOR SMITH: This is in response to your letter of March 9, 2000, asking for my analysis of legislation you intend to introduce in the Senate. The proposed legislation establishes a voluntary prescription drug benefit, the Medicare Prescription Drug Plan, under the Medicare program.

Under the Medicare Prescription Drug Plan, the current Part A and Part B deductibles would be replaced by a single deductible of $675 which would also be applicable to the new prescription drug benefit. The Medicare program would pay fifty percent of the cost of prescription drugs, up to a maximum of $2,500 after satisfaction of the deductible.

He goes on to describe it.

Quoting further:

As you requested, I performed an analysis of the proposed legislation. This analysis is based on Medicare and prescription drug data I obtained from the Health Care Financing Administration. My analysis indicates that the Medicare Prescription Drug Plan, as described above, would be cost-neutral to the Medicare program if it were made available on a voluntary basis to all beneficiaries except those also covered by Medicaid.

It is signed by Guy King.

Let me just conclude speaking on this bill by saying, the benefits in this plan are delivered by private companies and regional entities, such as pharmaceutical benefit managers. These entities would negotiate with large drug companies and provide the drugs to Medicare seniors.

Finally, according to the actuaries who reviewed the legislation, there will be no adverse selection. Both the healthy and the sick will have an incentive to choose this plan. Everybody is in.

There are many different methods of providing prescription drug coverage for seniors, but I urge my colleagues—I plead with my colleagues—to look to the revenue-neutral methods that fund this benefit by the elimination of waste in the present system. I urge my colleagues to resist the temptation to raise Medicare premiums on the people who can least afford it.

I have vivid memories of seniors rocking Mr. Rostenkowski's car a few years ago when he decided to raise Medicare premiums. Let's look at it more specifically. The House's fiscal year 2001 budget—this is important—sets $40 billion aside for prescription drugs. In the Senate, we are expected to do a budget that is going to set aside $20 billion.

We don't need either under my plan. We don't need any more money. We don't need $20 billion. We don't need $40 billion. We don't need $2 billion. We don't need any billions. Let's use the money for debt reduction or tax credits for the uninsured rather than providing for prescription drugs, when we could use my revenue-neutral prescription plan instead.

I must say, in all candor, some of the deflections I have had put in my way on this issue by some in this body are disturbing. I will not get into details. I want people to listen and look at this plan. It is a good plan. I would like to have the opportunity to be able to talk about it in more detail with some of my colleagues, because it makes no sense to take $40 billion max, anywhere from $20 billion to $40 billion, and put it into this prescription plan when we don't need to. Let's put it on the debt or let's buy something else with it that is worthwhile. We don't need it.

A neutral plan that does not raise premiums, that takes effect in 2001 is a good plan. It is a good idea. We need to implement it.

I urge my colleagues to take a look at this bill.

I ask unanimous consent that the letter from Mr. King be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

KING ASSOCIATES,
*Annapolis, MD, March 28, 2000.*

Hon. BOB SMITH,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR SMITH: This is in response to your letter of March 9, 2000 asking for my analysis of legislation you intend to introduce in the Senate. The proposed legislation establishes a voluntary prescription drug benefit, the Medicare Prescription Drug Plan, under the Medicare program.

Under the Medicare Prescription Drug Plan, the current Part A and Part B deductibles would be replaced by a single deductible of $675 which would also be applicable to the new prescription drug benefit. The Medicare program would pay fifty percent of the cost of prescription drugs, up to a maximum of $2,500 after satisfaction of the deductible. A beneficiary who chooses the Medicare Prescription Drug Plan would not be allowed to purchase a Medicare supplement policy that fills in the $675 deductible, so special Medicare supplement policies for those who choose the option would be allowed.

The Medicare Prescription Drug Plan would be available, on a voluntary basis, to any Medicare beneficiary not also covered by Medicaid. The possibility of anti-selection is an important consideration for a plan that is available to all Medicare beneficiaries as an option. I believe that the design features of the Medicare Prescription Drug Plan, as outlined in your legislation, minimize the impact of anti-selection.

As you requested, I performed an analysis of the proposed legislation. This analysis is based on Medicare and prescription drug data that I obtained from the Health Care Financing Administration (HCFA). My analysis indicates that the Medicare Prescription Drug Plan, as described above, would be cost-neutral to the Medicare program if it were made available on a voluntary basis to all beneficiaries except those also covered by Medicaid.

If you should have any questions regarding my analysis, please don't hesitate to call.

Sincerely,

ROLAND E. (GUY) KING,
*President.*

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By Mr. JEFFORDS (for himself, Mr. BREAUX, Mr. FRIST, Mrs. LINCOLN, and Ms. SNOWE):

S. 2320. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for health insurance costs, and for other purposes; to the Committee on Finance.

HEALTH COVERAGE, ACCESS, RELIEF, AND EQUITY (CARE) ACT

Mr. JEFFORDS. Mr. President, today, I am pleased to join with my colleagues in introducing the Health Coverage, Access, Relief and Equity Act or Health CARE Act. This legislation will provide low-income Americans with a refundable tax credit for the purchase of health insurance coverage. This effort marks the first major bipartisan, bicameral, market-based initiative on behalf of the uninsured since 1994.

I believe the issue of access to health coverage for the uninsured must be a top national priority. The uninsured often go without needed health care or face unaffordable medical bills. Insurance coverage guarantees providers reimbursement for their services, and it helps contain costs by encouraging more appropriate use of the health care system.

Unfortunately, the main source of coverage—employer-based insurance—is simply not available to a significant number of working Americans and their families. High health care cost increases have caused more people to become uninsured.

New Census Bureau data indicate that there are now 44 million Americans with no health coverage, an increase of one million from last year. This number is unacceptable for a prosperous nation with a strong economy.

A new poll indicates that our bill is consistent with the main health care concern of average voters. When asked what they think is the most important problem about our health care system that the government should address, the top choice—selected by 29 percent of those sampled—was universal coverage.

I believe the legislation we're introducing today can provide the necessary foundation for achieving the goal of expanded health coverage. The Health CARE tax credit is targeted to those who are most in need of help, due to their lack of income, access to subsidized employment-based coverage, and ineligibility for public programs.

About one-half of the full-time working poor were uninsured last year. Many of these individuals work for small firms. In my own state of Vermont, only 27 percent of workers in firms employing fewer than 10 people are offered health insurance.

These uninsured working Americans have one thing in common: they are low wage workers—with nearly 70 percent making less than two times the minimum wage. Without additional resources, health insurance coverage is either beyond their reach or only purchased by giving up other basic necessities of life.

The Health CARE Act will provide a refundable tax credit to help low and moderate-income individuals and families purchase health insurance.

The legislation will provide a refundable tax credit of $1,000 for the purchase of individual coverage to those with adjusted gross incomes of up to $35,000 and it will provide a $2,000 credit for the purchase of family coverage for those with AGI of up to $55,000.

The initial estimates show that this proposal will help almost 9 million Americans. It will provide health coverage for 3.2 million Americans who are presently uninsured and give needed financial relief to another 5.5 million low-income Americans who are using their scarce dollars to buy individual health insurance policies.

Realizing that insurance coverage is not the single answer for our nation's health access problems, we are also developing additional components to the Health CARE Act which will focus on improving access to health care services and safety net providers, such as community health centers and rural health clinics.

We must do whatever we can to ensure that the Safety Net already in place becomes stronger and more reliable. Just last week, the Subcommittee on Public Health held a hearing on three of our nation's safety provider programs—the Consolidated Health Centers program, the National Health Service Corps, and the Community Access program.

I look forward to working with Senator FRIST on shoring up the Safety Net, and together we plan to introduce an additional component to the CARE Act on Safety Net providers that will become part of the larger health CARE Package.

Our goal for this legislation is to maximize health coverage, tax equity, and cost efficiency, and we believe it should be included as an important element in any tax package that Congress enacts this year.

The Health CARE Act will increase the number of Americans who have health insurance coverage by filling key gaps in the current system and supporting a system of health care financial and delivery that complements the employment-based system.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

Mr. President, I hope my colleagues will take a look at this. I hope they will join me in making sure we do what must be done to make sure the people who need it the most gets it.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2320

*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 ''Health Coverage, Access, Relief, and Equity (C.A.R.E.) Act''.

**SEC. 2. REFUNDABLE HEALTH INSURANCE COSTS CREDIT.**

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable personal credits) is amended by redesignating section 35 as section 36 and inserting after section 34 the following new section:

**''SEC. 35. HEALTH INSURANCE COSTS.**

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the amount paid during the taxable year for qualified health insurance for the taxpayer and the taxpayer's spouse and dependents.

''(b) LIMITATIONS.—

''(1) MAXIMUM DOLLAR AMOUNT.—

''(A) IN GENERAL.—The amount allowed as a credit under subsection (a) to the taxpayer for the taxable year shall not exceed the sum of the monthly limitations for coverage months during such taxable year.

''(B) MONTHLY LIMITATION.—The monthly limitation for each coverage month during the taxable year is the amount equal to 1/12 of—

''(i) in the case of self-only coverage, $1,000, and

''(ii) in the case of family coverage, $2,000.

''(2) PHASEOUT OF CREDIT.—

''(A) IN GENERAL.—The amount which would (but for this paragraph) be taken into account under subsection (a) shall be reduced (but not below zero) by the amount determined under subparagraph (B).

''(B) AMOUNT OF REDUCTION.—The amount determined under this subparagraph is the amount which bears the same ratio to the amount which would be so taken into account as—

''(i) the excess of—

''(I) the taxpayer's modified adjusted gross income for such taxable year, over

''(II) $35,000 ($55,000 in the case of family coverage), bears to

''(ii) $10,000.

''(C) MODIFIED ADJUSTED GROSS INCOME.—The term 'modified adjusted gross income' means adjusted gross income determined—

''(i) without regard to this section and sections 911, 931, and 933, and

''(ii) after application of sections 86, 135, 137, 219, 221, and 469.

''(3) COORDINATION WITH DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS.—In the case of a taxpayer who is eligible to deduct any amount under section 162(l) for the taxable year, this section shall apply only if the taxpayer elects not to claim any amount as a deduction under such section for such year.

''(c) COVERAGE MONTH DEFINED.—For purposes of this section—

''(1) IN GENERAL.—The term 'coverage month' means, with respect to an individual, any month if—

''(A) as of the first day of such month such individual is covered by qualified health insurance, and

''(B) the premium for coverage under such insurance for such month is paid by the taxpayer.

''(2) EMPLOYER-SUBSIDIZED COVERAGE.—

''(A) IN GENERAL.—Such term shall not include any month for which such individual is eligible to participate in any subsidized health plan (within the meaning of section 162(l)(2)) maintained by any employer of the taxpayer or of the spouse of the taxpayer.

''(B) PREMIUMS TO NONSUBSIDIZED PLANS.—If an employer of the taxpayer or the spouse of the taxpayer maintains a health plan which is not a subsidized health plan (as so defined) and which constitutes qualified health insurance, employee contributions to the plan shall be treated as amounts paid for qualified health insurance.

''(3) CAFETERIA PLAN AND FLEXIBLE SPENDING ACCOUNT BENEFICIARIES.—Such term shall not include any month during a taxable year if any amount is not includible in the gross income of the taxpayer for such year under section 106 with respect to—

''(A) a benefit chosen under a cafeteria plan (as defined in section 125(d)), or

''(B) a benefit provided under a flexible spending or similar arrangement.

''(4) MEDICARE AND MEDICAID.—Such term shall not include any month during a taxable year with respect to an individual if, as of the first day of such month, such individual—

''(A) is eligible for any benefits under title XVIII of the Social Security Act, or

''(B) is eligible to participate in the program under title XIX or XXI of such Act.

''(5) CERTAIN OTHER COVERAGE.—Such term shall not include any month during a taxable year with respect to an individual if, as of the first day of such month, such individual is eligible—

''(A) for benefits under chapter 17 of title 38, United States Code,

''(B) for benefits under chapter 55 of title 10, United States Code,

''(C) to participate in the program under chapter 89 of title 5, United States Code, or

''(D) for benefits under any medical care program under the Indian Health Care Improvement Act or any other provision of law.

''(6) PRISONERS.—Such term shall not include any month with respect to an individual if, as of the first day of such month, such individual is imprisoned under Federal, State, or local authority.

''(d) QUALIFIED HEALTH INSURANCE.—For purposes of this section, the term 'qualified health insurance' means health insurance coverage (as defined in section 9832(b)(1)(A)), including coverage under a high deductible health plan (as defined in section 220(c)(2)) or a COBRA continuation provision (as defined in section 9832(d)(1)).

''(e) MEDICAL SAVINGS ACCOUNT CONTRIBUTIONS.—

''(1) IN GENERAL.—If a deduction would (but for paragraph (2)) be allowed under section 220 to the taxpayer for a payment for the taxable year to the medical savings account of an individual, subsection (a) shall be applied by treating such payment as a payment for qualified health insurance for such individual.

''(2) DENIAL OF DOUBLE BENEFIT.—No deduction shall be allowed under section 220 for that portion of the payments otherwise allowable as a deduction under section 220 for the taxable year which is equal to the

amount of credit allowed for such taxable year by reason of this subsection.

''(f) SPECIAL RULES.—

''(1) COORDINATION WITH MEDICAL EXPENSE DEDUCTION.—The amount which would (but for this paragraph) be taken into account by the taxpayer under section 213 for the taxable year shall be reduced by the credit (if any) allowed by this section to the taxpayer for such year.

''(2) DENIAL OF CREDIT TO DEPENDENTS.—No credit shall be allowed under this section to any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins.

''(3) COORDINATION WITH ADVANCE PAYMENT.—Rules similar to the rules of section 32(g) shall apply to any credit to which this section applies.

''(g) EXPENSES MUST BE SUBSTANTIATED.—A payment for insurance to which subsection (a) applies may be taken into account under this section only if the taxpayer substantiates such payment in such form as the Secretary may prescribe.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section, including regulations under which—

''(1) an awareness campaign is established to educate the public, insurance issuers, and agents or others who market health insurance about the requirements and procedures under this section, including—

''(A) criteria for insurance products and group health coverage which constitute qualified health insurance under this section, and

''(B) guidelines for marketing schemes and practices which are appropriate and acceptable in connection with the credit under this section, and

''(2) periodic reviews or audits of health insurance policies and group health plans (and related promotional marketing materials) which are marketed to eligible taxpayers under this section are conducted for the purpose of determining—

''(A) whether such policies and plans constitute qualified health insurance under this section, and

''(B) whether offenses described in section 7276 occur.''.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of such Code (relating to information concerning transactions with other persons) is amended by inserting after section 6050S the following new section:

**''SEC. 6050T. RETURNS RELATING TO PAYMENTS FOR QUALIFIED HEALTH INSURANCE.**

''(a) IN GENERAL.—Any person who, in connection with a trade or business conducted by such person, receives payments during any calendar year from any individual for coverage of such individual or any other individual under creditable health insurance, shall make the return described in subsection (b) (at such time as the Secretary may by regulations prescribe) with respect to each individual from whom such payments were received.

''(b) FORM AND MANNER OF RETURNS.—A return is described in this subsection if such return—

''(1) is in such form as the Secretary may prescribe, and

''(2) contains—

''(A) the name, address, and TIN of the individual from whom payments described in subsection (a) were received,

''(B) the name, address, and TIN of each individual who was provided by such person with coverage under creditable health insurance by reason of such payments and the period of such coverage,

''(C) the aggregate amount of payments described in subsection (a),

''(D) the qualified health insurance credit advance amount (as defined in section 7527(e)) received by such person with respect to the individual described in subparagraph (A), and

''(E) such other information as the Secretary may reasonably prescribe.

''(c) CREDITABLE HEALTH INSURANCE.—For purposes of this section, the term 'creditable health insurance' means qualified health insurance (as defined in section 35(d)) other than—

''(1) insurance under a subsidized group health plan maintained by an employer, or

''(2) to the extent provided in regulations prescribed by the Secretary, any other insurance covering an individual if no credit is allowable under section 35 with respect to such coverage.

''(d) STATEMENTS TO BE FURNISHED TO INDIVIDUALS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under subsection (a) shall furnish to each individual whose name is required under subsection (b)(2)(A) to be set forth in such return a written statement showing—

''(1) the name and address of the person required to make such return and the phone number of the information contact for such person,

''(2) the aggregate amount of payments described in subsection (a) received by the person required to make such return from the individual to whom the statement is required to be furnished,

''(3) the information required under subsection (b)(2)(B) with respect to such payments, and

''(4) the qualified health insurance credit advance amount (as defined in section 7527(e)) received by such person with respect to the individual described in paragraph (2). The written statement required under the preceding sentence shall be furnished on or before January 31 of the year following the calendar year for which the return under subsection (a) is required to be made.

''(e) RETURNS WHICH WOULD BE REQUIRED TO BE MADE BY 2 OR MORE PERSONS.—Except to the extent provided in regulations prescribed by the Secretary, in the case of any amount received by any person on behalf of another person, only the person first receiving such amount shall be required to make the return under subsection (a).''.

(2) ASSESSABLE PENALTIES.—

(A) Subparagraph (B) of section 6724(d)(1) of such Code (relating to definitions) is amended by redesignating clauses (xi) through (xvii) as clauses (xii) through (xviii), respectively, and by inserting after clause (x) the following new clause:

''(xi) section 6050T (relating to returns relating to payments for qualified health insurance),''.

(B) Paragraph (2) of section 6724(d) of such Code is amended by striking ''or'' at the end of the next to last subparagraph, by striking the period at the end of the last subparagraph and inserting '', or'', and by adding at the end the following new subparagraph:

''(BB) section 6050T(d) (relating to returns relating to payments for qualified health insurance).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6050S the following new item:

''Sec. 6050T. Returns relating to payments for qualified health insurance.''.

(c) CRIMINAL PENALTY FOR FRAUD.—Subchapter B of chapter 75 of such Code (relating to other offenses) is amended by adding at the end the following new section:

**''SEC. 7276. PENALTIES FOR OFFENSES RELATING TO HEALTH INSURANCE TAX CREDIT.**

''Any person who knowingly misuses Department of the Treasury names, symbols, titles, or initials to convey the false impression of association with, or approval or endorsement by, the Department of the Treasury of any insurance products or group health coverage in connection with the credit for health insurance costs under section 35 shall on conviction thereof be fined not more than $10,000, or imprisoned not more than 1 year, or both.''.

(d) CONFORMING AMENDMENTS.—

(1) Section 162(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) ELECTION TO HAVE SUBSECTION APPLY.—No deduction shall be allowed under paragraph (1) for a taxable year unless the taxpayer elects to have this subsection apply for such year.''.

(2) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period '', or from section 35 of such Code''.

(3) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking the last item and inserting the following new items:

''Sec. 35. Health insurance costs.

''Sec. 36. Overpayments of tax.''.

(4) The table of sections for subchapter B of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7276. Penalties for offenses relating to health insurance tax credit.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(2) PENALTIES.—The amendments made by subsections (c) and (d)(4) shall take effect on the date of the enactment of this Act.

**SEC. 3. ADVANCE PAYMENT OF CREDIT TO ISSUERS OF QUALIFIED HEALTH INSURANCE.**

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

**''SEC. 7527. ADVANCE PAYMENT OF HEALTH INSURANCE CREDIT TO ISSUERS OF QUALIFIED HEALTH INSURANCE.**

''(a) GENERAL RULE.—In the case of an eligible individual, the Secretary shall make payments to the health insurance issuer of such individual's qualified health insurance equal to such individual's qualified health insurance credit advance amount with respect to such issuer.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means any individual—

''(1) who purchases qualified health insurance (as defined in section 35(c)), and

''(2) for whom a qualified health insurance credit eligibility certificate is in effect.

''(c) HEALTH INSURANCE ISSUER.—For purposes of this section, the term 'health insurance issuer' has the meaning given such term by section 9832(b)(2).

''(d) QUALIFIED HEALTH INSURANCE CREDIT ELIGIBILITY CERTIFICATE.—For purposes of this section, a qualified health insurance credit eligibility certificate is a statement furnished by an individual to a qualified health insurance issuer which—

''(1) certifies that the individual will be eligible to receive the credit provided by section 35 for the taxable year,

''(2) estimates the amount of such credit for such taxable year, and

''(3) provides such other information as the Secretary may require for purposes of this section.

''(e) QUALIFIED HEALTH INSURANCE CREDIT ADVANCE AMOUNT.—For purposes of this section, the term 'qualified health insurance credit advance amount' means, with respect to any qualified health insurance issuer of qualified health insurance, an estimate of the amount of credit allowable under section 35 to the individual for the taxable year which is attributable to the insurance provided to the individual by such issuer.

''(f) REQUIRED DOCUMENTATION FOR RECEIPT OF PAYMENTS OF ADVANCE AMOUNT.—No payment of a qualified health insurance credit advance amount with respect to any eligible individual may be made under subsection (a) unless the health insurance issuer provides to the Secretary—

''(1) the qualified health insurance credit eligibility certificate of such individual, and

''(2) the return relating to such individual under section 6050T.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

''Sec. 7527. Advance payment of health insurance credit for purchasers of qualified health insurance.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2001.

● Mr. FRIST. Mr. President, I am pleased to join my colleagues today and be part of the first bipartisan, bicameral group to address the growing number of individuals and families without health insurance coverage in this country.

The problem has been made clear. America's uninsured population continues to rise. Despite the fact that we are enjoying strong economic times, the nation's uninsured population has grown to 44 million over the past decade. We know that the majority of the uninsured—32 of the 44 million—earn an annual income of under $50,000. We also know that the rising cost of health insurance is the single most important reason for not purchasing health care coverage. Many Americans simply cannot afford to buy health insurance.

The solutions are becoming clearer as well. A one-size fits all approach to expand health coverage and access to health care does not meet the various needs of the uninsured population. As a result, our proposal will take a multi-pronged approach that meets the needs of the uninsured and looks at innovative approaches to provide individuals greater ability to purchase coverage. We will seek to build upon the current employer-based system which continues to be the main source of health care coverage for most Americans.

Our goal is to fill the coverage gaps that exist in the current system. A central piece of our proposal is to provide a refundable tax credit for low-income Americans who are not offered a contribution for their insurance through their employer and do not receive coverage through federal programs such as Medicaid or Medicare. The legislation introduced today will help hard working Americans who cannot afford to buy coverage on their own. For example, the part-time worker who is not offered employer-sponsored health insurance will be offered a $1,000 tax credit to purchase health care coverage. The single mother with two children earning less than $50,000 a year, will be offered a $2,000 credit to purchase health insurance.

The legislation introduced today is the first of many steps that we will take to address the varying needs of the uninsured. Over the next several months, we will also explore a variety of options to assist individuals and their families in purchasing health coverage either through existing employer plans, the individual market, or through purchasing pools; seek ways to improve enrollment in existing federal programs, where approximately 5 million adults and 8 million children are eligible for Medicaid and the State Children's Health Insurance Program (S–CHIP) yet are not enrolled; and finally, as the Chairman of the Subcommittee on Public Health, I will work closely with my colleagues to explore ways to expand and sustain our safety net system to improve access to critical primary care services to the uninsured and medically underserved populations.

I especially wish to thank the American Academy of Family Physicians, the American Hospital Association, the American Medical Association, the Americans for Tax Reform, the BlueCross BlueShield Association, the Chamber of Commerce of the USA, the Citizens Against Government Waste, the Galen Institute, the Healthcare Leadership Council, the Health Insurance Association of America, the Hispanic Business Roundtable, the National Center for Policy Analysis, the National Federation of Independent Business, and the Small Business Survival Committee for their support of this important legislation.●

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By Mr. ROCKEFELLER (for himself and Ms. SNOWE):

S. 2321. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for development costs of telecommunications facilities in rural areas; to the Committee on Finance.

RURAL TELECOMMUNICATIONS MODERNIZATION ACT OF 2000

● Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Rural Telecommunications Modernization Act. This Act would create a tax credit for companies that invest in providing broadband telecommunications services available in rural areas. The convergence of computing and communications has changed the way America interacts and does business. Individuals, businesses, schools, libraries, hospitals, and many others, reap the benefits of networked communications more and more each year. However, where in the past access to low bandwidth telephone facilities met our communications needs, today many people and organizations need the ability to transmit and receive large amounts of data quickly—as part of electronic commerce, distance learning, telemedicine, and even for mere access to many web sites.

In some areas of the country companies are building networks that meet this broadband need as fast as they can. Technology companies are fighting to roll out broadband facilities as quickly as they can in urban and suburban areas. They are tearing up streets to instal fiber optics, converting cable TV facilities to broadband telecom applications, developing incredible new DSL technologies that convert regular copper telephone wires into broadband powerhouses.

Other areas are not as fortunate. In rural areas access to broadband communications is harder to come by. In fact, there are only a few broadband providers outside big cities and suburban areas nationwide. This is because in many cases rural areas are more expensive to serve. Terrain is difficult. Populations are widely dispersed. Importantly, many of our broadband technologies cannot serve people who live more than eighteen thousand feet from a phone company's central office—which is the case for most rural Americans.

The implications for the country if we allow this broadband disparity to continue are alarming. Organizations in traditional robust communications and computing regions, often located in prosperous urban and suburban communities, will be able to reap the rewards of the so-called ''New Economy.'' Organizations in other areas, often in rural areas, including many areas in my State of West Virginia, will suffer the consequences of being unable to take advantage of the astounding power of broadband networked computing.

Just as companies that employ technological advances are decimating their less technologically savvy competitors, businesses in infrastructure-rich areas may soon decimate competitors in infrastructure-poor areas. This is just as true for rural students and workers trying to gain new skills who are competing against their non-rural peers in the New Economy. The result of this digital divide could be disastrous for rural Americans: job loss, tax revenue loss, brain drain, and business failure concentrated in rural areas.

Denying rural Americans a chance to participate in the New Economy is also bad for the national economy. Businesses will be forced to locate their operations and hire their employees in urban locations that have adequate broadband infrastructure, rather than in rural locations that are otherwise more efficient due to the location of

their customers or suppliers, a stable or better workforce, and cheaper production environments. Additionally, without adequate infrastructure, the businesses and individuals in these communications infrastructure poor areas are less likely to be integrated into the national electronic marketplace. Their absence would put a damper on the growth of the digital economy for everyone—not just for those in rural areas.

Therefore, we must do everything we can to ensure that broadband communications are available to all areas of the country—rural as well as urban. The Rural Telecommunications Modernization Act addresses this problem.

The Rural Telecommunications Modernization Act would give companies the incentive to build broadband facilities in rural areas by using a very focused tax credit. It would offer any company that invests in broadband facilities in rural areas a tax credit over the next three years. This tax credit will help fight the growing disparity in technology I just described.

The credit is only available for certain investments. First, investments must be for ''broadband local access facilities.'' Second, investments must support ''high-speed broadband telecommunications services.'' And third, investments must serve only ''rural counties.''

The Rural Telecommunications Modernization Act is part of the solution to the critically important digital divide problem. Rural Americans deserve the chance to participate in the New Economy. Without access to broadband services they will not have this chance. I hope that the Members of this body will support this important bill.

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. 2321

*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 ''Rural Telecommunications Modernization Act of 2000.

**SEC. 2. CREDIT FOR TELECOMMUNICATIONS FACILITIES DEVELOPMENT IN RURAL AREAS.**

(a) IN GENERAL.—Section 46(a) of the Internal Revenue Code of 1986 (relating to amount of investment credit) is amended by striking ''and'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', and'', and by adding at the end the following:

''(4) the rural telecommunications facilities credit.''

(b) AMOUNT OF CREDIT.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to rules for computing investment credit) is amended by inserting after section 47 the following:

**''SEC. 47A. RURAL TELECOMMUNICATIONS FACILITIES CREDIT.**

''(a) IN GENERAL.—For purposes of section 46, the rural telecommunications facilities credit for any taxable year is an amount equal to the applicable percentage of the qualified broadband local access facilities expenditures for such taxable year.

''(b) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage in the case of qualified broadband local access facilities expenditures in connection with—

''(1) broadband telecommunications facilities, is 10 percent, and

''(2) enhanced broadband telecommunications facilities, is 15 percent.

''(c) QUALIFIED BROADBAND LOCAL ACCESS FACILITIES EXPENDITURE.—For purposes of this section, the term 'qualified broadband local access facilities expenditure' means any expenditure—

''(1) chargeable to capital account—

''(A) for property for which depreciation is allowable under section 168, and

''(B) incurred in connection with broadband telecommunications facilities or enhanced broadband telecommunications facilities serving rural subscribers, and

''(2) incurred during the period—

''(A) beginning with the taxpayer's (or any predecessor's) first taxable year beginning after the date of the enactment of this section, and

''(B) ending with the taxpayer's (or any predecessor's) third taxable year beginning after such date.

''(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) BROADBAND TELECOMMUNICATIONS FACILITIES.—The term 'broadband telecommunications facilities' means broadband local access facilities capable of—

''(A) transmitting voice, and

''(B) downloading data at a rate of 1.5 MBPS and uploading data at a rate of .5 MBPS.

''(2) ENHANCED BROADBAND TELECOMMUNICATIONS FACILITIES.—The term 'enhanced broadband telecommunications facilities' means the broadband local access facilities capable of—

''(A) transmitting voice, and

''(B) downloading and uploading data at a rate of 10 MBPS.

''(3) DETERMINATION OF BROADBAND LOCAL ACCESS FACILITIES.—Broadband local access facilities—

''(A) begin at the switching point closest to the rural subscriber, which is—

''(i) the subscriber side of the nearest switching facility in the case of local exchange carriers,

''(ii) the subscriber side of the headend or the node in the case of cable television operators, and

''(iii) the subscriber side of the transmission and reception facilities in the case of a wireless or satellite carrier,

''(B) end at the interface between the network and the rural subscriber's location, and

''(C) do not include any switching facility.

''(4) RURAL SUBSCRIBER.—The term 'rural subscriber' means a subscriber who lives in area which—

''(A) is not within 10 miles of any incorporated or census designated places containing more than 25,000 people, and

''(B) is not within a county or county equivalent which has an overall population density of more than 500 people per square mile of land.''

(c) SPECIAL RULE FOR MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—Section 501(c)(12)(B) of the Internal Revenue Code of 1986 (relating to list of exempt organizations) is amended by striking ''or'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', or'', and by adding at the end the following new clause:

''(v) which is not described in subparagraph (A), in an amount which does not exceed in any year an amount equal to the applicable percentage of the qualified broadband local access facilities expenditures (as determined in section 47A) of the mutual or cooperative telephone company for such year.''

(d) CONFORMING AMENDMENT.—The table of sections for subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 47 the following:

''Sec. 47A. Rural telecommunications facilities credit.''

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to expenditures incurred after the date of the enactment of this Act.

(2) SPECIAL RULE.—The amendments made by subsection (c) shall apply to amounts received after the date of the enactment of this Act.●

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By Mr. MCCAIN:

S. 2322. A bill to amend title 37, United States Code, to establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance, and for other purposes; to the Committee on Armed Services.

REMOVE SERVICEMEMBERS FROM FOOD STAMPS ACT OF 2000

● Mr. MCCAIN. Mr. President, I rise today to introduce a bill to remove thousands of our servicemembers from the food stamp rolls.

The Remove Servicemembers from Food Stamps Act of 2000 provides junior enlisted servicemembers who are eligible for food stamps in the pay grade E–1 through E–5 an additional allowance of $180 a month. A not-yet-published Department of Defense report estimates that 6,300 servicemembers receive food stamps, while the General Accounting Office and Congressional Research Service place this number at around 13,500. Regardless of this disparity, the fact that just one servicemember is on food stamps is a national disgrace. This bill will end the ''food stamp Army'' once and for all.

This legislative proposal is estimated to cost only $6 million annually. Interestingly, the Congressional Budget Office determined that it would represent an overall savings to taxpayers since it would save the Department of Agriculture more than $6 million by removing servicemembers from the food stamp rolls for good.

Last year, this legislation was included in S. 4, the Soldiers', Sailors', Airmen's, and Marines' Relief Act of 1999. Although the Senate approved this legislation as part of S. 4, I was greatly disappointed when food stamp relief was rejected by conferees from the House of Representatives despite the strong support of Admiral Jay Johnson, the Chief of Naval Operations, and General Jim Jones, the Commandant of the Marine Corps. With over 13,500 military families on food stamps, and possibly thousands more eligible for the program, I cannot understand the Congress' refusal to rectify this problem in last year's National Defense Authorization Act.

It is outrageous that Admirals and Generals received a 17 percent pay

raise last year while our enlisted families continue to line up for free food and furniture. Last year, we poured hundreds of millions of dollars into programs the military did not request, like the C–130J. We spent $375 million as a down payment on a $1.5 billion amphibious assault ship that the Navy did not want and that the Secretary of Defense said diverts dollars from higher priority programs. We added $5.1 million to build a gymnasium at the Naval Post-Graduate School and $15 million to build a Reserve Center in Oregon—neither was in the President's budget request or identified by the Joint Chiefs as a priority item.

It is difficult to reconcile how Congress could waste $7.4 billion on pork barrel spending in the defense budget, while we ignore the basic needs of our military families. I have been open to all suggestions for solutions to this problem and am willing to work toward a bipartisan plan that would satisfy the administration, Congress, and the Department of Defense. Sadly, politics, not military necessity, remains the rule, not the exception.

It is unconscionable that the men and women who are willing to sacrifice their lives for their country have to rely on food stamps to make ends meet, and it is an abrogation of our responsibilities as Senators to let this reality go on without some sort of legislative remedy.

I will not stand by and watch as our military is permitted to erode to the breaking point due to the President's lack of foresight and the Congress' lack of compassion. These military men and women on food stamps—our soldiers, sailors, airmen, and marines—are the very same Americans that the President and Congress have sent into harm's way in recent years in Somalia, Bosnia, Haiti, Kosovo, and East Timor. They deserve our continuing respect, our unwavering support, and a living wage.

The legislation is supported by every enlisted association or organization that specifically supports enlisted servicemember issues in the Military Coalition and in the National Military/Veterans Alliance. Associations include the Veterans of Foreign Wars, the Non-Commissioned Officers Association, the American Legion, the Retired Enlisted Association, the National Association for Uniformed Services, the Fleet Reserve Association, the Air Force Sergeants Association, the U.S. Coast Guard Chief Petty Officers Association, the Disabled American Veterans, the Enlisted Association of the National Guard of the U.S., and the Naval Enlisted Reserve Association.

I urge my colleagues to support this bill and to act swiftly. It is a step in the right direction toward improving the lives of our servicemembers and their families who are struggling to feed their families. There is no reason not to pass this bill immediately. We have waited too long already. We must end the days of a ''food stamp Army'' once and for all. Our military personnel and their families deserve better.

Mr. President, 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. 2322

*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 ''Remove Servicemembers from Food Stamps Act of 2000''.

**SEC. 2. SPECIAL SUBSISTENCE ALLOWANCE FOR MEMBERS ELIGIBLE TO RECEIVE FOOD STAMP ASSISTANCE.**

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

**''§ 402a. Special subsistence allowance**

''(a) ENTITLEMENT.—Upon the application of an eligible member of a uniformed service described in subsection (b), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance.

''(b) COVERED MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member in pay grade E–5 or below.

''(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

''(1) Termination of eligibility for food stamp assistance.

''(2) Payment of the special subsistence allowance for 12 consecutive months.

''(3) Promotion of the member to a higher grade.

''(4) Transfer of the member in a permanent change of station.

''(d) REESTABLISHED ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

''(2) Payments resumed under this subsection shall terminate under subsection (c) upon the occurrence of an event described in that subsection after the resumption of the payments.

''(3) The number of times that payments are resumed under this subsection is unlimited.

''(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for the special subsistence allowance under this section shall furnish the Secretary concerned with such evidence of the member's eligibility for food stamp assistance as the Secretary may require in connection with the application.

''(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is $180.

''(g) RELATIONSHIP TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.

''(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term 'food stamp assistance' means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

''(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section for any month beginning after September 30, 2005.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

''402a. Special subsistence allowance.''.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins on or after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 2000, the Comptroller General of the United States shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Comptroller General shall consult with the Secretary of Defense, the Secretary of Transportation (with respect to the Coast Guard), the Secretary of Health and Human Services (with respect to the commissioned corps of the Public Health Service), and the Secretary of Commerce (with respect to the commissioned officers of the National Oceanic and Atmospheric Administration), who shall provide the Comptroller General with any information that the Comptroller General determines necessary to prepare the report.

(3) No report is required under this subsection after March 1, 2005.●

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By Mr. MCCONNELL (for himself, Mr. DODD, Mr. JEFFORDS, Mr. ENZI, Mr. ABRAHAM, Mr. BENNETT, Mr. ROBB, Mr. WARNER, Mrs. MURRAY, Mr. GORTON, Mr. HUTCHINSON Mr. LIEBERMAN, Mr. BINGAMAN, Mr. REED, Mr. KERRY, and Mr. LUGAR):

S. 2323. A bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the act; read the first time.

WORKER ECONOMIC OPPORTUNITY ACT

● Mr. MCCONNELL. Mr. President, I rise today to introduce the Worker Economic Opportunity Act. Senator DODD and I have worked closely with Senators JEFFORDS and ENZI, as well as Senators ABRAHAM, BENNETT, LIEBERMAN, and others to develop this important bill. This important bipartisan bill will ensure that American workers can receive lucrative stock options from their employers—once considered the exclusive perk of corporate executives.

In recent years our country's innovative new workplaces and creative employers have offered new financial opportunities—such as stock options—for hourly employees. The Department of Labor recently issued an interpretation of the decades-old labor and employment laws that could keep normal employees from reaping the benefits of these perks. When I realized this, I decided we needed to fix this problem—it would have been a travesty for us to let old laws steal this chance for the average employee to share in his or her company's economic growth.

This law simply says: it makes no difference if you work in the corporate boardroom or on the factory floor—everyone should be able to share in the success of the company.

Our bill changes the outdated laws so they don't stand in the way of economic opportunity for American workers. In sum, the bill would amend the Fair Labor Standards Act to ensure that employer-provided stock option programs are allowed just like employee bonuses already are. Also, this legislation includes a broad ''safe harbor'' that specifies that employers have no liability because of any stock options or similar programs that they have given to employees in the past. The bill I am introducing today is what I hope will be the first of many common-sense efforts to drag old labor and employment laws into the new millennium.

I am very pleased that Secretary Herman and the Department of Labor have worked with us on this legislation. The Worker Economic Opportunity Act is also supported by a broad range of high tech and business groups who have joined together to form the Coalition to Promote Employee Stock Ownership. This group has been of great assistance throughout the development of this bill.

An identical companion bill to the Worker Economic Opportunity Act is being introduced in the House today. As a result, I am optimistic that we can work to ensure that this much-needed fix to the FLSA becomes law in the near future.●

Mr. DODD. Mr. President, today I join with my colleague Senator MCCONNELL in introducing the Worker Economic Opportunity Act. This common sense bill will allow companies to continue to offer stock option programs to their hourly employees without violating the Fair Labor Standards Act with respect to overtime. We are joined today by Senators JEFFORDS, ENZI, ROBB, MURRAY, LIEBERMAN, BINGAMAN, REED, KERRY, ABRAHAM, BENNETT, GORTON, HUTCHINSON, and WARNER.

Sotck options, stock appreciation rights, and employee stock purchase programs are tools used by some companies to give employees a stake in a company's success and to retain employees in a tight labor market. These programs are used by well-known companies such as Xerox, GTE, and PepsiCo. as well as hi-tech startups. In more and more situations, non-exempt and exempt employees are able to participate. For example, it has been GTE's practice to give stock options to all 110,000 employees, of which 53,000 are non-exempt. Xerox corporation employs approximately 52,000 employees in the United States, and offers stock options to all employees who have completed one year of service. It employs 93,000 people worldwide and 57 percent of them are non-exempt.

Clearly, the trend in our economy is that more and more companies are providing this type of compensation package. Not surprisingly, then, my office was beset with letters and phone calls recently concerning a 1999 Department of Labor advisory letter regarding one company's proposed stock option plan for non-exempt employees. The opinion letter, which does not carry the weight of law, states that the value of the options would have to be included in the non-exempt workers base wages when calculating their overtime rates. The Fair Labor Standards Act (FLSA) exempts some employee benefits from overtime calculations including health insurance, thrift savings plans, and discretionary bonuses. When providing its opinion letter, the Department of Labor determined that stock option plans did not fall within any of the current exemptions. While the Department did point out that their opinion was based on only one company's proposed plan, it became clear that legislation was needed to exempt these programs, lest businesses begin to exclude non-exempt employees from receiving stock options. I commend the Department for calling for a legislative fix and working closely with us to craft this bipartisan bill.

Our legislation would amend the Fair Labor Standards Act to exclude from the regular rate stock options, stock appreciation rights or bonafide stock purchase programs that meet certain vesting, disclosure, and determination requirements. A safe harbor would be in effect to protect companies that have already established stock option programs for non-exempt workers, including those programs provided under a collective bargaining agreement or requiring shareholder approval.

Just several years ago, stock option plans were only offered corporate CEO's and other very senior executives. Today's flexible benefit packages give that same opportunity throughout the corporate structure. I don't believe that non-exempt employees who form the backbone of most businesses should be excluded from this opportunity. They deserve the right to share in the prosperity of the new economy.

Clearly, stock option programs have risk attached, so we wanted to be very clear that our legislation requires that the terms and conditions of any program are communicated to employees and that the exercise of any grants is voluntary. Employees need to make informed choices.

I am pleased that this has been a bipartisan effort, and also one where we have worked very constructively with the Administration. I hope we can move it quickly for the benefit of all working families.

● Mr. JEFFORDS. Mr. President, I am delighted to be here today to introduce the Worker Economic Opportunity Act. Having worked with colleagues from both sides of the aisle and the Department of Labor, I am extremely proud of this collaborative effort which has resulted in this legislation which will encourage employers to provide equity ownership opportunities to their hourly employees.

In the last 10 years, we have witnessed tremendous change in the structure of our Nation's economy in large part due to the birth of the internet and e-commerce. The vitality of our economy is a tribute to the creative and entrepreneurial genius of thousands of individual business people and the indispensable contribution of the American workforce.

As legislators during this exciting time, we are challenged to maintain an environment that will foster the continued growth of our economy. We must work to ensure that our laws are in sync with the changing environment. However, many of the laws and policies governing our workplace have fallen out of sync with the information age and there has been particular resistance to changing our labor laws. As Chairman of the Senate Committee with jurisdiction over workplace issues, I believe it is time to examine and modify these laws to meet the rapidly involving needs of the American workforce.

The Fair Labor Standards Act (FLSA), for example, was enacted in the late 1930s, to establish basic standards for wages and overtime pay. While the principles behind the FLSA have not changed, its rigid provisions make it difficult for employers to accommodate the needs of today's workforce. Most recently, we discovered that the FLSA actually operates to deter employers from offering stock option programs to hourly employees.

While stock option programs are most prevalent in the high tech industry, increasingly employers across the whole spectrum of American industry have begun to offer stock option programs to all of their employees. Broad-based stock option programs prove valuable to both employers and employees. For employers, stock options programs have become a key tool for employee recruitment, motivation and retention. Employees seek out companies offering these programs because they enable workers to become owners and reap the benefits of their company's growth.

When I heard about the FLSA's application to stock options, I became very concerned about its impact on our workforce. I was pleased to discover that Senators' MCCONNELL, DODD, and ENZI shared similar concerns and that the Department of Labor also recognized that we had a problem on our hands that would require a legislative solution. Together we have crafted the Worker Economic Opportunity Act which will create a new exemption under the Fair Labor Standards Act for stock options, stock appreciation rights and employee stock purchase plans.●

● Mr. ENZI. Mr. President, I am pleased to be part of the introduction today of the Worker Economic Opportunity Act, a bipartisan bill to exclude stock options and stock option profits from overtime pay calculations under the Fair Labor Standards Act. I want to acknowledge and commend my colleagues Senators MCCONNELL, DODD, and JEFFORDS for their hard work on this issue.

Earlier this year, the Department of Labor advised employers that they would be required to include stock options in overtime calculations. The advisory also prescribed an extremely complicated method of calculation that created a virtual administrative impossibility for employers. We received overwhelmingly negative feedback that this advisory would result in the end of stock options for hourly employees and create a lose-lose situation for employees and employers alike. The legislation we introduce today ensures that companies can continue to give stock options to hourly employees so that these employees—and not just executives—can share in this country's economic boom. And employers will be able to continue to use stock options as a valuable tool for recruiting and retaining employees in a competitive labor market.

This bipartisan legislation also represents an important first step towards reforming outdated labor statutes that no longer meet the needs of today's workforce. Most of the major labor statutes were drafted between 30 and 60 years ago and many of their heavy-handed restrictions are now more harmful than helpful to employees in the modern workplace. We need to think about how to encourage—not discourage—employers' development of new and creative measures to benefit employees, such as stock option programs and telecommuting arrangements. Our legislation will provide just such encouragement and ensure that stock option programs do not fall prey to obsolete legislative prohibitions.

Finally, I am particularly proud that both Democrats and the Department of Labor have worked with us on this bill. As chairman of the Employment, Safety and Training Subcommittee, I firmly believe that cooperation between lawmakers and agencies is the best way to develop practical solutions that benefit both employees and businesses. I sincerely hope that we can continue to work together on similar measures in the future.●

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By Mr. KOHL (for himself and Mrs. FEINSTEIN):

S. 2324. A bill to amend chapter 44 of title 18, United States Code, to require ballistics testing of all firearms manufactured and all firearms in custody of Federal agencies, and to add ballistics testing to existing firearms enforcement strategies; to the Committee on the Judiciary.

BALLISTICS, LAW ASSISTANCE, SAFETY TECHNOLOGY ACT

● Mr. KOHL. Mr. President, I rise today with my colleague Senator FEINSTEIN to introduce ''BLAST''—the Ballistics, Law Assistance, and Safety Technology Act. The bill offers two complementary approaches to combating gun violence. The first supplies our Nation's police with a new technology to assist them in solving crimes. The second expands ''Project Exile'' to 50 cities, giving federal prosecutors the resources they need to put more felons behind bars. Let me explain how our measure is crucial to the fight against crime.

Reducing crime requires a multifaceted approach. While we need tougher controls to keep guns away from kids in this country—including mandating that child safety locks be sold with every new handgun—all of us also recognize that the battle against senseless violence includes prosecuting all criminals to the letter of the law.

Mr. President, just as every person has a unique fingerprint, each gun leaves unique markings on discharged bullets and shell casings. Over the past decade, new technology has allowed for the comparison of those ''gun prints'' with bullets found at crime scenes. By keeping a computerized image of each new gun's fingerprint, police can compare the microscopic differences in markings left by each gun until they find a match. Once a match is found, law enforcement can begin tracing that weapon from its original sale to the person who used it to commit the crime.

Indeed, ballistics technology, though nascent, is already helping to solve crimes. For example, in June 1997, an Oakland man was shot and killed as he used a public telephone on a street corner. Without any leads or physical evidence other than a bullet casing left by the discharged weapon, police were initially stymied in their search for the killer.

A year passed without any progress in the investigation until police made an ordinary arrest of two men for the unlawful possession of a firearm. When the officers test-fired the confiscated gun and ran the image through their ballistics database, they found a match within seconds. The seized gun was the same gun that fired the deadly bullet in the unsolved case the previous year. Police confronted the two men with this evidence, and quickly received a confession to the murder.

In another case, police only found 9 millimeter cartridge casings at the scene of a brutal homicide in Milwaukee—there were no other clues. But four months later, when a teenage male was arrested on an unrelated charge, he was found to be in possession of that firearm. Ballistics linked the two cases. Prosecutors successfully prosecuted three adult suspects for the homicide and convicted the teen in juvenile court.

Mr. President, since the early 1990's, more than 250 crime labs and law enforcement agencies in over 40 states have been operating independent ballistics systems maintained by either the ATF or the FBI. Together, ATF's Integrated Ballistics Identification System (''IBIS'') and the FBI's DRUGFIRE system have been responsible for linking 5,700 guns to two or more crimes where corroborating evidence was otherwise lacking.

My own state of Wisconsin employs the DRUGFIRE system for ballistics testing and has already used it to solve crime and provide authenticating evidence for ongoing criminal investigations. In 1998, the Milwaukee police department alone analyzed almost 600 firearms and over 3200 fired cartridges. Even though Wisconsin's DRUGFIRE has a limited number of guns in its database, ballistics testing helped solve seven homicides, 100 cases where the reckless use of a weapon endangered public safety, and numerous other gun crimes.

These statistics are heartening, but they also illustrate the untapped potential of ballistics as a law enforcement weapon. Simply put, ballistics testing is only as good as the number of images in the database. Unfortunately, not enough guns are test fired before they are sold, not enough communities have access to ballistics databases, and not enough information is shared between law enforcement agencies of different jurisdictions. Ironically, even the two primary agencies responsible for investigating gun crimes—the ATF and the FBI—have created ballistics systems that cannot read each others data. Sadly, this significant law enforcement tool is severely underutilized.

But that need not be the case. Title I of BLAST makes ballistics a centerpiece of our anti-crime strategy by requiring federal firearms manufacturers and importers to test fire all new firearms and make the ballistics images available to federal law enforcement; requiring federal law enforcement officials to test fire all firearms in their custody; and providing financial support to communities that include ballistics testing as a critical part of their comprehensive anti-crime strategy, building on the model used by ATF in the Youth Crime Gun Interdiction Initiative.

The burden on manufacturers is minimal—we authorize funds to underwrite the cost of testing—and the assistance to law enforcement is considerable. And don't take my word for it, ask the gun manufacturers and the police. Listen to what Paul Januzzo, the vice-president of the gun manufacturer Glock, said last month in reference to ballistics testing, ''our mantra has been that the issue is crime control, not gun control . . . it would be two-faced of us not to want this.'' In their agreement with HUD, Smith & Wesson agreed to perform ballistics testing on all new handguns. And Ben Wilson, the chief of the firearms section at ATF, emphasized the importance of ballistics testing as a investigative device, ''This [ballistics] allows you literally to find a needle in a haystack.''

Our approach is bipartisan as well. The Republican governor of New York, George Pataki, prominently included a similar ballistics measure in his recently introduced anti-crime package. He clearly recognizes, as we do, that the more we can empower law enforcement, the more effectively we can put hard core criminals where they belong—behind bars.

To be sure, we are sensitive to the notion that law abiding hunters and sportsmen need to be protected from any misuse of the ballistics database by government. The BLAST bill explicitly prohibits ballistics information from being used for any purpose unless it is necessary for the investigation of a gun crime.

Of course, to successfully combat crime, you also need to enhance the arsenal of law enforcement. That is why Title II of BLAST expands the successful ''Project Exile'' program. By authorizing $20 million over four years, BLAST would fund gun prosecutors in 50 cities—prosecutors, who will work in conjunction with state and local authorities, devoted solely to the aggressive enforcement of the federal gun laws.

This program already enjoys widespread support—from the industry to leaders on both sides of the political aisle to the National Rifle Association, which has pointed to Project Exile as a model for fighting gun crime. Our hope is to expand the success of EXILE across the country and provide the resources to every city interested in aggressively pursuing gun crimes. Felons will know that if they commit a crime with a gun they will pay the price.

Mr. President, the BLAST bill will enhance a revolutionary new technology that helps solve crime while, at the same time, recognizing that new crime solving instruments are worthless unless prosecutors are in place to punish violent offenders to the fullest extent of the law. BLAST is a worthwhile piece of crime control legislation. I hope that the Senate will quickly move to pass it.

I ask unanimous consent that a copy of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2324

*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 ''Ballistics, Law Assistance, and Safety Technology Act'' (''BLAST'').

**SEC. 2. PURPOSES.**

The purposes of this Act are—

(1) to increase public safety by assisting law enforcement in solving more gun-related crimes and offering prosecutors evidence to link felons to gun crimes through ballistics technology;

(2) to provide for ballistics testing of all new firearms for sale to assist in the identification of firearms used in crimes;

(3) to require ballistics testing of all firearms in custody of Federal agencies to assist in the identification of firearms used in crimes;

(4) to add ballistics testing to existing firearms enforcement programs; and

(5) to provide for targeted enforcement of Federal firearms laws.

**TITLE I—BLAST**

**SEC. 101. DEFINITION OF BALLISTICS.**

Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(35) BALLISTICS.—The term 'ballistics' means a comparative analysis of fired bullets and cartridge casings to identify the firearm from which bullets were discharged, through identification of the unique characteristics that each firearm imprints on bullets and cartridge casings.''.

**SEC. 102. TEST FIRING AND AUTOMATED STORAGE OF BALLISTICS RECORDS.**

(a) AMENDMENT.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

''(m)(1) In addition to the other licensing requirements under this section, a licensed manufacturer or licensed importer shall—

''(A) test fire firearms manufactured or imported by such licensees as specified by the Secretary by regulation;

''(B) prepare ballistics images of the fired bullet and cartridge casings from the test fire;

''(C) make the records available to the Secretary for entry in a computerized database; and

''(D) store the fired bullet and cartridge casings in such a manner and for such a period as specified by the Secretary by regulation.

''(2) Nothing in this subsection creates a cause of action against any Federal firearms licensee or any other person for any civil liability except for imposition of a civil penalty under this section.

''(3)(A) The Attorney General and the Secretary shall assist firearm manufacturers and importers in complying with paragraph (1) through—

''(i) the acquisition, disposition, and upgrades of ballistics equipment and bullet recovery equipment to be placed at or near the sites of licensed manufacturers and importers;

''(ii) the hiring or designation of personnel necessary to develop and maintain a database of ballistics images of fired bullets and cartridge casings, research and evaluation;

''(iii) providing education about the role of ballistics as part of a comprehensive firearm crime reduction strategy;

''(iv) providing for the coordination among Federal, State, and local law enforcement and regulatory agencies and the firearm industry to curb firearm-related crime and illegal firearm trafficking; and

''(v) any other steps necessary to make ballistics testing effective.

''(B) The Attorney General and the Secretary shall—

''(i) establish a computer system through which State and local law enforcement agencies can promptly access ballistics records stored under this subsection, as soon as such a capability is available; and

''(ii) encourage training for all ballistics examiners.

''(4) Not later than 1 year after the date of enactment of this subsection and annually thereafter, the Attorney General and the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the impact of this section, including—

''(A) the number of Federal and State criminal investigations, arrests, indictments, and prosecutions of all cases in which access to ballistics records provided under this section served as a valuable investigative tool;

''(B) the extent to which ballistics records are accessible across jurisdictions; and

''(C) a statistical evaluation of the test programs conducted pursuant to section 6 of the Ballistics, Law Assistance, and State Technology Act.

''(5) There is authorized to be appropriated to the Department of Justice and the Department of the Treasury for each of fiscal years 2001 through 2004, $20,000,000 to carry out this subsection, including—

''(A) installation of ballistics equipment and bullet recovery equipment;

''(B) establishment of sites for ballistics testing;

''(C) salaries and expenses of necessary personnel; and

''(D) research and evaluation.

''(6) The Secretary and the Attorney General shall conduct mandatory ballistics testing of all firearms obtained or in the possession of their respective agencies.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a) take effect on the date on which the Attorney General and the Secretary of the Treasury, in consultation with the Board of the National Integrated Ballistics Information Network, certify that the ballistics systems used by the Department of Justice and the Department of the Treasury are sufficiently interoperable to make mandatory ballistics testing of new firearms possible.

(2) EFFECTIVE ON DATE OF ENACTMENT.—Section 923(m)(6) of title 18, United States Code, as added by subsection (a), shall take effect on the date of enactment of this Act.

**SEC. 103. PRIVACY RIGHTS OF LAW ABIDING CITIZENS.**

Ballistics information of individual guns in any form or database established by this Act may not be used for prosecutorial purposes unless law enforcement officials have a reasonable belief that a crime has been committed and that ballistics information would assist in the investigation of that crime.

**SEC. 104. DEMONSTRATION FIREARM CRIME REDUCTION STRATEGY.**

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Treasury and the Attorney General shall establish in the jurisdictions selected under subsection (c), a comprehensive firearm crime reduction strategy that meets the requirements of subsection (b).

(b) PROGRAM ELEMENTS.—Each program established under subsection (a) shall, for the jurisdiction concerned—

(1) provide for ballistics testing, in accordance with criteria set forth by the National Integrated Ballistics Information Network, of all firearms recovered during criminal investigations, in order to—

(A) identify the types and origins of the firearms;

(B) identify suspects; and

(C) link multiple crimes involving the same firearm;

(2) require that all identifying information relating to firearms recovered during criminal investigations be promptly submitted to the Secretary of the Treasury, in order to identify the types and origins of the firearms and to identify illegal firearms traffickers;

(3) provide for coordination among Federal, State, and local law enforcement officials, firearm examiners, technicians, laboratory personnel, investigators, and prosecutors in the tracing and ballistics testing of firearms and the investigation and prosecution of firearms-related crimes including illegal firearms trafficking; and

(4) require analysis of firearm tracing and ballistics data in order to establish trends in firearm-related crime and firearm trafficking.

(c) PARTICIPATING JURISDICTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury and the Attorney General shall select not fewer than 10 jurisdictions for participation in the program under this section.

(2) CONSIDERATIONS.—In selecting jurisdictions under this subsection, the Secretary of the Treasury and the Attorney General shall give priority to jurisdictions that—

(A) participate in comprehensive firearm law enforcement strategies, including programs such as the Youth Crime Gun Interdiction Initiative (known as ''YCGII''), Project Achilles, Project Disarm, Project Triggerlock, Project Exile, and Project Surefire, and Operation Ceasefire;

(B) draft a plan to share ballistics records with nearby jurisdictions that require ballistics testing of firearms recovered during criminal investigations; and

(C) pledge to match Federal funds for the expansion of ballistics testing on a one-on-one basis.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2001 through 2004, $20,000,000 to carry out this section, including—

(1) installation of ballistics equipment; and

(2) salaries and expenses for personnel (including personnel from the Department of Justice and the Bureau of Alcohol, Tobacco, and Firearms).

**TITLE II—EXILE**

**SEC. 201. TARGETED ENFORCEMENT OF FEDERAL FIREARMS LAWS.**

(a) DESIGNATION.—The Attorney General and the Secretary of the Treasury, after consultation with appropriate State and local officials, shall designate not less than 50 local jurisdictions in which to enforce aggressively Federal laws designed to prevent the possession by criminals of firearms (as defined in section 921(a) of title 18, United States Code).

(b) ASSISTANCE.—In order to provide assistance for the enforcement of Federal laws designed to prevent the possession by criminals of firearms, the Attorney General and the Secretary of the Treasury may—

(1) direct the detailing of Federal personnel, including Assistant United States Attorneys and agents and investigators of the Bureau of Alcohol, Tobacco, and Firearms, to designated jurisdictions, subject to the approval of the head of that department or agency that employs such personnel;

(2) coordinate activities with State and local officials, including facilitation of training of State and local law enforcement officers and prosecutors in designated jurisdictions to work with Federal prosecutors, agents, and investigators to identify appropriate cases for enforcement of Federal laws designed to prevent the possession by criminals of firearms;

(3) help coordinate, in conjunction with local officials, local businesses, and community leaders, public outreach in designated jurisdictions regarding penalties associated with violation of Federal laws designed to prevent the possession by criminals of firearms.

(c) CRITERIA FOR DESIGNATION.—In designating local jurisdictions under this section, the Attorney General and Secretary of the Treasury shall consider—

(1) the extent to which there is a high rate of recidivism among armed felons in the jurisdiction;

(2) the extent to which there is a high rate of violent crime in the jurisdiction;

(3) the extent to which State and local law enforcement agencies have committed resources to respond to the illegal possession of firearms in the jurisdiction, as an indication of their determination to respond aggressively to the problem;

(4) the extent to which a significant increase in the allocation of Federal resources is necessary to respond adequately to the illegal possession of firearms in the jurisdiction; and

(5) any other criteria as the Attorney General and Secretary of the Treasury consider to be appropriate.

(d) PRIORITY.—In addition to the criteria set forth in subsection (c), in considering which local jurisdictions to designate under this section, the Attorney General and the Secretary of the Treasury shall give priority to jurisdictions that have—

(1) demonstrated a commitment to enforcement of Federal firearms laws through participation in initiatives like the Youth Crime Gun Interdiction Initiative, Project Disarm, and Operation Ceasefire;

(2) identified a large number of convicted felons involved in firearms trafficking to individuals under age 25; and

(3) agreed to require that all identifying information relating to firearms recovered during criminal investigations be promptly submitted to the Secretary of the Treasury to identify the types and origins of such firearms and to identify illegal firearms traffickers.

(e) REPORTS AND EVALUATION.—

(1) ANNUAL REPORT.—The Attorney General and the Secretary of the Treasury shall annually submit to the Chairmen and Ranking Members of the Committees on the Judiciary of the House of Representatives and the Senate a report, which shall include information relating to—

(A) the number of arrests by Federal, State, and local law enforcement officials involving illegal possession of firearms by criminals in each designated city;

(B) the number of individuals prosecuted for illegal firearms possession by criminals in Federal, State, and local court in each designated city, the number of convictions, and a breakdown of sentences imposed; and

(C) a description of the public outreach initiatives being implemented in designated jurisdictions.

(2) EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Attorney General and the Secretary of the Treasury shall submit to the Chairmen and Ranking Members of the Committees on the Judiciary of the House of Representatives and the Senate a report concerning the effectiveness of the designation of jurisdictions under this section, including an analysis of whether crime within the jurisdiction has been reduced or displaced to nearby jurisdictions, along with any recommendations for related legislation.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2001 through 2004.●

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By Mr. TORRICELLI:

S. 2325. A bill to amend title 49, United States Code, to ensure equity in the provision of transportation by limousine services; to the Committee on Commerce, Science, and Transportation.

CONTRACTED AUTOMOBILE REGULATORY RELIEF ACT OF 2000 (CARR)

Mr. TORRICELLI. Mr. President, I rise today to introduce legislation that will eliminate burdensome and unnecessary regulations which are devastating the nation's limousine companies, 80 percent of which are small business owners.

Federal Highway Administration regulations grant limo operators the right to cross states lines ''without interference''. Yet local entities across the U.S. have taken it upon themselves to establish unnecessary bureaucracies for the purpose of placing excessive and arbitrary requirements upon limo operators that enter their jurisdictions.

Current law already requires limo operators to be certified and registered at three different stages: the U.S. Department of Transportation; the state in which they principally operate; and the locality in which the business is located. Therefore, company owners, drivers, and vehicles must already comply with a myriad of safety and financial requirements that includes carrying at least $1.5 million in liability insurance. Public safety is clearly being upheld.

Yet, after satisfying these three stages of compliance, limo operators often find that there is a fourth, fifth, sixth and sometimes even more bureaucratic hoops to jump through to simply conduct their business. This happens when a locality sets up a Local Taxi and Limousine Commission to place certification requirements not only on companies located in their jurisdiction, but on any other limo that enters their locality to pick up or drop off a customer. These additional licenses can cost up to several hundred dollars annually—and that's just to enter one jurisdiction.

The purpose of the CARR ACT is simple. It says that if a limo operator has satisfied federal, state, and local requirements, no other state or entity has the authority to establish additional requirements. The bill will not lower the quality of service which the public expects from the limousine industry nor does it compromise public safety. In fact, my legislation does not affect any safety regulations or financial requirements on interstate operations required by the U.S. DOT nor does it affect the power of states to regulate safety or financial responsibility as they may do under current law.

The same protections were granted to the trucking industry in 1995, to the armor car industry in 1997, and to the chartered bus industry under TEA–21. The time for these protections to be extended to the limousine industry is long overdue. No small business should be faced with the unfair and excessive bureaucracy faced by the nation's 9,000 limousine operators.

Mr. President, I ask unanimous consent at this time 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. 2325

*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 ''Contracted Automobile Regulatory Relief Act''.

**SEC. 2. REGULATION OF INTERSTATE AND CERTAIN INTRASTATE TRANSPORTATION SERVICES.**

Section 14501(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(D) prohibiting, restricting, licensing, permitting, or regulating the operation of a motor vehicle that is providing limousine service on an interstate basis, except in the case of the State or political subdivision in which the limousine operator maintains its principal place of business; or

''(E) requiring that a person, that has secured any mandatory State license, permit, certificate, or authority to operate a limousine service on an intrastate basis between or among political subdivisions within the State, obtain, in order to conduct limousine service between or among political subdivisions of the State, a license, permit, certificate, or other form of authority from any political subdivision of the State other than the political subdivision in which the limousine operator maintains its principal place of business.''; and

(2) by adding at the end the following:

''(3) DEFINITIONS.—In this subsection:

''(A) LIMOUSINE SERVICE.—The term 'limousine service' means a prearranged ground transportation service in a motor vehicle (other than a motor vehicle providing taxicab service), the seating capacity of which does not exceed 15 passengers (including the driver), that—

''(i) is provided on a dedicated, nonscheduled, charter basis;

''(ii) is not conducted on a regular route; and

''(iii) does not entail shuttle service.

''(B) SHUTTLE SERVICE.—The term 'shuttle service' means the simultaneous provision of a nondedicated transportation service to more than 1 paying customer in a case in which the service provider, rather than the customer, reserves the power to determine the pickup or destination point.''.

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By Mr. WYDEN (for himself and Mr. BURNS):

S. 2326. A bill to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE WIRELESS EAVESDROPPING PROTECTION ACT OF 2000

• Mr. WYDEN. Mr. President, I am introducing today the Wireless Eavesdropping Protection Act. This bill will enhance the privacy rights of wireless subscribers by strengthening the laws that prohibit eavesdropping wireless communications. Since the early days of wireless communications, Congress has paid particular attention to the privacy rights of wireless subscribers. Unfortunately, despite our best efforts, electronic eavesdroppers have been able to find loopholes in the law. I am pleased to be joined in this effort by the Senator from Montana, Senator BURNS.

Using the loopholes, electronic eavesdroppers have been able to develop a ''gray market'' for modified and modifiable wireless scanners. Some of these individuals even advertise in magazines and on Internet websites that their products can be altered easily to pick up cellular communications. The information and equipment necessary to make these modifications are also widely advertised, sometimes with blatant offers to unblock the cellular frequencies after the equipment is purchased.

The Wireless Eavesdropping Protection Act attacks these problems on several fronts. First, it would expand the definition of the frequencies that may not be scanned to include digital Personal Communications Service (PCS) frequencies as well as cellular ones. The legislation recognizes that some frequencies are shared between commercial mobile services and public safety users, and that the use of scanners to monitor public safety communications may assist in saving lives. As to those frequencies, the Federal Communications Commission (FCC) may adopt such regulations as may be necessary to enhance privacy.

Second, the bill would clarify that it is just as illegal to modify scanners for the purpose of eavesdropping as it is to manufacture or import them for this purpose, and it would direct the FCC to modify its rules to reflect this change. The bill also would amend current law to prohibit either the intentional interception or the intentional divulgence of wireless communications, so that either action on its own would be prohibited. Finally, the bill would require the FCC to investigate and take action on wireless privacy violations, regardless of any other investigative or enforcement action by any other federal agency. This provision would help ensure that these newly strengthened privacy protections are full enforced in the future.

The millions of Americans who use wireless communications deserve to have their privacy protected. They should be able to enjoy the same privacy protection as landline phone users. The Wireless Eavesdropping Protection Act will help provide those protections, and I urge my colleagues to join Senator BURNS and me in supporting this legislation. I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2326

*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 ''Wireless Eavesdropping Protection Act of 2000''.

**SEC. 2. COMMERCE IN ELECTRONIC EAVESDROPPING DEVICES.**

(a) PROHIBITION ON MODIFICATION.—Section 302(b) of the Communications Act of 1934 (47 U.S.C. 302a(b)) is amended by inserting before the period at the end thereof the following: '', or modify any such device, equipment, or system in any manner that causes such device, equipment, or system to fail to comply with such regulations''.

(b) PROHIBITION ON COMMERCE IN SCANNING RECEIVERS.—Section 302(d) of such Act (47 U.S.C. 302a(d)) is amended to read as follows:

''(d) EQUIPMENT AUTHORIZATION REGULATIONS.—

''(1) PRIVACY PROTECTIONS REQUIRED.—The Commission shall prescribe regulations, and review and revise such regulations as necessary in response to subsequent changes in technology or behavior, denying equipment authorization (under part 15 of title 47, Code of Federal Regulations, or any other part of that title) for any scanning receiver that is capable of—

''(A) receiving transmissions in the frequencies that are allocated to the domestic cellular radio telecommunications service or the personal communications service;

''(B) readily being altered to receive transmissions in such frequencies;

''(C) being equipped with decoders that—

''(i) convert digital domestic cellular radio telecommunications service, personal communications service, or protected specialized mobile radio service transmissions to analog voice audio; or

''(ii) convert protected paging service transmissions to alphanumeric text; or

''(D) being equipped with devices that otherwise decode encrypted radio transmissions for the purposes of unauthorized interception.

''(2) PRIVACY PROTECTIONS FOR SHARED FREQUENCIES.—The Commission shall, with respect to scanning receivers capable of receiving transmissions in frequencies that are used by commercial mobile services and that are shared by public safety users, examine methods, and may prescribe such regulations as may be necessary, to enhance the privacy of users of such frequencies.

''(3) TAMPERING PREVENTION.—In prescribing regulations pursuant to paragraph (1), the Commission shall consider defining 'capable of readily being altered' to require scanning receivers to be manufactured in a manner that effectively precludes alteration of equipment features and functions as necessary to prevent commerce in devices that may be used unlawfully to intercept or divulge radio communication.

''(4) WARNING LABELS.—In prescribing regulations under paragraph (1), the Commission shall consider requiring labels on scanning receivers warning of the prohibitions in Federal law on intentionally intercepting or divulging radio communications.

''(5) DEFINITION.—As used in this subsection, the term 'protected' means secured by an electronic method that is not published or disclosed except to authorized users, as further defined by Commission regulation.''.

(c) IMPLEMENTING REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Federal Communications Commission shall prescribe amendments to its regulations for the purposes of implementing the amendments made by this section.

**SEC. 3. UNAUTHORIZED INTERCEPTION OR PUBLICATION OF COMMUNICATIONS.**

Section 705 of the Communications Act of 1934 (47 U.S.C. 605) is amended—

(1) in the heading of such section, by inserting ''interception or'' after ''unauthorized'';

(2) in the first sentence of subsection (a), by striking ''Except as authorized by chapter 119, title 18, United States Code, no person'' and inserting ''No person'';

(3) in the second sentence of subsection (a)—

(A) by inserting ''intentionally'' before ''intercept''; and

(B) by striking ''communication and divulge'' and inserting ''communication, and no person having intercepted such a communication shall intentionally divulge'';

(4) in the fourth sentence of subsection (a)—

(A) by inserting ''(A)'' after ''intercepted, shall''; and

(B) by striking ''thereof) or'' and inserting ''thereof); or (B)'';

(5) by striking the last sentence of subsection (a) and inserting the following: ''Nothing in this subsection prohibits an

interception or disclosure of a communication as authorized by chapter 119 of title 18, United States Code.''; and

(6) in subsection (e)—

(A) in paragraph (1)—

(i) by striking ''fined not more than $2,000 or''; and

(ii) by inserting ''or fined under title 18, United States Code,'' after ''6 months,'';

(B) in paragraph (3), by striking ''any violation'' and inserting ''any receipt, interception, divulgence, publication, or utilization of any communication in violation'';

(C) in paragraph (4), by striking ''any other activity prohibited by subsection (a)'' and inserting ''any receipt, interception, divulgence, publication, or utilization of any communication in violation of subsection (a)''; and

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

''(7) Notwithstanding any other investigative or enforcement activities of any other Federal agency, the Commission shall investigate alleged violations of this section and may proceed to initiate action under section 503 to impose forfeiture penalties with respect to such violation upon conclusion of the Commission's investigation.''.●

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By Mr. HOLLINGS (for himself, Mr. STEVENS, Ms. SNOWE, Mr. KERRY, Mr. BREAUX, Mr. INOUYE, Mr. CLELAND, Mr. WYDEN, Mr. AKAKA, Mrs. BOXER, Mrs. MURRAY, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. MOYNIHAN, Mr. REED, Mr. SARBANES, and Mr. SCHUMER):

S. 2327. A bill to establish a Commission on Ocean Policy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

OCEANS ACT OF 2000

● Mr. HOLLINGS. Mr. President, I rise today to introduce the Oceans Act of 2000, a bill calling for a plan of action for the twenty-first century to explore, protect, and use our oceans and coasts through the coming millennium. I am pleased to be joined in this endeavor by my colleagues, Senators STEVENS, SNOWE, KERRY, BREAUX, INOUYE, CLELAND, WYDEN, AKAKA, BOXER, MURRAY, LAUTENBERG, FEINSTEIN, LIEBERMAN, MOYNIHAN, REED, SARBANES, and SCHUMER.

This is not the first time I have come before you to advocate legislation to ensure our national ocean policy is coordinated, effective, and sustainable for future generations. In 1997, I introduced an Oceans Act to create both an independent ocean commission and a federal interagency ocean council. While the Senate passed this bill unanimously, it was not enacted before the end of the 105th Congress. We continued the work we started in 1997 by introducing the Senate-passed bill as S. 959, cosponsored by 23 Senators from both sides of the aisle, in May of last year. I now introduce the Oceans Act of 2000, a new bill that reflects the lessons learned among state and federal policymakers, ocean-related industries, and public interest groups who worked together during and after the 1998 Year of the Ocean.

What we heard loud and clear from these groups was the need for a balanced, high-level national commission to determine whether the United States is managing its oceans and coasts wisely, and how we can improve or refocus our efforts. Thus, the Oceans Act of 2000 focuses exclusively on the appointment of an independent national Ocean Commission to recommend ways to ensure our nation's ocean policy is coordinated, effective, and sustainable for future generations. I believe this is both improved and streamlined legislation that will enjoy wide support from industry, conservation groups, and States. Already we have received letters of support from a cross-section of these interests, all of whom believe we cannot wait any longer to enact this important legislation.

Mr. President, it is critical that we enact the Oceans Act of 2000 this year. In 1966 Congress enacted legislation to establish a Commission on Marine Science, Engineering, and Resources (known as the Stratton Commission for its chairman, Julius Stratton) that was to recommend a comprehensive national program to explore the oceans, develop marine and coastal resources, and conserve the sea. The Stratton Commission's report and recommendations have shaped U.S. ocean policy for three decades. We have long needed to take a hard look at this legacy, and a national Ocean Commission could comprehensively evaluate concerns that cannot be viewed effectively through current federal processes or through privately-commissioned studies. For example, an Ocean Commission could evaluate charges that the most critical coastal management issues, such as fishery conservation and data needs, are not given appropriate priority and funding. It could consider whether ocean management regimes that have developed over the last 30 years under a variety of agencies are duplicative and uncoordinated, resulting in costly or time-consuming requirements that may provide little incremental environmental benefit. Finally, it could address the argument that we lack a plan to evalute and plan for future resource needs or to derive benefits from discoveries made possible by advances in ocean technology.

It would be difficult to coherently address all these concerns without the high-level comprehensive review provided by this legislation. The Oceans Act of 2000 would establish a 16-member Commission, similar to the Stratton Commission, to examine ocean and coastal activities and report within 18 months on recommendations for a national policy. The Commission members would be selected from individuals nominated by majority and minority representatives in both houses of Congress. Eligible individuals include those representing state and local governments, ocean-related industries and public interest groups. I have included new provisions stating that the membership should be balanced geographically to the extent consistent with maintaining the highest level of expertise.

The Oceans Act of 2000 specifies that the Commission should examine concerns that range from priority and planning issues to regulatory reform. The Commission is specifically charged with evaluating the cumulative regulatory effect of the myriad of ocean and coastal management regimes, and crafting recommendations for resolving inconsistencies. To ensure we can meet future technical and funding challenges and set our national priorities appropriately, the Commission is directed to review the known and anticipated supply of, and demand for, ocean and coastal resources, as well as review opportunities for development or investment in new products, technologies, or markets related to ocean and coastal activities. Because I believe the Commission should focus on large-scale ocean and coastal policy questions, the bill includes a provision clarifying that the Commission recommendations shall not be specific to the lands and waters within a single state.

Finally, once the Commission issues its recommendations, the President must report to Congress on how he will respond to or implement Commission recommendations. We want to be sure that this body is fully informed of, and participates in, how the Nation proceeds once the Commission has completed its work. Finally, the effective date of the Act is at December 31, 2000 in order to enable the current Administration to complete its interagency ocean initiative before the end of the current term, and allow the incoming Administration time to evaluate the Commission nominees and make appointments.

This version does not include a federal interagency Ocean Council—I believe that this function is now being filled by the sub-cabinet level Ocean Policy Task Force process announced by the Administration last year. Establishing a second interagency council now would be duplicative, and it is my firm belief that the independent Commission will adequately assess whether the existing interagency process is appropriate or sufficient to address its recommendations. However, it is my hope that interagency coordination on oceans policy will remain an important priority for the next Administration. And I look forward to the day that ocean policy issues are given the highest priority within the federal government by a Cabinet-level entity, without the infighting or discord that has impeded our progress on these issues.

Mr. President, this legislation is both appropriate and long overdue. By the end of this decade about 60% of Americans will live along our coasts, which account for less than 10% of our land area. I am amazed that in this era, when we've invested billions of dollars in exploring other planets, we know so little about the ocean and coastal systems upon which we and other living

things depend. Large storms events like Hurricanes Floyd and Hugo, driven by ocean-circulation patterns, pose the ultimate risk to human health and safety. El Nino-related climate events have led to increased incidence of malaria in areas of Colombia and Venezuela. Harmful algal blooms have been linked to deaths of sea lions in California and manatees in Florida, and we are still searching to understand their effects on humans. Mr. President, the oceans are integral to our lives but we are not putting a priority on finding ways to learn more about them, and what they may hold for our future. The oceans are home to 80% of all life forms on Earth, but only 1% of our biotechnology R&D budget will focus on marine life forms. Of the 4 manned submersibles in the world capable of descending to half of the ocean's maximum depth, not a single one of them is operated by the United States!

The Stratton Commission stated in 1969: ''How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its positions and influence in the World community, and the quality of the environment in which its people live.'' those words are as true today as they were 30 years ago.

Mr. President, it is time to look towards the next 30 years. This bill offers us the vision and understanding needed to establish sound ocean and coastal policies for the 21st century, and I think the cosponsors of the legislation for joining with me in recognizing its significance. We look forward to working together in the bipartisan spirit of the Stratton Commission to enact legislation this year that ensures the development of an integrated national ocean and coastal policy well into the next millennium.●

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## ADDITIONAL COSPONSORS

S. 345

At the request of Mr. ALLARD, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 662

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 801

At the request of Mr. SANTORUM, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 801, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 867

At the request of Mr. ROTH, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 867, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 875

At the request of Mr. ALLARD, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 875, a bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes.

S. 882

At the request of Mr. MURKOWSKI, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 882, a bill to strengthen provisions in the Energy Policy Act of 1992 and the Federal Nonnuclear Energy Research and Development Act of 1974 with respect to potential Climate Change.

S. 954

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 954, a bill to amend title 18, United States Code, to protect citizens' rights under the Second Amendment to obtain firearms for legal use, and for other purposes.

S. 1053

At the request of Mr. BOND, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1053, a bill to amend the Clean Air Act to incorporate certain provisions of the transportation conformity regulations, as in effect on March 1, 1999.

S. 1142

At the request of Ms. MIKULSKI, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1142, a bill to protect the right of a member of a health maintenance organization to receive continuing care at a facility selected by that member, and for other purposes.

S. 1185

At the request of Mr. ABRAHAM, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1185, a bill to provide small business certain protections from litigation excesses and to limit the product liability of non-manufacturer product sellers.

S. 1272

At the request of Mr. NICKLES, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

S. 1787

At the request of Mr. BAUCUS, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1787, a bill to amend the Federal Water Pollution Control Act to improve water quality on abandoned or inactive mined land.

S. 1806

At the request of Mr. BINGAMAN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1806, a bill to authorize the payment of a gratuity to certain members of the Armed Forces who served at Bataan and Corregidor during World War II, or the surviving spouses of such members, and for other purposes.

S. 1810

At the request of Mrs. MURRAY, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 1810, a bill to amend title 38, United States Code, to clarify and improve veterans' claims and appellate procedures.

S. 1874

At the request of Mr. GRAHAM, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1874, a bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours.

S. 1883

At the request of Mr. BINGAMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1883, a bill to amend title 5, United States Code, to eliminate an inequity on the applicability of early retirement eligibility requirements to military reserve technicians.

S. 1898

At the request of Mr. DORGAN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1898, a bill to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

S. 1921

At the request of Mr. CAMPBELL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1921, a bill to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

S. 1991

At the request of Mr. THOMPSON, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1991, a bill to amend the Federal Election Campaign Act of 1971 to enhance criminal penalties for election law violations, to clarify current provisions of law regarding donations from foreign nationals, and for other purposes.

S. 1997

At the request of Mr. BINGAMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1997, a bill to simplify Federal oil and gas revenue distributions, and for other puroposes.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the Medicare Program.

S. 2039

At the request of Mr. HUTCHINSON, the names of the Senator from Georgia (Mr. COVERDELL) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2039, a bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to provide emergency loans to poultry producers to rebuild chicken houses destroyed by disasters.

S. 2070

At the request of Mr. FITZGERALD, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 2070, a bill to improve safety standards for child restraints in motor vehicles.

S. 2084

At the request of Mr. LUGAR, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

S. 2107

At the request of Mr. GRAMM, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 2107, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes.

S. 2139

At the request of Mr. HUTCHINSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2139, a bill to amend the Federal Water Pollution Control Act to exempt agricultural stormwater and silviculture operation discharges from the requirement for a permit under the pollutant discharge elimination system, and for other purposes.

S. 2182

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2182, a bill to reduce, suspend, or terminate any assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act to each country determined by the President to be engaged in oil price fixing to the detriment of the United States economy, and for other purposes.

S. 2221

At the request of Mr. KOHL, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2221, a bill to continue for 2000 the Department of Agriculture program to provide emergency assistance to dairy producers.

S. 2232

At the request of Mr. GRAHAM, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2232, a bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purpose.

S. 2265

At the request of Mrs. HUTCHISON, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2275

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2275, a bill to amend the Mineral Leasing Act to prohibit the exportation of Alaska North Slope crude oil.

S. 2277

At the request of Mr. ROTH, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2277, a bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China.

S. 2288

At the request of Mr. ABRAHAM, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2288, a bill to amend the Internal Revenue Code of 1986 and the Social Security Act to repeal provisions relating to the State enforcement of child support obligations and the disbursement of such support and to require the Internal Revenue service to collect and disburse such support through wage withholding and other means.

S. 2300

At the request of Mr. THOMAS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2300, a bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

S. 2307

At the request of Mr. DORGAN, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 2307, a bill to amend the Communications Act of 1934 to encourage broadband deployment to rural America, and for other purposes.

S. CON. RES. 34

At the request of Mr. SPECTER, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. Con. Res. 34, a concurrent resolution relating to the observance of ''In Memory'' Day.

S. CON. RES. 69

At the request of Ms. SNOWE, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. Con. Res. 69, a concurrent resolution requesting that the United States Postal Service issue a commemorative postal stamp honoring the 200th anniversary of the naval shipyard system.

S.J. RES. 3

At the request of Mr. KYL, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Louisiana (Mr. BREAUX), and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

S.J. RES. 43

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S.J. Res. 43, a joint resolution expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru.

S. RES. 87

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. Res. 87, a resolution commemorating the 60th Anniversary of the International Visitors Program

S. RES. 253

At the request of Mr. SPECTER, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. Res. 253, a resolution to express the sense of the Senate that the Federal investment in biomedical research should be increased by $2,700,000,000 in fiscal year 2001.

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## SENATE CONCURRENT RESOLUTION 100—EXPRESSING SUPPORT OF CONGRESS FOR A NATIONAL MONUMENT OF REMEMBRANCE TO BE OBSERVED AT 3:00 P.M. EASTERN STANDARD TIME ON EACH MEMORIAL DAY

Mr. HAGEL (for himself and Mr. KERREY) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 100

Whereas the preservation of basic freedoms and world peace has always been a valued objective of this great country;

Whereas thousands of American men and women have selflessly given their lives in service as peacemakers and peacekeepers;

Whereas greater strides should be made to demonstrate the appreciation and gratitude these loyal Americans deserve and to commemorate the ultimate sacrifice they made;

Whereas Memorial Day is the day of the year for the Nation to appropriately remember American heroes by inviting the citizens of this Nation to respectfully honor them at a designated time;

Whereas Memorial Day needs to be made relevant to both present and future generations of Americans; and

Whereas a National Moment of Remembrance would provide citizens in the United States an opportunity to participate in a symbolic act of American unity: Now, therefore, be it

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

(1) expresses its support for a National Moment of Remembrance at 3:00 p.m. eastern standard time on each Memorial Day in honor of the men and women of the United States who died in the pursuit of freedom and peace; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe a National Moment of Remembrance on each Memorial Day.

● Mr. HAGEL. Mr. President, I rise today with my colleague from Nebraska, Senator BOB KERREY, to submit a resolution expressing Congress' support for a national moment of remembrance, to be observed on Memorial Day each year, in order to appropriately honor American patriots lost in pursuit of peace and liberty around the world.

Should Congress pass this resolution, ''Taps'' will be played at 3 pm (Eastern Standard Time) on Memorial Day each year, in honor of those who have sacrificed their lives for their country. In other words, this resolution seeks to put the ''memorial'' back into Memorial Day.

It is my hope that this moment of remembrance will bring all Americans together in a spirit of respect, patriotism and gratitude. Our intention is to help restore the recognition our veterans deserve for the sacrifices they have made on behalf of our great Nation.

No Greater Love, a nonprofit organization which assists the families of Americans who died in service to their country or in terrorist acts, has helped support this resolution as part of their ''Proud to Remember'' campaign. We are all grateful for their efforts.●

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## AMENDMENTS SUBMITTED

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## LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000

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### JOHNSON (AND OTHERS) AMENDMENT NO. 2891

(Ordered to lie on the table.)

Mr. JOHNSON (for himself, Mr. THOMAS, Mr. GRAMS, Mr. ROBB, Mr. WELLSTONE, Mr. HARKIN, and Mr. BAUCUS) submitted an amendment intended to be proposed by them to the bill (S. 2097) to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, and for other purposes; as follows:

In section 4(d)(2)(D), insert after the phrase ''acceptable to the Board'' the following: ''or any lender that (i) has not fewer than one issue of outstanding debt that is rated within the highest three rating categories of a nationally recognized statistical rating agency; or (ii) has provided financing to entities with outstanding debt from the Rural Utilities Service and which possess, in the judgment of the Board, the expertise, capacity and capital strength to provide financing pursuant to this Act''.

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## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, at 9:30 a.m. on sports gambling.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, at 10:00 a.m. for a hearing entitled Meeting the Challenges of the Millennium.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, at 10:30 a.m. for a hearing entitled Meeting the Challenges of the Millennium.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, for hearings regarding the Inclusion of a Prescription Drug Benefit in the Medicare Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON INDIAN AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, March 29, 2000 at 2:30 p.m. to mark up S. 1507, Native American Alcohol and Substance Abuse Program Consolidation Act of 1999, and S. 1509, Indian Employment, Training and Related Services Demonstration Act Amendments of 1999; followed by a hearing on S. 1967, to make technical corrections to the status of certain lands held in trust for the Mississippi Band of Choctaw Indians. The hearing will be held in the Committee room, 485 Russell Senate Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON RULES AND ADMINISTRATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, at 9:30 a.m., to receive testimony on Presidential primaries and campaign finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SELECT COMMITTEE ON INTELLIGENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, at 2:00 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, March 29, 2000, at 9:30 a.m., in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, March 29 at 2:30 p.m. to conduct a hearing. The subcommittee will receive testimony on S. 1778 to provide for equal exchanges of land around the Cascade Reservoir; S. 1894, to provide for the conveyance of certain land to Park County Wyoming; and S. 1969, to provide for improved management of, and increased accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, March 29, 2000, for hearings on the nomination of Elizabeth Michelle Andrews Smith.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## THE FEDERAL GAS TAX

Mr. WARNER. Mr. President, I want to turn to the subject of the cloture vote that will be held tomorrow. It is scheduled on legislation to suspend 4.3 cents of the Federal gas tax and then the possibility, at some point in time, of the suspension of the full 18.4-cent gasoline tax; the 4.3, of course, is included in that.

Now this proposal was laid before the Senate last night by our distinguished majority leader, Senator LOTT. Senator LOTT is a man of principle. I rise with

convictions of my own, and I hope he will accord me the same respect I accord him. He firmly believes it is in the best interest of the country—the measure he is bringing before the Senate. I believe it is my duty to oppose that, and my remarks give the reasons for doing so.

I ask unanimous consent that several documents be printed at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. WARNER. Mr. President, in this effort, I am joined by the following organizations as of this moment. Within 3 hours this afternoon, they have come to my door in great numbers. I urge Senators to listen to the following. Opposing this measure—the substance of the bill—are the National Governors' Association. The distinguished Presiding Officer was a former Governor and was active in that association. Also, there is the National Association of Counties, U.S. Conference of Mayors, National Conference of State Legislators, Association of Road and Transportation Builders, Associated General Contractors, Building and Trades Unions, American Highway Users Federation, American Automobile Association. That list is growing by the hour.

I believe the Senate, at this critical hour, should be directing its attention in a constructive way to point out the failures of the Clinton energy policy. My colleague, the junior Senator from Alaska, has been a tireless worker on this effort. I believe either today or tomorrow he will be addressing the Senate on this subject. We should be focusing our attention on how, legislatively or otherwise, we can help the American free enterprise system to increase production. That production has been stymied time and time again by a number of Government regulations, such that today America is dependent for 56 percent of its petroleum energy requirements—56 percent coming across the ocean to our shores.

We are now finding ourselves in this great Chamber, watching intently as to what OPEC might do. A series of nations, the majority of whom—certainly not Iraq and Iran and others—we have come to their defense time and time again when their security and freedom have been challenged. Yet, we are sitting here by the hour waiting to see how they might provide this great Nation, the United States of America, an energy program of imports combined with our own domestic production to meet our needs, to continue to strengthen this economy, which is not only helping to support our Nation and provide jobs but, indeed, is relied on by economies throughout the world—all because of this petroleum.

We recognize that the price of gasoline has reached such a high level that it is beginning to have tragic consequences on families, on small businesses, on truckers, and many others across this Nation. Indeed, this Chamber is directing its attention to see what relief we may give. But I say most respectfully to those who are proposing the suspension of this 4.3-cent tax and the possibility of another trigger requiring that to be subsumed into an 18.4-cent tax, that this is not a wise course, and I oppose it. I oppose it because the proposal is fraught with uncertainty. We could be taking an action which would not translate into relief for the drivers of our vehicles—those who are suffering from this. There is simply too much uncertainty in this course of action. That is one reason.

The second reason is it would impact negatively on legislation which I and others fought for years for and finally got through in the form of new highway legislation. I will address that in detail.

I ask the question: Is the repeal or temporary suspension of the 4.3 cents going into the pockets of the drivers? Can we give them that assurance? That is the question each of you will have to answer if you want to support this proposal.

What is the guarantee that this tax cut will be passed on to the consumer? What is the likelihood it might go in part or in whole into the pockets of the middlemen, the wholesalers, or the distributors? How are the drivers protected from the oil refiners and wholesale marketers from taking off some of this for their own reasons? Will the free marketplace enable them to charge the same price at the gas pump even after you achieve the rescinding of the 4.3? What is there to indicate that the price at the gas pump is going to come down? I can find no certainty.

I come back time and time again to one word— ''uncertainty.''

If it is not to be passed on to the consumers and the high prices continue, I think Americans will feel betrayed. They are now mad. But they could be more irate if they are betrayed by what could be perceived as a course of action. That could happen. But there is no certainty 4.3 cents will be put into their pockets.

What is the impact of this hollow tax cut? Is it a significant impact on our budget surplus? Very clearly—the way the bill is drawn, it will have an impact on that surplus.

The Department of Transportation estimates that the 9-month suspension—as proposed in this legislation—of this portion of the gas tax will result in approximately $6 billion less in the highway trust fund. That money, which by law in the context of the highway legislation that I worked on, will be taken out. That means there will be a shortfall in the next 9 months of $6 billion.

While the legislation as proposed by the distinguished leader has a unique provision—I am not sure I have ever seen one like it before—calling on the surplus—that is the general revenues and surplus—to replenish the lost revenue in the highway trust fund, there is some trigger mechanism in there.

But I ask my colleagues in the Senate: Do we want to be spending a significant part of our limited surplus for this uncertainty? If we knew it was going into the consumers' pockets, that might be one thing. But I have yet to find anybody who says it is absolutely going to bypass all the middle people and go into their pockets.

Do we want to take that surplus, which we are examining for debt reduction, tax reduction and other purposes, do we want to suddenly have $6 billion with just the 4.3 cents go into this type of scheme? If we go to 18.4, then it could well consume all the surplus. The question you have to ask yourself is, Is that what we want to do with the surplus? This Senator says no.

In other words, I would rather see such tax legislation as can pass this Chamber, tax legislation which guarantees by law taxpayer relief—the marriage penalty tax for one and the estate tax relief for another, specifically—relief that they need. And there is certainty. That is the word; there is certainty. But there is uncertainty with this proposal.

Do we want to use the on-budget surplus to give a tax cut to gasoline wholesalers? I don't. Do we want to use our surplus for other, more certain tax legislation? Yes, I do. That is the position I take this evening.

Let's go back and look at the highway legislation that we worked on several years ago, called TEA–21. For over a decade in the Senate, I, along with many other colleagues on both sides of the aisle with strong bipartisan support—the senior Senator from Montana, Mr. BAUCUS, our former colleague, Senator Chafee from Rhode Island, myself, and others—teamed up in the Environment and Public Works Committee. I was then chairman of the transportation subcommittee, a position now occupied by our distinguished Presiding Officer, who I believe is in concert with me on the views with regard to this tax. Over a period of years we worked towards several goals, and we achieved them.

We wanted to first restore faith with the drivers who were promised over the years that the gas taxes they paid at the pump would come back to their respective States to be used for new highways, improvements in safety, and the like. But it never happened. We had the donor-donee situation, where various States got higher than they sent to Washington for taxes; others got less. And finally we struck a note of fairness in that legislation. It was landmark legislation. It has worked in our States. That is why the Governors in all 50 States are opposed to this. That is why the highway administrators in all 50 States and their organizations are opposed to the legislation. They made it work.

Tens upon tens of thousands of contracts are operating today to modernize and improve our highways and

other transportation facilities. Millions of people are engaged in employment and others in providing the supplies and engineering and design. The system is working as it was intended when this Senate together with the House of Representatives put this legislation into law.

TEA–21 guaranteed that all the taxes motorists paid at the pump would be placed in the highway trust fund. It would go into the trust fund, and, indeed, 100 percent went for highways and highway safety.

Before TEA–21, the gas tax was increased by 4.3 cents. I voted against an increase in taxes of 4.3 cents. But it went into the general revenues. As a part of the legislative process in devising TEA–21 right on this floor, we voted—I believe the vote was 80–18—to take that 4.3 cents which was going into the general revenue and put it into the highway trust fund. Now we are asked to suspend that source of income going into the highway trust fund. I am opposed to it.

As our Nation's transportation infrastructure aged and crumbled, it was imperative that we transfer the 4.3 cents from general revenues to the highway trust fund. Eventually, TEA–21 guaranteed spending reform which resulted in a 40-percent increase in funds for transportation over the past 2 years. Today, we are just beginning to see the benefits of TEA–21 with more projects under construction, jobs being created, products moving more efficiently across the country, and, most importantly, improvement in highway safety.

Do we want to now turn back the clock and inject uncertainty—that is the key word, uncertainty—into the funding profile needed for our highway program?

While the legislation has an untested triggering mechanism to restore general revenues to the highway trust fund, what happens if that trigger is pulled and it doesn't work? Again, uncertainty will jeopardize highway safety for the driving public and thousands of jobs once created by TEA–21. In order to accomplish these significant budget reforms in TEA–21, adequate funding in the highway trust fund was critical to meet the many demands for the highway dollars. The highway trust fund is the sole source of revenue to improve our highways and bridges and maintain our bus and rail systems.

The consequences of a suspension of 4.3 cents of the Federal gas tax are very significant if that triggered mechanism doesn't work. First, State and local transportation activities will lose approximately $6 billion just from the 4.3. Second, there will be a tremendous loss of high-paying jobs. I have heard upwards of a quarter of a million jobs would be lost. Certain representations have been made by some of my colleagues, and I am not in a position to agree or disagree, that all the contracts that are currently signed in an operation have adequate funding. That could well be correct. However, I could not get the same representation from those individuals regarding the 18.4. If that suddenly comes in, it could jeopardize some of the contracts that are outstanding.

As Members come to the floor to vote tomorrow, they must have in mind an answer if the triggers go in effect—there are several triggers to the 18.4—what happens to the current contracts out there now and the people who are on the highways of this Nation working with trucks and all the other equipment to improve these roads. State and local transportation activities, as I say, will lose significant funds.

Second, there will be a tremendous loss of the highway-paying jobs. I have covered that.

Third, the safety of American drivers would be jeopardized. I am going to have printed in the RECORD the AAA letter which goes to the question of safety on the highways of America.

Fourth, there would be severe disruptions in maintaining the planning schedules. In other words, every week in my State the highway departments, as they do in other States, are analyzing the needs of that State and beginning to project the work, contract for the work, design the work. Suddenly, they hear from Washington; wait a minute, the funds that may not come in. We promised the transfer from the general revenues. Try to explain the triggering mechanism, and what happens. Uncertainty comes into the equation.

We all know it takes years, far too long for a highway or transit project to make it from the drawing board to construction. Severe swings or even the uncertainty of the availability of funds in transportation funding will make it nearly impossible for States to effectively manage their highway programs. Consistent funding levels are critical to the seamless steps of planning, designing, engineering, the permitting process, contracting, and construction. A stable program—where States, local governments, and contractors have the benefits of a long-term funding cycle—translates into a reliable supply of new and improved highways. That is elementary.

Do we want to stop the modernization of our Nation's transportation system to give the gas middleman a few more pennies in his pocket? It could well happen. Or do we keep on course to improve transportation and highway safety for all Americans while providing more meaningful and lasting tax relief with such limited surplus as we may have?

Those are the fundamental questions.

I read off the various organizations, and I will make a brief reference to the following from the American Association of State Highway and Transportation Officials:

DEAR SENATOR WARNER: I would like to express AASHTOs profound concern with, and opposition to, bills recently introduced in the House and the Senate that would repeal or suspend all or a portion of the Federal motor fuel taxes.

We appreciate the economic hardships caused by the sharp rise in the price of oil to the trucking industry, to the motoring public and to other sectors of our committee. However, we are concerned that the recently introduced legislation, designed to relieve the current economic distress, will inadvertently jeopardize the financial stability of the federal program that supports the various surface infrastructure on which motorists, the trucking industry, and indeed the economy depend.

From the Small Business Legislative Council, addressed to Senator LOTT, with a copy came to me:

On behalf of the Small Business Legislative Counsel (SBLC), I want to indicate that we must object to the initiative to temporarily roll back the Federal gas tax. While small businesses are clearly suffering as a result of the highway gasoline prices, we are long time staunch supporters of reserving the integrity of the highway trust fund and making sure that we have the proper infrastructure to deliver our goods and services.

From the American Automobile Association, one of the great hallmarks in our transportation system for many years, they write:

Even more troubling is the proposal to temporarily suspend the 18.4 cents per gallon Federal tax prices if prices top $2 per gallon this year.

That is an average; it is a complex formula. It could happen. I understand in California today the prices are over $2. It would not be just one State that triggered it. It would be a national average.

Continuing:

Despite assurances that revenues lost by the Highway Trust Fund will be replaced with revenues in the budget surplus, this action fundamentally alters the basic principle governing surface transportation funding. The Federal excise tax is a user fee. Motorists are paying for road and bridge repairs and safety programs through the fees paid at the gas pump.

Now, from the American Road and Transportation Builders Association. They listed 10 points which will be printed.

Last, I did not know what a coincidence it would be that the Presiding Officer, the Senator from Ohio, would be in the Chair. I obtained the following editorials which appeared in his State today, again, solidly supporting the distinguished Senator's stance on opposition to these taxes. It is very clear. I will read one editorial which appears in the Akron Beacon Journal:

And all that gas tax, the difference that 4.3 cents can make.

George Voinovich doesn't like paying $1.60 or more for a gallon of gas. In that sense, the Ohio Senator stands with the majority of his fellow Republicans, heck, the majority of Americans. Where he departs from the party line is determining what to do about the increase.

Not surprisingly, Voinovich takes a practical approach. On Thursday, he joined Sen. John Warner, a Virginia Republican, and Sen. Max Baucus, a Montana Democrat, to voice their bipartisan opposition to repealing the 4.3-cents-per-gallon tax levied in 1993 for deficit reduction. All three understand the cost if the tax is repealed.

Cost? Old motorists might save a few cents. What they would lose is money for highway repair and construction. In 1997, Congress altered the purpose of the tax, dedicating the 4.3 to the highway use only.

What would Ohio lose? If the repeal took effect in July, the State would forfeit $650 million the next three years. The State Department of transportation is already budgeted $300 million in Federal money for new construction. That would disappear.

In its place? The headaches of drivers as they navigate the roads in desperate need of repair. Voinovich knows deficient roads exact their own toll.

All across America today, tonight, people will be joining in notifying their Members of Congress that this piece of legislation, no matter how sincere, how principled in its presentation to this body, is not in the best interests of the country for the reasons I have stated.

EXHIBIT 1

[From the Akron Beacon Journal, Mar. 27, 2000]

ALL THAT GAS TAX—THE DIFFERENCE THAT 4.3 CENTS CAN MAKE

George Voinovich doesn't like paying $1.60 or more for a gallon of gas. In that sense, the Ohio senator stands with the majority of his fellow Republicans, heck, the majority of Americans. Where he departs from the party line is determining what to do about the increase.

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Cost? Oh, motorists might save a few cents. What they would lose is money for highway repair and construction. In 1997, Congress altered the purpose of the tax, dedicating the 4.3 cents to highway use only.

What would Ohio lose? If the repeal took effect in July, the state would forfeit $650 million the next three years. The state Department of Transportation has already budgeted $300 million in federal money for new construction. That would disappear.

In its place? The headaches of drivers as they navigate roads in desperate need of repair. Voinovich knows deficient roads exact their own toll.

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AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS,

*Washington, DC, March 15, 2000.*

Hon. JOHN WILLIAM WARNER,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR WARNER: I am writing to you on behalf of the American Association of State Highway and Transportation Officials (AASHTO) which represents the highway and transportation departments of the 50 States as well as the District of Columbia and Puerto Rico. I would like to express AASHTO's profound concern with, and opposition to, bills recently introduced in the House and Senate that would repeal or suspend all or a portion of the federal motor fuel taxes.

We appreciate the economic hardships caused by the sharp rise in the price of oil to the trucking industry, to the motoring public, and other sectors of the economy. However, we are concerned that the recently introduced legislation, designed to relieve the current economic distress, will inadvertently jeopardize the financial stability of the federal program that supports the very surface infrastructure on which motorists, the trucking industry, and indeed, the economy depend.

Each penny of motor fuel tax currently generates almost $1.7 billion per year in revenues to the Highway Trust Fund's Highway and Mass Transit Accounts, with the funds dedicated to highway and mass transportation improvements. The loss of revenue from a repeal of federal motor fuel excise taxes would have a devastating impact on the ability of states to deliver, as promised to their citizens, critically needed surface transportation improvement projects. Projects that would be eliminated or delayed include those designed to reduce accidents and fatalities and to improve the overall operation and efficiency of the surface transportation system.

While the Transportation Equity Act for the 21st Century (TEA 21) established record levels of federal surface transportation investment, the U.S. Department of Transportation still estimates that the level of investment needed to maintain current highway conditions alone is $211 billion over the next four years. The U.S. Department of Transportation maintains that poor road conditions are a factor in an estimated 30 percent of traffic fatalities. A repeal or suspension of a portion of the federal motor fuel tax would virtually eliminate all of the gains we made with TEA 21, and put us that much further behind in meeting our surface transportation needs.

We respectfully urge you to examine the loss of revenues to the Highway Trust Fund and the impact on highway and mass transportation funding to your state resulting from a repeal of the federal motor fuel tax. I have attached a table that shows the state-by-state effect of a repeal of 4.3 cents of the tax. We hope that you will consider alternatives to a repeal or suspension of the federal motor fuel excise tax that would not seriously impair the abilities of the states to deliver much-needed projects that will maintain and improve the safety, condition and performance of our surface transportation system.

Sincerely,

THOMAS R. WARNE,
*Executive Directors.*

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AMERICAN ROAD & TRANSPORTATION BUILDERS ASSOCIATION,

*Washington, DC, Wednesday, Mar. 29, 2000.*

TOP 10 REASONS WHY REPEALING PART OF THE FEDERAL GAS TAX IS A BAD IDEA!

On Thursday, March 30, the U.S. Senate is expected to take up legislation—S. 2285—that would: (a) repeal 4.3 cents of the 18.4 cents-per-gallon federal gasoline tax from April 15, 2000, to January 1, 2001; or (b) repeal the entire 18.4 Federal gas tax during that time frame if the national average price of gasoline exceeds $2.00 per gallon. The bill proposes to use the ''on-budget surplus'' to ''reimburse'' the more than $20 billion that could be lost to the Highway Trust Fund under this scheme.

1. S. 2285 introduces uncertainty and risk into state highway funding. Federal highway investment is already guaranteed under the 1998 highway bill known as the Transportation Equity Act for the 21st Century (TEA–21). There is no need to risk this guarantee for a promise that things will be taken care of using the ''on-budget surplus.'' Uncertainty will slow down state highway and mass transit improvement programs.

2. S. 2285 could utilize the entire FY 2000 ''On-Budget Surplus.'' According to the Senate Budget Committee's Informed Budgeteer of March 13, 2000, the Congressional Budget Office has reestimated the FY 2000 ''on-budget surplus'' to be $15 billion. Repealing the entire federal gas tax from April 15 to September 30—a possibility under S. 2285—would cost the Highway Trust Fund approximately $15 billion. This would leave no room for other Republican budget priorities . . . or to protect Social Security and Medicare. A $9 billion supplemental appropriation bill is currently pending in the House.

3. Cutting highway investment jeopardizes lives. According to the U.S. Department of Transportation, 12,000 Americans die each year in auto crashes in which poor road conditions or alignments are a factor. Traffic accidents are the leading cause of death of young Americans 6 to 28 years of age and result in more permanent disabling injuries than any other type of accident. Cutting the federal highway user fee could cut programs that are aimed at helping reduce that public health crisis.

4. American jobs would be put at risk. Rolling back 4.3 cents of the federal gas tax motor fuels tax would risk eliminating over a quarter million American jobs that are sustained by public investment in highway construction programs—with concurrent losses of federal and state income tax revenue and increases in unemployment-related government expenses.

5. S. 2285 could negatively affect state bond ratings. The perception of uncertainty about the flow of federal highway funds to the states that S. 2285 would create could affect the bond ratings of states that have borrowed funds for highway projects against future federal-aid revenues. The National Highway System Act allows federal-aid highway and mass transit funds to be used to pay principle and interest costs on bonds for highway and mass transit projects. Bonds issued under this provision are called GARVEE bonds. Here are a few examples:

Ohio: $90 million for the Spring-Sandusky project with a moral obligation to seek gas tax or general revenues if there is a shortfall in federal aid.

Mississippi: $921.7 million for a four-lane highway program, with the state gas tax as back up.

New Mexico: $100.2 million for State Route 44, with no back-up (a ''naked GARVEE'').

New Jersey: $151.5 million to purchase 500 new buses, backed solely by anticipated funding from the Federal Transit Administration.

States that have passed enabling legislation or are planning to issue GARVEE Bonds in the near future include Alabama, Arkansas, Arizona, California, Colorado, Florida, Nevada and Virginia.

6. The uncertainty raised by S. 2285 will hurt publicly-traded companies in the transportation construction sectors. These companies have already taken a hit on Wall Street over the past month with just the suggestion of a cut in federal highway investment. Many of these companies have made very substantial capital investments in anticipation of increased highway work under TEA–21. S. 2285 could leave them hanging in the wind!

7. S. 2285 would only save the average American motorist 46 cents a week. The motorist driving 12,000 miles a year in a car getting 20 miles per gallon would save $18.28 between April 15 and January 1, 2001, with a 4.3 cents gas tax cut.

8. S. 2285 acknowledges consumers may not even benefit from the proposed tax rollback at the pump. The bill would direct the Comptroller General of the United States to ''conduct a study of the reduction of taxes under this Act to determine whether there has been a passthrough of such reduction'' with details to the Congress ''not later than September 30, 2000.''

9. Gasoline prices can be expected to decline in the next two to three months by between 5 cents and 21.25 cents per gallon due

to OPEC's quota increase. According to a Department of Energy's Energy Information Agency (EIA) study released on March 6, crude oil prices would drop to $25.50 per barrel by August and $23 per barrel by the end of the year if OPEC increased its quota by 1.7 million bpd starting in April. Also according to EIA, for each $1 per barrel decrease in the price of crude oil, gasoline prices drop approximately 2.5 cents per gallon at the pumps. According to market analysts, such price adjustments take between 6–8 weeks. However, if current gasoline prices reflect the peak crude prices, then the gasoline price decline will be closest to the higher figure.

10. Greenspan says ''Save the Surplus''. Federal Reserve Chairman Alan Greenspan told the Senate Special Committee on the Aging March 27, ''Saving the surpluses—if politically feasible—is, in my judgment, the most important fiscal measure we can take at this time to foster continued improvements in productivity.''

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AAA,
*Washington, DC, March 28, 2000.*

AAA wishes to go on record in its opposition to measures that seek to suspend all or portions of the federal excise tax on gasoline. While attractive at first glance, this course of action will do little to address the root cause of our gasoline price problem today, which is a shortage of supply caused by curtailed production of crude oil, by OPEC states.

AAA recognizes that many motorists are suffering because of high gas prices. But, the benefits to motorists from reducing the gas tax are, at best, minimal. Temporarily suspending 4.3 cents of the gas tax would translate to less than $1 per week in possible savings to motorists. The resulting loss of revenue to the Highway Trust Fund, however, would impede the important work of rebuilding our nation's transportation infrastructure and improving highway and motorist safety. That is an unacceptable risk for AAA's 43 million members.

Even more troubling is the proposal to temporarily suspend the entire 18.4 cents-per-gallon federal tax if prices top $2 per gallon this year. Despite assurances that revenues lost to the Highway Trust Fund will be replaced with revenues from the budget surplus, this action fundamentally alters the basic principle governing surface transportation funding. The federal excise tax is a user fee. Motorists are paying for road and bridge repairs and safety programs through the fees paid at the gasoline pump.

Congress recognized the importance of fully investing in the nation's infrastructure when it passed TEA–21 in 1998 and ensured that federal gas tax dollars are dedicated for their intended purpose. Because of this historic legislation, motorists now trust that their taxes are invested exactly where they belong—improved mobility across all surface transportation modes—and safety.

Make no mistake about it. Lower receipts into the Highway Trust Fund will compromise safety for the traveling public. Is that truly what Congress wants to do? Reducing the federal gasoline tax will do nothing to increase fuel supply. That is where Congress and the Administration should focus their attention. To focus legislative efforts on the federal gas tax, rather than the real problem—supply—is a shortsighted and regrettably expedient response to the problem.

In the meantime, AAA is doing its part to reduce demand by issuing its ''Gas Watcher's Guide'', which details the many ways in which motorists can conserve fuel. A copy is enclosed for your review. The guide shows motorists that how a vehicle is used can be just as important as which vehicle is used.

Thank you for your consideration of AAA's view.

Sincerely,
SUSAN G. PIKRALLIDAS,
*Vice President,*
*Public & Government Relations.*

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SMALL BUSINESS LEGISLATIVE COUNCIL,
*Washington, DC.*

Hon. TRENT LOTT,
*Majority Leader, U.S. Senate,*
*Washington, DC.*

DEAR MR. MAJORITY LEADER: On behalf of the Small Business Legislative Council (SBLC), I want to indicate that we must object to the initiative to temporarily roll back the Federal gas tax. While small businesses are clearly suffering as a result of the high gasoline prices, we are long time staunch supporters of preserving the integrity of the highway trust fund and making sure that we have the proper infrastructure to deliver our goods and services.

We understand that you intend to pay for this roll back using the ''surplus.'' Right now we have many priorities for the use of that surplus. Repeal of the death tax, increasing direct expensing, full deductibility for the self-employed's health care costs, FUTA tax relief, repeal of the installment sales repeal and national debt reduction to name just a few.

As you know, the SBLC is a permanent, independent coalition of nearly 80 trade and professional associations that share a common commitment to the future of small business. Our members represent the interests of small businesses in such diverse economic sectors as manufacturing, retailing, distribution, professional and technical services, construction, transportation, tourism and agriculture. Our policies are developed through a consensus among our membership. Individual associations may express their own views. For your information, a list of our members is enclosed.

We appreciate your outstanding leadership on behalf of small business. We believe there must be a better way to provide relief for small business from rising gasoline prices without jeopardizing other small business priorities.

Sincerely,
JOHN S. SATAGAJ,
*President and General Counsel.*

MEMBERS OF THE SMALL BUSINESS LEGISLATIVE COUNCIL

ACIL, Air Conditioning Contractors of America, Alliance of Independent Store Owners and Professionals, American Association of Equine Practitioners, American Bus Association, American Consulting Engineers Council, American Machine Tool Distributors Association, American Moving and Storage Association, American Nursery and Landscape Association, American Road & Transportation Builders Association, American Society of Interior Designers, American Society of Travel Agents, Inc., American Subcontractors Association, American Textile Machinery Association, Architectural Precast Association, Associated Landscape Contractors of America, Association of Small Business Development Centers, Association of Sales and Marketing Companies, and Automotive Recyclers Association.

Automotive Service Association, Bowling Proprietors Association of America, Building Service Contractors Association International, Business Advertising Council, CBA, Council of Fleet Specialists, Council of Growing Companies, Cremation Association of North America, Direct Selling Association, Electronics Representatives Association, Florists' Transworld Delivery Association, Health Industry Representatives Association, Helicopter Association International, Independent Bankers Association of America, Independent Medical Distributors Association, International Association of Refrigerated Warehouses, International Franchise Association, and Machinery Dealers National Association.

Mail Advertising Service Association, Manufacturers Agents for the Food Service Industry, Manufacturers Agents National Association, Manufacturers Representatives of America, Inc., National Association for the Self-Employed, National Association of Home Builders, National Association of Plumbing-Heating-Cooling Contractors, National Association of Realtors, Manufacturers of RV Parks and Campgrounds, National Association of Small Business Investment Companies.

National Association of the Remodeling Industry, National Community Pharmacists Association, National Electrical Contractors Association, National Electrical Manufacturers Representatives Association, National Lumber & Building Material Dealers Association, National Ornamental & Miscellaneous Metals Association, National Paperbox Association, and National Retail Hardware Association.

National Society of Accountants, National Tooling and Machining Association, National Tour Association, National Wood Flooring Association, Organization for the Promotion and Advancement of Small Telephone Companies, Petroleum Marketers Association of America, Printing Industries of America, Inc., Professional Lawn Care Association of America, Promotional Products Association International, The Retailer's Bakery Association, Saturation Mailers Coalition, Small Business Council of America, Inc., Small Business Exporters Association, SMC Business Councils, Society of American Florists, Turfgrass Producers International, United Motorcoach Association, and Washington Area New Automobile Dealers Association.

Mr. REID. Mr. President, before my friend from Virginia leaves the floor, I want to say a couple of things in his presence.

When I came to the Senate, the Senator from Virginia was a Member of the Senate. I had the good fortune of being assigned to the Environment and Public Works Committee, as was the Presiding Officer when he came to the Senate.

I worked putting myself through law school in the Capitol complex.

I never talked to a Senator during that period of time. I always had a kind of a vision of what a Senator was like. I have to say, the Senator from Virginia fills what I think a Senator should be. If there were ever a gentleman Senator, the Senator from Virginia fits that bill.

We have worked together on committees over the years. When we were in the majority, I was the chairman of a subcommittee. I was a junior Member of the Senate at the time, but the respect shown as the chairman of that subcommittee was as it should be from the Senator from Virginia.

We are no longer in the majority, and the Senator from Virginia is now the chairman of the Armed Services Committee. Even though we have not always worked together on issues, and we have voted differently on occasion, I have the greatest admiration for the way the Senator from Virginia handles himself as a person and as a Senator.

I say with the deepest respect, the Senator's statement today amplifies—and the people of Virginia should understand—the courage it takes to be, in this instance, a minority in a majority who speaks out against what, at first glance, seems very popular—reducing taxes.

In short, I commend, applaud, and appreciate this Senator for the courage he has shown. One of my jobs on this side of the aisle is to make sure we have enough votes on issues or at least know where the votes are. The Senator's statement today will allow the Senate to act tomorrow in a bipartisan fashion and defeat this motion to invoke cloture. We need to do more things in the Senate in a bipartisan fashion. We do not always need this line dividing us. We need to work together more often.

I hope this will be the beginning of this Senate working together on more issues. I appreciate the example set by the gentleman Senator from Virginia.

Mr. WARNER. Mr. President, I thank my distinguished colleague, the assistant leader of the minority, a great Senator in his own right. We have worked together and will continue to work together. These are matters of conscience. Bottom line, it is the fervent hope of all Americans that a Senator, when he or she votes, votes what is in the best interest of the United States and as a matter of their own personal conscience. That I do, and I know my distinguished colleague from Nevada follows that credo. I thank the Senator.

Mr. REID. Mr. President, I came to the floor when I heard the Senator from Virginia beginning to speak on this issue and, of course, stayed to hear him complete his remarks. I underscore and underline what the Senator said.

It was maybe 10 or 12 years ago that every weekly publication in America, and many newspapers, featured articles about the deteriorating infrastructure of this country—highways, roads, bridges, dams. They were falling apart. They still are, but we have made great progress. Why? Because we dedicated money in a trust fund to be used for only one purpose, and that is highways.

When someone buys a gallon of gasoline in Ohio, Virginia, or Nevada, they can rest assured that money is going to go toward our deteriorating infrastructure. It is so badly needed.

I am going to Nevada on Friday, and we are going to have a celebration. Why are we going to have a celebration? Because we are going to cut the ribbon to the largest highway public works project in the history of Nevada. It was done with the help of the Senator from Virginia. It was a direct allocation to the people of the State of Nevada to take care of a very serious traffic problem we had in downtown Las Vegas. It is something known as the spaghetti bowl. That will be completed on Friday. It is a project that cost over $100 million.

From where did that money come? From people all over the country, including the people in Nevada, buying gasoline and diesel fuel and paying the taxes on that gallon of fuel. It went into the fund. There are other spaghetti bowls around America to which this tax has gone.

No one is happy about the cost of a gallon of gasoline, and I am not here to justify the cost of gas. I think it is too high. I wish it were lower. We, in America, should look at this as a glass being half full, not half empty. The reason I say that is, in spite of the spiraling gas prices which none of us like, we have the lowest gas costs in the world. Other countries buy gas by the liter, and they pay a lot for it.

I hope, with the OPEC nations going to produce 1.7 million barrels of gasoline a day extra and Norway and Mexico and other countries producing more, we are going to get over 2 million barrels of gasoline a day. It will take some time for the price of gas to drop. We cannot be rushing forward on these issues. We have to be calm and deliberate.

This is a tax bill, and we should handle tax bills by having hearings in the Finance Committee. We have two very fine people there, some of the most experienced legislators not only in the Senate today, but in the history of the country—the Senator from Delaware, Mr. ROTH, the chairman of the committee, and the ranking member, the Senator from New York, Mr. MOYNIHAN. They have wide-ranging experience.

Senator MOYNIHAN is not only a ranking Democrat on the Finance Committee, he was chairman of the Environment and Public Works Committee. They should have a hearing on this and talk about—the good and the bad about lowering this gas tax. We have not had a single hearing. This bill is here as a result of what we call rule XIV. There is no companion bill in the House. If this bill is passed, it will either be held here at the desk indefinitely, or if we send it to the House, it will be blue slipped. It is a tax bill. It will go nowhere. I am sorry to say, this is for show.

We have a tax bill, H.R. 3081. This is what we need to do. There is no one in this body who does not want to see a decrease in the price of gasoline. This is not the way to go about it.

The Senator from California, Mrs. BOXER, has suggested maybe we should direct the 300,000 barrels a day that flow from Alaska to places, other than the United States, to the United States. Use Alaska oil for us, not them. That would help.

In fact, this legislative action that is going to take place tomorrow is a step in the wrong direction. I will not go into the details. The Senator from Virginia has done a good job of that. Let's be more careful and more calculating in what we do.

Because my two colleagues from Virginia and Ohio are here, both members of the majority, I am only going to touch briefly—because I do not think this should be a partisan issue—on George W. Bush's stand on this issue. I am disappointed in Governor Bush. I hope he does not think the solution to every problem is lowering taxes. I wish he would reassess his view on this. He has come out for lowering this gas tax. I am sorry he has done that.

That is enough on partisan issues. We have been very bipartisan and will continue to do so.

Mr. President, do you know who would love this proposal? The oil cartel. Put yourself in the position of an OPEC minister. You set these limits as high as you want or as low as you want, and the oil prices are pushed up. You are afraid, the higher the price of gasoline, that people will use less gasoline and heating oil and cut your exports. Suppose, however, you can count on the U.S. Government to reduce gasoline taxes whenever the price of crude oil rises. They have a great deal going then. Then Americans are less likely to reduce their oil consumption and conspire to drive prices up, which makes such a conspiracy considered more attractive.

This is directly from the New York Times. It is not original with me.

They further go on to state: This tax cutback would lead directly to cutbacks in necessary and popular Government services. This is one instance where everyone agrees that if you cut taxes, it would lead directly to cutbacks in necessary and popular Government services.

We have talked about what those Government services are; namely, taking care of the deteriorating bridges, roads, and highways we have in America.

Tax cuts are not the answer to this problem.

I hope people on this side of the aisle and people on that side of the aisle will come here tomorrow and vote this down and, hopefully, pave the way, in the ensuing weeks and months, so that we can do other things in a bipartisan fashion.

I say to my friend, again, from Virginia, thank you very much for your leadership on this issue. I say to the Presiding Officer, a member of our committee, the Environment and Public Works Committee, thank you very much for your courage and your leadership on this issue. Obviously, from what has been read by the Senator from Virginia from the newspapers at home, they see that you have your eye on the prize and know what you are doing. Congratulations.

Mr. WARNER. Mr. President, again, I thank my colleague for what I regard as a very moderate and tempered and sincere approach to this issue. There is always a temptation to lurch into what are the political unknowns or intentions here. But our distinguished assistant leader of the minority party, I think, just stated his case very factually. I respect him for that.

I say, before the distinguished leader leaves the floor, I think the Presiding Officer might have a perspective here. If you just wait a minute, I shall take the Chair and enable the Presiding Officer to address the Senate.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Ohio is recognized.

Mr. VOINOVICH. First of all, I thank the Senator from Virginia for relieving me in my responsibility of presiding over the Senate, and thank him also for his very kind words about my involvement in this issue that I think is very important to our fellow Americans. I commend the Senator from Virginia for his ability to stand up on an issue that is fairly controversial, and to speak from his heart. I also appreciate the kind words from the Senator from Nevada.

I speak today as a Senator from Ohio, and also as a lucky freshman who is chairman of the Transportation and Infrastructure Subcommittee in the Environment and Public Works Committee of the Senate.

I also speak from a perspective as a former Governor of the State of Ohio, and the former chairman of the National Governors' Association, the chairman of the association when we negotiated TEA 21 with this Congress and the President; one of the most significant pieces of legislation that this Congress passed. As the Senator from Nevada has pointed out, it was a piece of legislation that responded to the tremendous infrastructure needs that we have throughout this great country of ours. Even in spite of that wonderful piece of legislation, we still have some great needs to fill in order to really have a transportation system that will allow us to compete in this 21st century.

One of the things we were concerned about in that legislation was the issue of being able to depend upon a flow of money for a certain period of time so that we could properly plan for new highway construction in our States.

We needed something that was dependable and something that we could work with our contractors and others that do work in our States, so we could say we are going to be doing this program over a period of years and not have these peaks and valleys that so many States experience.

We were pleased Congress decided to take the 4.3-cent gas tax that had been used for deficit reduction and use it for our highways. I might say, in 1993 I was not in favor of Congress using the gas tax for deficit reduction because it was a user's tax. From a federalism point of view, our feeling was that that was a tax that should be earmarked for the user—the user being the people who use our highways—in order to repair and maintain and build new highways, to allow them to move goods, and also to eliminate some of the traffic problems and the pollution problems created by traffic jams that we have throughout the country.

I was pleased that Congress decided to take that and say: We are going to make it a user tax. We all felt good about that and we felt relieved.

We now have before us the situation where our gas prices have increased substantially. I am not going to go into all the reasons for it.

A 4.3-cent reduction in the gas tax, frankly, may have some short-term political benefits. But when people consider the fact that if they drive 15,000 miles per year, and they average 15 miles per gallon, that they will save $43 with our 4.3-cent reduction in the gas tax. They will be very cynical about Congress' response to a problem that they are confronting at the gas pump—particularly when they come to realize that it will have, even on a short-term basis, an interruption in some of the highway projects that are underway throughout this country.

As the Senator from Virginia said, in the State of Ohio, we are talking about, over 3 years, $650 million. That 4.3 cents is the construction money that Ohio needs to move forward with their new highway construction. I would suspect in Nevada and Virginia it is the same thing. Other money is used just for maintenance and repair. This is the money we are using for new construction.

In addition—this is something that has not been even spoken about—that 4.3 cents, when Congress agreed to allow it to be used for the highway trust fund, was the money that guaranteed donor States, such as Ohio—and I do not know whether the Presiding Officer's State is a donor State or not—but it was the thing that allowed us to be guaranteed 90.5 cents on every $1 we sent to Washington.

I want you to know this is a big deal because one of the first things I did when I became Governor of Ohio in 1990 was to say, we are a donor State. At that time, we were only getting back 79 cents per $1. So one of the first things I did was to try to lobby, through the National Governors' Association, an increase for the donor States. You may remember, ISTEA brought up a lot of the donor States. I think we went from 79 cents up to 87 cents. With TEA 21, we are now at 90.5 cents. That is very important in terms of our guaranteed funding. It is also very important in terms of our new construction program.

I know there are some who suggest that we use the budget surplus to make up for the money we would lose from reducing the highway gas tax.

But the fact of the matter is, if you want to look at the big picture, what we are saying is, we are going to use the budget surplus that could be used to reduce taxes or reduce the national debt, or be used for prescription drug benefits in Medicare, and so many other things—we're going to use that general pot of money to fund highways, which are used by a certain select group of people in this country, mainly, highway users.

We are basically saying to the highway users: You are having a problem at the pump. Therefore, we are going to reduce your taxes by 4.3 cents, and we are going to find the money from the general fund of the United States. So we will make everybody in the United States subsidize that 4.3 cents we are reducing on the gas tax.

In spite of the fact that I am not happy about the high cost of gasoline, I think the people who use the highways ought to be the ones who pay for the new highways, and the repairs, and for new construction. This bill would say we are going to open up the general fund of the United States and use it to make up the difference. I think from an equitable point of view, that is not fair. I think this proposal, from a public policy point of view, is one that is not well taken.

The passage of this reduction may take away from the fact that we have a real problem in this country. The problem in this country is that we have no energy policy. The reason we have the increase in the price of gasoline in this country, in my humble opinion, is the fact that this administration was asleep at the switch. They didn't do their homework. As a result of that, the price of oil crept up.

Now they are cramming in every way possible to try to influence the people who supply the oil to bring the price down. What we should be doing is following the leadership of Senator Frank MURKOWSKI and others who have come to the floor of the Senate, and work conscientiously to develop an energy policy for the United States of America. We should be concerned about the fact that we are relying too much upon foreign oil.

Last week, Senator THOMPSON had a hearing of the Governmental Affairs Committee which included people from the administration. I asked them: Do you believe we should be less reliant on foreign oil? Their answer came back: Yes. I said: Statistics show we are going to become more reliant on foreign oil.

I then asked the question: Do you have a number where you want to be; i.e., 50-percent reliant, 45-percent reliant? They didn't have an answer. They didn't have a number. Then I said to them: Logically, one would say that if you wanted to reduce your dependence on foreign oil, you would set a goal and say we are going to reduce it to 45 percent, and we are going to reduce it by X year, and here is the way we are going to achieve that goal. That would involve opening up more opportunities—ANWR, for example. That would also mean looking at alternative fuels. That would mean looking at our Tax Code to encourage our small oil strippers who can't afford to be in the business, to get back in the business. That would mean having a national policy, that puts all of these things on the table, and that looks at environmental concerns.

Yes, we want to protect the environment. Yes, we want to protect our national defense, which is something we're not talking about. The national defense of our country is in jeopardy. Reports have said that. We can't be reliant on these other nations, particularly those who are our enemies. We have been at war with one of them for 10 years now.

I think this situation with these high gas prices should be an opportunity, on a bipartisan basis, to bring everybody to the table to develop and start talking about what should be the energy policy of the United States. It should not to be like so many instances around this country where, when something happens, we treat it like a barking dog. You give it a bone, the price will go down, everybody will continue to do the same thing they did before, and we will have another crisis. It is time to get this problem out of the drawer and onto the table, and deal with it in a responsible fashion. We need to set out a plan we can feel confident in that will reduce our reliance on foreign oil and protect our national economy and our national defense.

We should not be participating in a short-term proposal to reduce the gas tax which will not make a whole lot of difference and may indeed take the focus away from the real problem; that is, that the United States of America does not have an energy policy.

(Mr. SMITH of Oregon assumed the Chair.)

Mr. WARNER. Mr. President, I thank my colleague. He has stood with me throughout this battle, succeeding me as chairman. He fully understands. He brings a perspective to the Government. He understands the problem of long-term stability in contracting on our highway programs. Of course, that is predicated on this trigger mechanism working. Perhaps the distinguished chairman of the Budget Committee will know.

This is so serious, but I wish to inject a little humor. One of our colleagues today said this reminds him of pool. It is a three-bank shot. Picture the ball. That is the 4.3. You hit it off one bank, and suddenly it gets stripped off and goes around the other balls, which is the Budget Committee, so they don't have any voice in this. It goes off another bank. When it hits that bank, it picks up funds from the general revenue. Then it comes over and hits another bank to get around the Appropriations Committee, which usually has some authority over appropriating around the surplus, and then slowly goes into the pocket of the highway trust fund. So this is a three-cornered bank shot. Maybe our distinguished chairman of the Budget Committee can throw a little light on this triggering mechanism and how it works.

I thank my colleague.

Mr. VOINOVICH. I think one of the significant things about this proposal is the number of people who are opposed to it.

The AAA—a very respected organization in this country which represents the folks who drive on America's highways—with the high gas price, you would think they would be saying reduce the tax, or, get rid of the tax. But the AAA is saying: No, we don't want you to reduce the tax. We know it is not going to make a lot of difference in terms of the price, and we are more concerned about having highways that are safe and well-maintained and that are repaired. They are more interested in seeing new construction projects undertaken.

Last but not least, I want to correct something that was said on the floor. The Senator from Nevada indicated that Governor Bush supports the repeal of the 4.3-cent gas tax. I talked with Governor Bush yesterday or the day before. He clearly said he did not support—how did he put it? I want to be very careful about how I say this—he is not in favor of reducing the 4.3-cent gas tax. That is what he said, and it was spoken as the Governor of the State of Texas who understands how important highways are.

I also point out that the National Governors' Association has said they are opposed to this proposal. The National Association of Counties, the National Council of State Legislators, all of the people who have been dealing with highways and the users are saying this is not going to make a real difference. Let's get on with dealing with this problem.

Mr. DOMENICI. Will the Senator yield?

Mr. VOINOVICH. I yield to the Senator, my good friend from New Mexico.

Mr. DOMENICI. First, I thank the Senator for his good remarks. He is right on. I think he should add to his arsenal of words and discussions about the energy crisis the following: The United States of America has the greatest intelligence organization. We spend so much on intelligence and information gathering. We have an agency within the Department of Energy that is independent. We put a lot of money in it. They call themselves the ''analysts of energy.'' They are supposed to know everything you can know about crude oil. Tonight, as the cartel and its member countries concluded a meeting and said, this is what we are going to do, the United States of America has no way of finding out whether they have or have not. We do not know how much they are producing, how much they are exporting. That may come as a shock to you, but I can guarantee you what I am telling you is right. We don't know.

Now isn't this something? We are now sending diplomats, such as my friend and former colleague from New Mexico, to go over and kind of beg these countries to consider our economy and worry about our future and that we are in this together, we are bosom buddies, and we bailed you out of a few wars; don't do us in so bad; put a little more oil on the market so the price will go down. We don't know, unless they choose to tell us, day by day how much they are putting in the market, how much is being exported to the world communities. We sort of know how much the world needs. Our chairman of the Energy Committee has reported over and over again what that number is. But if you ask the person from the energy agency of the United States, Do you know how much they put on the market months ago?—give us the month and tell us how much—they will tell you: We don't know. As a matter of fact, they will tell you they lost 500 million barrels somewhere. I don't mean that it sank underground in a big hole and depleted away; they just lost it in transit, didn't know what happened to it.

I submit that we ought to worry about all the things you are talking about, but we had better get our heads together and find out who we are going to assign the responsibility of finding out how much of this international oil is being put on the market. After all, we ought to know. We are paying the money for it. Our future is dependent upon it. If they cut down the spigot and we don't know for 6 or 7 months what they did, shame on us, don't you think? We have to know that.

Mr. VOINOVICH. If the Senator will yield further. One of the concerns I have is, what kind of promises have we made to these people in order to get them to turn on the oil spigot? I just heard earlier today, for example, that Iraq, who has been our enemy—

Mr. WARNER. And still is, I might add.

Mr. VOINOVICH. Still is. In consideration of their giving us more oil, we are shipping them some technology they say they need in order to produce more oil. This is an awful position for the United States of America to be in, that we are at the mercy of someone who has been an enemy of ours, whom we went to war against and lost American lives over, and we are negotiating with them. It underscores how vulnerable we are because of a lack of an energy policy.

(Mr. ALLARD assumed the Chair.)

Mr. WARNER. Mr. President, on that point, this has been a great concern to me in my responsibilities on the Armed Services Committee. As the three of us are debating here in the spirit of the Senate, we have aviators flying missions over Iraq, containing that nation from further aggression, further human rights violations, possible further aggression from the very members of the OPEC cartel to which the distinguished Senator just referred having this meeting. They are risking their lives. What are we asking Americans to risk their lives for, at the same time we are sending spare parts to Iraq to increase oil production?

I asked in the Armed Services Committee the other day what, if any, commitments we made. I was assured by administration officials there was none. Iraq came up here the other day

and committed to the world market 700,000 barrels as part of the 1.7, which my distinguished colleague from New Mexico just addressed. Then, at the same time, we have naval units in the Persian Gulf, right off Saudi Arabia, off the Emirates, off Kuwait, right off the coast of these nations, risking sailors' lives, and other nations have joined. Great Britain is flying with us over Iraq. They are taking risks as they try to enforce the embargo of the illegal export of oil from Iraq which, I understand from one of our colleagues, is coming now into the United States. How can we ask these young men and women flying these missions to take the risk of life in the face of this flawed energy policy?

I thank my colleagues. This has been a very good debate. I started off solo, and little did I know I would have the support of my two distinguished colleagues. I thank them both.

Mr. DOMENICI. Mr. President, before I conclude on this subject, after which time I want to make a short speech about TED STEVENS, my friend and everybody's friend here in the Senate, I want to talk about this administration for a minute.

Nobody will deny that President Bill Clinton is about as articulate and as smart a President as we have ever had. He can get on television and tell us things, and people believe him. When in fact we are doing things, it is good to have a President like that because people find out what we are doing.

As I look back on this administration now, I used to say there are two difficult things—because I am a budget man, a fiscal policy guy; that is what I have been doing around here. I used to say there are two major problems left for America. If we solve them, we have our fiscal policy house in order like we never thought we would. We are going to be on the path of surpluses, of low taxation, which is when America does well, when we are taxed at low levels. That is one of the most significant differences between our country and its business success and production of jobs and employment and those who compete with us. We tax business low, not high. We let business pay money to employees, not to welfare programs. This is pretty exciting stuff.

One of the two things we never fixed is Medicare, which is in no better shape today than when the President walked into the office. In fact, it is closer to bankruptcy. No major reform. No prescription drugs. I used to say that. Then I would say the other one that is major is Social Security—this gigantic program that has taken so many seniors out of poverty, and we all have to be proud of that. I used to say, if this President would leave us a permanent solution to that, he would leave a great legacy. But he has ignored the two big problems of the country.

Tonight, as Senator VOINOVICH was on the floor talking, I was reminded that there is a third problem America has that this President has not touched, which is America's dependence on crude oil from foreign countries to operate our cars and use in our daily lives, almost to the point that we could not survive without it. What has happened? Growing dependency. It used to be that I thought when we got to 50 percent, I would join Senator Bentsen, or someone, on the floor saying put a program out. The prediction is that we will be at 65-percent dependency in the next 10, 15 years.

It is not so important that we are 65-percent dependent, but when you are that dependent, if somebody decides to cut your supply by just a million or two out of the 65, the prices go up. That is what is happening right now. The world needs X amount, and they are producing about X minus 2.5 or 2.7 million barrels a day. Look at what happens to the prices.

So we became vulnerable during this administration, which kind of happily moved along saying: Isn't it neat? We have cheap oil, and it's feeding this magnificent economic growth, and, boy, aren't we on the gravy train?

Tonight, we are talking about the fact that that is not a gravy train. We are really in big trouble as the world's most powerful nation, and not a constructive thing has happened, unless one concludes it is constructive to have Secretary Richardson going to all these nations—some of them twice, some three times, I assume—urging that they can't hurt their friend America by continuing to underproduce oil. We have to produce more so the price will come down. That can't be an energy policy—to go out to those big countries and rely on your friendship to get some relief; that is not an energy policy.

How can we, as a great nation, say to our children and grandchildren: That is the legacy we are leaving you? Boy, we hope we have a great Secretary of State and a great Secretary of Energy in about 8 or 10 years, so they can meander around the world and know all these leaders and go there and have dinner with them and talk about being their great friends. What if it turns out that in a few years they are up to here with us?

Some are already saying it. We have been so inconsistent with Kuwait, our business friend, that they are asking publicly: What is it America wants of us?

They have been trying to be helpful. We saved them. Incidentally, while we saved them, they paid an awful price in terms of dollars to pay for that war. America didn't pay much for that war. Between Kuwait, Saudi Arabia, Japan, and others, they paid almost every penny for the cost of that war. It was the slickest thing you ever saw. I was sitting with the man who worked with the President and who set all of it out in a formula for how these countries would pay. They paid it. We were thrilled to have those countries go out and pay for that war. They paid for it. They went into hock and mortgage to pay for it.

They are wondering: What do you want of us, America? We are trying to do everything you are asking of us. But we don't know what to do.

That is pretty tough stuff to come from one little country. It is little. But for a small country, it has more barrels of oil under each square piece of its earth than any other similar piece of soil in the world. That is Kuwait. It is small but hugely laden with oil supplies.

I am delighted that the gas tax pumps Senator VOINOVICH up enough to come to the floor and not only talk about that gasoline tax which pays for our highways. No matter what it was for when it was passed, it is now in our highway trust fund. It is part of the formula that we used.

I will tell you, if you temporarily repeal it for 1 year, it will not hurt the allocations for the year 2001. Everybody will get what they currently plan on getting. But that means we have to eventually put the money back in.

We are running around talking about trying to pay for future military needs and trying to take care of some new Medicare needs, if we can get reform, and, frankly, we ought not to be cavalierly talking about these billions that we are going to have to take out of the general fund.

I want to say for the record so everybody will know when they hear about their gasoline tax that the rule of thumb is for every penny of tax for roads and the like, the U.S. Government gets $1 billion. That is a pretty rough calculus. If it is 4.3, it is about $4.3 billion. If it is 18 cents that is repealed temporarily, or otherwise, it is about $18 billion. That is per annum, per year. The rule of thumb still applies. It applied a few years ago. Nobody has changed it, to my knowledge right now. It might change as the price goes up. We may see some change. But I don't think so because these are not percentages. They are pennies per gallon.

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## ALASKA'S MAN OF THE CENTURY

Mr. DOMENICI. Mr. President, I wish to make a few remarks about a friend of mine. I will have been in the Senate at the end of this year for 28 years. When I arrived, a Senator was already here named TED STEVENS from the great State of Alaska. He was strong, articulate, and he was tough. He was moving up in the ranks.

There are approximately 6 billion people alive on this Earth right now, and only 619,000 of them are living in Alaska. After a long process, it was decided that Senator STEVENS should be the ''Man of the Century'' for Alaska.

We have all attended banquets and events for the ''Man of the Year'' or the ''Woman of the Year.'' But Alaska did it up right. They found one of their own, and said: If you look at the century—for part of which they certainly were not in the United States—who is the man of that century? And it was

our own TED STEVENS, currently the chairman of the Appropriations Committee.

It is phenomenal how people more times than not find reality. They find out what gold is, what is really important, and what is big, strong, and sturdy. It is clear that when it comes to stature, he might not be a tall or big man, but he matches Alaska's mountains; no doubt about it. He is a mountain of a man. I am very grateful to be able to call him my friend.

Other Senators have already put in the RECORD all of the things he has done around here in his years as Senator and how many times he has had to run. A few times he was Senator for only a couple of years, and then he had to run again. He has run more times than the number of years of service would directly yield for a 6-year term, as the occupant of the chair and I serve.

When you add it all up, Alaska has done it right. They have concluded that when you look back on the people of Alaska, even long before there was statehood, they are really saying there has not been a man like him. Alaska hasn't had a man like TED STEVENS. He is unique.

I want to say on the floor tonight that I am a few days late. I had left town when I found out about this last week. I am glad to have the opportunity tonight.

I want to say I am thrilled to have him as my friend. He has a tough job. So do I. I do the budget, and he helps me. He does appropriations, which has to be done every single year with the claims all the Senators put upon him, and with all of the claims others place in behalf of the people of this country for new programs and new expenditures. He has an awful lot of that on his shoulders.

I say to him that we are lucky we have him here. We are thrilled that he came from Alaska. If I were an Alaskan, I would have joined them in voting for him as the ''Man of the Century.''

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## MEASURE READ THE FIRST TIME—S. 2323

Mr. DOMENICI. Mr. President, I understand that S. 2323 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2323) to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under this act.

Mr. DOMENICI. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

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## EXECUTIVE CALENDAR

## EXECUTIVE SESSION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the executive calendar: No. 450.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nomination will be stated.

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## DEPARTMENT OF DEFENSE

The assistant legislative clerk read the nomination of Rudy deLeon, of California, to be Deputy Secretary of Defense.

Mr. DOMENICI. Mr. President, I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, and that any statements relating to the nomination be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was confirmed.

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## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

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## ORDER FOR CLOTURE VOTE—S. 2285

Mr. DOMENICI. Mr. President, with reference to the satellite loan guarantee legislation, I ask unanimous consent that notwithstanding rule XXII, the cloture vote on the motion to proceed to S. 2285 occur immediately following the conclusion of S. 2097, the satellite loan guarantee bill, but in any event no later than 6 p.m. on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR THURSDAY, MARCH 30, 2000

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until the hour of 9:30 a.m. on Thursday, March 30. I further ask unanimous consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin consideration of S. 2097, the satellite loan guarantee legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## PROGRAM

Mr. DOMENICI. For the information of all Senators, the Senate will begin debate on the satellite loan guarantee legislation at 9:30 a.m. Amendments to the bill are expected to be offered and debated throughout the day.

It is expected that action on the bill can be completed prior to adjournment. Therefore, Senators may expect votes on amendments and final passage of this bill.

Following the disposition of the bill, there will be a cloture vote on the motion to proceed to the gas tax legislation. After that cloture vote, the Senate will begin a period of morning business with a statement expected by Senator BROWNBACK on the marriage tax penalty.

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## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DOMENICI. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:40 p.m., adjourned until Thursday, March 30, 2000, at 9:30 a.m.

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## CONFIRMATIONS

Executive nominations confirmed by the Senate March 29, 2000:

DEPARTMENT OF DEFENSE

RUDY DELEON, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF DEFENSE.

THE ABOVE NOMINATION APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

# EXTENSIONS OF REMARKS

## INTRODUCTION OF H. RES. 451 CALLING FOR PEACE, JUSTICE, AND STABILITY IN KOSOVA

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. GILMAN. Mr. Speaker, on behalf of a distinguished group of co-sponsors, I am today introducing a Resolution of the House calling for a review of our policies in Kosova so that we can consider changes in order to fulfill the goal of our government and of the international community in bringing about conditions for a lasting, just, and stable peace for its beleaguered people.

Recent reports from Kosova indicate that our effort there is not progressing well. We are introducing this resolution to suggest areas of this effort that need to be immediately addressed to improve our prospects for success.

The continued detention in Serbia of thousands of Kosovar Albanians, many of whom are doctors, lawyers and teachers, has dismayed the Kosovar people who believed that, when NATO ended its operation against Serbia and declared victory, the abuses of their human rights by the brutal regime of Slobodan Milosevic would also end. Now, more than nine months later, the families and friends of those illegally imprisoned still suffer the anguish of separation and uncertainty as to the fate of their loved ones. The continuation of this outrageous situation has undermined the faith of the Kosovar people in the international community's commitment to human rights and is a major source of the unrest that continues to frustrate our objective of establishing full peace in Kosova.

Similarly, the situation in the divided city of Mitrovice, has also undermined the effort to bring peace to Kosova. Thousands of Kosovar ethnic Albanians have been unable to return to their homes in the northern part of Mitrovice since the beginning of the NATO peacekeeping mission last June. Hundreds more have been driven from their homes by Serb residents assisted by Serbian paramilitaries since NATO established its presence. The injustice of this situation calls into question our credibility when the international community speaks of respect for human rights, ending ethnic cleansing, and adhering to UN Resolution 1244, which if enforced, would have prevented this.

Efforts to re-start the economy of Kosova have not borne fruit. We believe that this is mostly the product of a flawed approach on the part of the United Nations Administration in Kosova and the European Union which has taken on the responsibility for economic reconstruction there. The people of Kosova have demonstrated their business acumen and their entrepreneurial abilities despite a decade of apartheid-like conditions under Serbian misrule. What they need is economic empowerment, not charity through well-intentioned, but misguided conventional assistance projects. The UN should not allow the question of the ultimate political status of Kosova, impede Kosova's economy. The people of Kosova should be given access to all of Kosova's economic assets—electric grids, agricultural properties, and, most important, to the Trepca mines—the single most valuable economic asset in Kosova.

As support for the international effort in Kosova is being undermined by the slow pace of change, this resolution is being introduced to point to a different course for the international community. Withdrawal is not an option. We believe that consideration of an alternative approach, hopefully one that can genuinely achieve our espoused objectives—lasting peace, justice, and stability for Kosova, and therefore for the Balkans—is the correct policy. As Senator JOHN MCCAIN eloquently stated on March 21, 2000, ''Despite the unacceptable circumstances of the weak and endangered peace in Kosovo, it is infinitely preferable to the widespread atrocities committed during the course of Serbian aggression, atrocities that would surely reoccur were NATO to fail in our current mission.''

I invite my colleagues in the House of Representatives to join in supporting this critical resolution.

H. RES. 451

Whereas on June 10, 1999, the North Atlantic Treaty Organization (NATO) military air operation in the former Yugoslavia victoriously concluded with the withdrawal of all Serbian police, paramilitary, and military forces from Kosova;

Whereas, shortly following the NATO victory, nearly 1,000,000 refugees and hundreds of thousands of internally displaced persons attempted to return to their homes in Kosova in the belief that a peaceful, stable, and just society would be created through their diligent efforts, supported by the international community;

Whereas United Nations Security Council Resolution 1244 (June 10, 1999) established the United Nations Mission in Kosovo (UNMIK) as the sole administration of the province until such time as its political status is decided;

Whereas some 2,000 citizens were illegally detained and kidnapped to Serbia by Serbian forces as they withdrew from Kosova in violation of the Geneva Conventions and international humanitarian law;

Whereas a provision requiring the return of these illegally detained citizens of Kosova was dropped from the Military Technical Agreement negotiated between NATO and the Federal Republic of Yugoslavia in order to end the conflict more expeditiously;

Whereas an additional 5,000 Kosova citizens are believed to be detained in Serbian prisons;

Whereas hundreds of Kosova Albanian citizens have been prevented from returning to their homes in the divided city of Mitrovice by Serb Kosova citizens who are believed to be assisted by Serb paramilitaries who have illegally re-entered Kosova;

Whereas the present international peacekeeping force in Mitrovice has proven inadequate to perform the task of maintaining peace and eliminating wide scale human rights violations in that town, and there have been allegations of partiality to Serb residents by elements of the peacekeeping force;

Whereas recent violence in Mitrovice led to the expulsion of hundreds more Albanians from their homes who have been unable to return;

Whereas more than nine months following the establishment of UNMIK, adequate services such as police, sanitation, telecommunications, electricity, and water supply for the citizens of Kosova still are not reliably available throughout the province;

Whereas Albanian citizens of Kosova have been prevented by the United Nations from utilizing major economic assets in Kosova such as the Trepca mine that could provide needed stimulus to the economy of Kosova;

Whereas persistent deprivation and the creation of an aid economy that is contradictory to development of a flourishing free market economy is fostering criminality;

Whereas, in view of the disproportionate share of the military costs borne by the United States during the NATO operation, the European Union has agreed that it will undertake the major share of the costs for economic reconstruction in Kosova;

Whereas the European Commission and the World Bank have estimated the costs for the reconstruction of Kosova over the next 4 to 5 years at 2,300,000,000, with nearly half that amount available to be spent by the end of 2001;

Whereas the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted by section 1000(a)(2) of Public Law 106–113) capped United States contributions for economic reconstruction in Kosova at 15 percent of the total; and

Whereas despite its generous pledges, the European Union has been dilatory in actually disbursing urgently required funds for Kosova: Now, therefore, be it

*Resolved*, That—

(1) the European Union should disburse its pledged funds for Kosova more rapidly;

(2) pledged funds by the European Union required to provide baseline services for Kosova such as police, sanitation, water, telecommunications, and electrical supply should be made available immediately, and the administration of these services should be put in the hands of the people of Kosova at the earliest possible date;

(3) the strategy for economic reconstruction in Kosova should be focused on utilizing private investment and empowerment of the people of Kosova to take charge of their livelihoods instead of fostering their reliance on donated assistance;

(4) the United States Government should make it a priority to promote noncorrupt government and business practices in Kosova by providing judicial training and technical advice and assistance to police, border police, and customs officers;

(5) the United Nations Security Council should demand the immediate and unconditional return of all Kosova citizens from Serbia; and

(6) a more capable international peacekeeping force should be established in Mitrovice so that all residents are able to return in security to their homes.

## CONGRATULATING DAN GERAWAN AND RICK SCHELLENBERG

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Dan Gerawan of Gerawan Farming and Rick Schellenberg of Schellenberg Farms for their part in ''reinventing government,'' by helping to develop a new fruit inspection program known as ''Partners in Quality'' (PIQ), in Reedley, California.

''Partners in Quality'' was initiated in California's tree fruit industry in 1998. It is a voluntary program designed to increase the quality of fruit and decrease the amount paid to the United States Department of Agriculture's inspectors. Participants in the program must prove to the USDA that their in-house quality control is good enough to stand on its own, without the need of continuous USDA inspection. Once the packinghouse has proven itself, the USDA periodically audits the packing house instead of inspecting the fruit continuously. Once the packing house volunteers for this program, the USDA imposes stricter tolerances on the participants than on the regular inspection procedures, to ensure a higher quality.

Rick Schellenberg, with the help of Dan Gerawan, spearheaded the implementation of PIQ for the packing industry. The Partners in Quality team includes several USDA and state agricultural department officials, as well as members of the California pear and Florida citrus industry.

Mr. Speaker, I want to congratulate Dan Gerawan and Rick Schellenberg for their part in reinventing government. I urge my colleagues to join me in wishing Dan and Rick many more years of continued success.

## IN HONOR OF MONSIGNOR EDWARD J. HAJDUK FOR BEING SELECTED AS THE BAYONNE CONTINGENT MARSHAL OF THE 2000 TRI-STATE PULASKI DAY PARADE

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Monsignor Edward J. Hajduk, pastor of St. Henry's Roman Catholic Church in Bayonne for being selected as the Bayonne Contingent Marshal of the 2000 tri-state Pulaski Day Parade.

Born and raised in Bayonne, Monsignor Hajduk established his faith and resolve at a young age through guidance from his parents, the late John and Mary Hajduk, and an education devoted to the Catholic faith. He received his undergraduate degree in Theology from Seton Hall University, his graduate degree in Theology from the Catholic University of America, and was awarded an M.S.E. degree from the graduate division of Pastoral Counseling at Iona College.

For almost half a century, since the day he was ordained in 1953, Monsignor Hajduk's extraordinary dedication to his church and his community has been unparalleled. Moreover, his unwavering commitment to youth has allowed him to provide spiritual guidance to generations of young people, enriching their lives and strengthening their faith.

Monsignor Hajduk's service to the church has allowed him to contribute to the development and direction of the Catholic faith in general, and the Archdiocese of Newark in particular. Since 1953, Monsignor Hajduk served as: the parochial vicar of Sacred Heart in Lyndhurst; Bergen County Catholic Youth Organization moderator; a member of the Theology Department of Felician College; the youth director of the Archdiocese of Newark; chaplain to Pope John Paul II; administrator of the St. James Parish in Newark; rector of Sacred Heart Cathedral; parochial vicar at St. Mary's in Dumont; dean of the Central Bergen Deanery; and until 1992, pastor of St. Hedwig's in Elizabeth. He has also contributed to parish evaluation and reorganization, and has helped with church renovations.

For his extraordinary dedication to the Roman Catholic Church and his commitment to the City of Bayonne, I ask my colleagues to join me in congratulating Monsignor Hajduk on his many accomplishments, and for being selected as the Contingent Marshal of the 2000 tri-state Pulaski Day Parade.

## PERSONAL EXPLANATION

### HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. TAYLOR of North Carolina. Mr. Speaker, due to a flight cancellation, I was unavoidably detained in North Carolina yesterday and unable to cast a vote on rollcall votes 76, 77, 78 and 79. Had I been present, I would have voted ''yea'' on rollcall vote 76, On the Motion to Suspend the Rules and Pass H.R. 2412. I would have voted ''yea'' on rollcall vote 77, On the Motion to Suspend the Rules and Agree, as Amended, to H. Con. Res. 292. I would have voted ''yea'' on rollcall vote 78, On the Motion to Suspend the Rules and Agree to H. Con. Res. 269. I would have voted ''yea'' on rollcall vote 79, to Agree to the Senate Amendments to H.R. 5, the Senior Citizens' Freedom to Work Act. I ask unanimous consent that the permanent record reflect these intended votes.

## IN HONOR OF THE 25TH ANNIVERSARY OF MARKET DAY

### HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mrs. BIGGERT. Mr. Speaker, for those who believe that one person cannot make a difference, I offer you the story of Trudi Temple and Market Day, the nation's first and only fundraising food cooperative, which is celebrating its 25th anniversary this year.

I am sure that many of my colleagues know about, and have even participated in, Market Day. Market Day donates a minimum of 10 percent of the purchase price of restaurant-quality food products to the school or community organization from which they were purchased. Proceeds from Market Day sales are used by schools and community organizations to fund a variety of expenditures, including computers, fine arts programs, playground equipment, assemblies, books, and field trips.

How important has this been to our nation's schools? Well, in the last 25 years, Market Day has raised $250 million, benefiting more than two million school children nationwide.

But before all these schools could reap the benefits of Market Day, someone first had to come up with this great idea. And what makes this so near and dear to my heart is that the story of Market Day begins in 1973 at Walker Elementary School in Clarendon Hills, Illinois—in the heart of my 13th Congressional District.

Trudi Temple was asked by her daughter to bake a cake for the school's annual fundraiser. Instead of a cake, Trudi brought cases of fresh produce to school. The produce was a hit with the kids, faculty, and parents—such a hit, in fact, that it led to the school's first ''Produce Day'' the following week.

Before long, ''Produce Day'' evolved into Market Day and other Chicago area schools selected the program as their primary fundraiser. Now it serves more than 6,000 schools and other community groups in 20 metropolitan areas across the United States.

We all know the challenges that our schools face in educating our children—and often additional funding is needed to overcome these challenges. In these days of tight budgets and property tax caps, schools must turn to nontraditional funding sources. Thanks to Trudi Temple and Market Day, schools have at least one more way to help improve our children's educational experience.

So I ask my colleagues to join me in honoring Market Day on its 25th anniversary and extending a word of thanks on behalf of the millions of students Market Day has helped.

## TRIBUTE TO JOHN HANSAN

### HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. HALL of Ohio. Mr. Speaker, today I pay tribute to John E. Hansan, a pioneer in the field of social policy and a tireless advocate for the elderly, whose contributions in these disciplines span 50 years and counting. Celebrating his 70th birthday today, ''Jack'' Hansan has effected profound social change throughout his life and career. From his social worker days at the Minute Circle Friendly House in Kansas City, Missouri, through his active duty service during the Korean War, to his stint as chief of staff for the Governor of Ohio, and on to Washington, Jack has left an indelible mark on millions of Americans.

Jack's acumen for assessing real world problems and successfully carrying out visionary social programs has been a constant throughout his professional life. In the early 1960's, Jack developed an innovative educational program to give inner-city, pre-school children in Cincinnati a head start before entering kindergarten. The ''Tot Lots'' program was successfully rolled out in the metropolitan area and become the framework for what is today's Head Start program. From this early

professional success, Jack was selected as the first executive director of the Community Action Commission in Cincinnati, one of the first and largest anti-poverty agencies in the country. Jack designed and implemented several programs to combat poverty throughout the greater Cincinnati area. His plans became the blueprint for similar programs in cities throughout the country.

During this time, Jack entered into a doctoral program at Brandeis University in Waltham, Massachusetts, with a concentration in gerontology. Nearing the completion of his studies. Jack was urged to accept a directorship position for the Ohio Department of Public Welfare to oversee a broad spectrum of programs for all 88 counties in Ohio. In 1972, Jack was named chief of staff to the Governor of Ohio, John J. Gilligan.

In 1976, after his tenure as the Governor's right-hand man, Jack came to Washington as the director of government affairs for the American Public Welfare Association, and later jointed the National Conference of Social Welfare (NCSW). As executive director of NCSW, Jack initiated several breakthroughs in social policy: the kick-off of the first national conference on the homeless; the introduction of the first forum on long-term care; and the launch of the three-year project, ''The Social Role of the Federal Government.''

Completing his doctorate in gerontology in 1980, Jack was soon directing his energies toward health care and social programs for the elderly. Much of his work in his area includes the application of new computer technologies and data collection practices to provide a look ahead at the welfare of the aging population. Also in the area of applied technologies, Jack earned a commendation for his work spearheading the National Practitioner Data Bank project. Mandated by Congress, this groundbreaking program restricts the ability of incompetent physicians and dentists to move from state to state without discovery.

While Jack may be joining the ranks of septuagenarians today, he is by no means slowing down. He continues to teach classes and lecture on social policy and public administration. As an avid researcher, discerning editor and prolific writer, Jack is also looking to add a sixth book to his body of work. All things being equal, it's business as usual for Jack Hansan—pursuing his life's work and building on a 50-year legacy for which we are most grateful.

## HONORING THE WOOLF FAMILY

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the Woolf family for maintaining an unwavering commitment to the Juvenile Diabetes Foundation. The family was recognized at the Promise Ball 2000, in Fresno, on March 25, 2000.

The Juvenile Diabetes Foundation was founded in 1970 by parents of children with diabetes. The mission of the Foundation is to find a cure for diabetes and its complications, through the support of research. Since 1970, the Juvenile Diabetes Foundation has provided over $326 million for diabetes research, more than any other nonprofit, nongovernmental health agency in the world.

The Woolf family, a prominent farming family, has two diabetic children. Having been touched by diabetes, the Woolf family has been diligent in helping others to understand the challenges facing families with diabetes, as well as spreading the word about the progress toward a cure.

Mr. Speaker, I want to honor the Woolf family for their tireless commitment to the Juvenile Diabetes Foundation. I urge my colleagues to join me in wishing the Woolf family many more years of continued success.

## THE ORANGE COUNTY ONION HARVEST FESTIVAL

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. GILMAN. Mr. Speaker, as the Library of Congress celebrates its Bicentennial this year, the Local Legacies Project will provide an opportunity for each Member of Congress to describe a project of significant and historical importance in their district. This documentation will become immortalized in the collections of the Library's American Folklife Center.

The documentation will provide a diverse cross section of America's culture to be preserved for future generations.

The Orange County Onion Harvest Festival, held just outside of Pine Island, in Florida, New York, is an outstanding example of such an event. It is colorful example of a tradition that has endured for generations. It chronicles a celebration of the Polish agricultural heritage of a group of immigrants who settled in the ''Black Dirt Region'' of Orange County, New York, starting in the early 1800's; bringing with them Old World customs and traditions that continue today.

The Orange County Onion Festival depicts the courageous ''never say die'' struggle of a people to tame and convert a vast decomposing flood plain into land that fulfilled their most cherished dreams.

The ''Black Dirt'' lands rose out a glacial lake. This area known as the ''Mucklands'' had as its inhabitant's early man, mastodons, and the Mini and Unamis Indians, who used the giant rich swamp as their hunting grounds.

It took the efforts of entire families to tame and cultivate some 12,000 ''Black Dirt'' acres. Over the years, the pioneers endured in one long battle against disease, drought, winds, flooding rains and weeds from planting time in March or April until the Harvest months in July and August.

They grew into a colony of efficient, hard working, thrifty people. With perseverance and love of family, they established schools, churches, and social groups.

These people are an outstanding model of what can be accomplished in the face of adversity.

Gradually, over years of hard labor, the ''Black Dirt'' lands have emerged into what is now a scientifically run business using the latest available technologies. It has become the largest onion growing area in the State of New York and the third largest east of the Mississippi River.

The Onion Harvest Festival in celebration pays tribute to hardworking, land loving people who have gone before; those who are here now, and those who are yet to come.

It is most heartening to observe, that in today's world, where the integrity of family, history, tradition and the virtual survival of family based agriculture remain continually threatened, an event such as The Orange County Onion Harvest Festival not only continues to exist, but thrives in the hearts and minds of all who work so hard to ensure its success.

Mr. Speaker, I wish to call to the attention of our colleagues the following dedicated citizens who worked so hard to make the onion festival such a success in 1999, and who worked to ensure that its history be included in the Library of Congress program in the year 2000: Ann Cortese of Pearl River, NY; Peter Zubikowski of Port Jervis, NY; Vincent Polaniak of Florida, NY; Linda LeMieux of Middletown, NY; Frances Sodrick and Barbara Morgiewicz, both of Pine Island, NY.

We salute not only this outstanding onion Harvest committee, but also all of their predecessors from prior years who have helped make the Orange County Onion Festival a truly historic, colorful event.

We look forward with great anticipation to many more Onion Festivals still to come.

## THE ULTIMATE SACRIFICE

### HON. STEVEN C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. LATOURETTE. Mr. Speaker, today I pay tribute to a beloved member of the Ashtabula County Sheriff's Department who lost his life Saturday, March 25, in the line of duty. The heroism of Cero Niemi is credited with saving the lives of at least two fellow officers. Cero answered the call to duty as a gunmen showered police with bullets following the shooting of an innocent bystander, Jefferson resident Walter A. Olson.

Cero was the K–9 partner of Deputy William R. Niemi. The loyal German shepherd was born November 3, 1997, in Germany, and had received his Ohio Peace Officer Training and North American Work Dog Association certification in December 1999. Since that time, he had worked diligently for the K–9 unit at the sheriff's department, often assisting with felony apprehensions and drug arrests.

Mr. Speaker, the death of K–9 Cero has deeply touched folks throughout Northeast Ohio, and the grieving extends beyond his partner, his partner's family, and the sheriff's department. Many people were moved by the heroic sacrifice of this dog, and folks are left to wonder how anyone could shoot and kill a human being and then a police dog in the blink of an eye. The shooting deaths of Walter Olson and K–9 Cero have plunged the community of Jefferson into a period of collective mourning.

Mr. Speaker, Cero will be laid to rest tomorrow with full police honors, and officers and police K–9 units from throughout Ohio are expected to attend the service. Cero is the first police dog in Northeast Ohio to die in the line of duty in more than 20 years. I have asked that a United States flag be flown over the Capitol in honor of Cero Niemi, his partner, Deputy William Niemi, and the Ashtabula County Sheriff's Department.

Mr. Speaker, K–9 Cero is credited with saving the lives of at least two officers, and possibly more on this one violent morning. He died like any other officer in the line of duty; trying to make our streets and communities safe. K–9 Cero's duty and sacrifice are worthy of recognition, and I extend my sympathies to Deputy Niemi; his wife, Julie; their children, Heather, Brittany and Jonathan; and Cero's K–9 companion, Abby.

In closing, Mr. Speaker, I would like to enter into the RECORD a poem in Cero's memory. It is by an anonymous author and captures the bond between officers and their K–9 partners.

GUARDIANS OF THE NIGHT

Trust in me my friend for I am your comrade. I will protect you with my last breath. When all others have left you and the loneliness of the night closes in, I will be at your side.

Together we will conquer all obstacles, and search out those who might wish harm to others. All I ask of you is compassion, the caring touch of your hands. It is for you that I will unselfishly give my life and spend my nights unrested. Although our days together may be marked by the passing of the seasons, know that each day at your side is my reward.

My days are measured by the coming and going of your footsteps. I anticipate them at every opening of the door. You are the voice of caring when I am ill, the voice of authority when I've done wrong.

Do not chastise me unduly for I am your right arm, the sword at your side. I attempt to do only what you bid of me. I seek only to please you and remain in your favor.

Together you and I shall experience a bond only others like us will understand. When outsiders see us together their envy will be measured by their disdain.

I will quietly listen to you and pass no judgment, nor will your spoken words be repeated. I will remain ever silent, ever vigilant, ever loyal. And when our time together is done and you move on in the world, remember me with kind thoughts and tales, for a time we were unbeatable, nothing passed among us undetected.

If we should meet again on another street I will gladly take up your fight, I am a Police Working Dog and together we are guardians of the night.

## HONORING GEORGE ROACH ON HIS INDUCTION INTO THE SMITHSONIAN INSTITUTION'S 2000 COMPUTERWORLD PERMANENT RESEARCH COLLECTION

### HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. FORBES. Mr. Speaker, it is my distinct honor to congratulate Mr. George Roach, a constituent and neighbor from Long Island, who as a system specialist with the Consolidated Edison Company has recently been honored by Computerworld Smithsonian Program (CWSP). Each year the CWSP identifies and honors individuals and organizations whose vision in the use of Information Technology produces a positive social, economic or educational change. The CWSP is considered one of the most prestigious awards program in the information technology industry. As a 2000 laureate, Mr. Roach's pioneering work was inducted into the Smithsonian Institution's 2000 Computerworld Permanent Research Collection.

Mr. Roach and his team of Customer Operations, Information Resources and Treasury Operations employees were instrumental in implementing Con Edison's use of the Intell-A-Check Program. This new development allows customers to choose the method of billing that is most appropriate for them, whether is be writing a traditional check, using a telephone key pad or authorizing payment over the Internet. Customers utilized these various electronic payment applications over 1.85 million times in the year 1999 alone. Through his innovation, Mr. Roach has significantly cut costs and improved customer satisfaction.

Mr. Roach's work was recognized by Bill Gates, a leading pioneer in the technology field. When Roach's efforts came to the attention of the prominent Chairman and CEO of Microsoft Corporation, he nominated Roach for inclusion in the Smithsonian Institution's Permanent Research Collection. Mr. Speaker, I ask you and my distinguished colleagues to join the Computerworld Smithsonian Program in commending Mr. Roach for his groundbreaking work in the field of information technology. On behalf of the people of Long Island, I would like to thank Mr. Roach for the prestige and high level of technology his work has brought to our area of New York.

## IN HONOR OF MR. MARK SMITH, RECIPIENT OF THIS YEAR'S CIRCOLO ITALIANO CLUB OF BAYONNE MAN OF THE YEAR AWARD

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Mr. Mark Smith of Bayonne, New Jersey, for being named this year's ''Man of the Year'' by the Circolo Italiano Club of Bayonne.

Starting out in the Bayonne Police Department's Patrol Division in 1983, Mr. Smith's keen abilities and dedication to his career helped him to move quickly through the ranks. In 1985, Mr. Smith was promoted to detective of the Narcotics Squad; and, by 1988, he was assigned to the City of Bayonne Department of Public Safety's Detective Bureau.

Mr. Smith's remarkable and impressive career on the police force has earned him numerous service and valor awards. He has received more than forty Excellent Police Service Awards and more than twenty departmental commendations, as well as the Hudson County American Legion Police Officer of the Year Award in 1992; the City of Bayonne Police Department Valor Award in 1991; the New Jersey State PBA Valor Award in 1991; and the Hudson County 200 Club Valor Award in 1991, and again in 1999.

In addition to his work for the police force, Mr. Smith has been active in a variety of community service organizations. He has served on the board of the Chandelier Golf Charity Committee and the Hudson County ARC, and has dedicated his time as a member of the Bayonne Hospital Citywide Health Steering Committee, the Bayonne Elks Club, the Bayonne Chapter of UNICO, and the Bayonne Family Y.M.C.A.

For his dedication and service to the citizens of Bayonne, I ask my colleagues to join me in congratulating Mr. Mark Smith on being named this year's Circolo Italiano Club's Man of the Year.

## HONORING DEACON WALTER O. HEATH

### HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. CONDIT. Mr. Speaker, today I pay tribute to Deacon Walter O. Heath. I am very proud to join with the Second Baptist Church of Modesto, in my district in California's magnificent Central Valley, in honoring Deacon Heath for his many years of unselfish dedication to the church and its members.

Walter was born in Mill Flat, Louisiana, on March 8, 1913 and moved to California in 1944. He joined the Second Baptist Church in 1945, later becoming a deacon. He served on the committee to bring the Reverend Howard Clark to the church as pastor and worked to secure the land to build the new church at California and Marshall Avenues in Modesto. Additionally, Deacon Heath helped revive the Silver Square Lodge No. 66 in 1950. For the past 55 years, Deacon Heath has provided financial support, time, energy and spirit to the Second Baptist Church family.

He continues to help members of the Church who are in distress by giving them a second chance in life. He is one of the longest serving chairmen of the Second Baptist Church Deacon Board. In honor of his longstanding commitment to God and his community, I would like to join with Second Baptist Church in declaring April 8, 2000, Walter O. Heath Appreciation Day.

I ask my colleagues in the House of Representatives to rise and join me in honoring the remarkable and tireless contributions of Walter O. Heath.

## HONORING DICKRAN KOUYMJIAN

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Dr. Dickran Kouymjian for being named ''Man of the Year'' by the Armenian National Committee of Central California. The Armenian National Committee is a grassroots organization, which deals with any and all concerns of both Armenian nationals and Armenian-Americans.

Dr. Kouymjian was selected to be ''Man of the Year'' as a result of his many outstanding accomplishments. Kouymjian earned a B.A. in European History from the University of Madison, Wisconsin. He earned an M.A. in Arab Studies from the American University of Beirut, and a Ph.D. in Armenian Studies from Colombia University. In 1977, Dr. Kouymjian was invited to Fresno from Paris, to establish a new program in Armenian Studies at the California State University, Fresno. There he reorganized the Armenian Studies Organization and founded the Center for Armenian Studies

as well as the Armenian student newspaper, Hye Sharzhoom.

Since 1988, he has served as the first incumbent of the Haig & Isabel Berberian Endowed Chair of Armenian Studies at Fresno State. Dr. Kouymjian has taught a wide range of subjects: Armenian, Islamic, Classical, and Byzantine history and art, Western and Oriental humanities, film, genocide and Saroyan studies. He also serves on the editorial boards of five publications in Armenian studies and the Board of Scholars of the Zoryan Institute, NAASR, and the Armenian Film Foundation.

Dr. Kouymjian has been awarded a Fulbright Senior Lectureship by the United States government to teach in the Department of Foreign Languages and Literature at Yerevan State University in Armenia. Along with his many other accomplishments, he has been given the highest honor bestowed by the Armenian church to scholars and writers, the St. Sahag and St. Mesrob medal, by Catholicos Karekin I.

Mr. Speaker, I want to congratulate Dr. Dickran Kouymjian for being named ''Man of the Year'' by the Armenian National Committee of Central California. I urge my colleagues to join me in wishing Dr. Dickran Kouymjian many more years of continued success.

## TRIBUTE TO ESTHER K. SHAPIRO

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. LEVIN. Mr. Speaker, today I honor Esther K. Shapiro who will be awarded the Anti-Defamation Lifetime Achievement Award on April 4, 2000. This is indeed a high honor.

Esther Shapiro has devoted her life to social justice and civil rights. Her passion for human rights is longstanding. It began in the 1940's when Esther and her late husband, Harold, were evicted for hosting an African-American in their government-owned housing.

In the 1960's, she was drawn to the civil rights activities in the Deep South, and was part of the Michigan Friends of the South, an organization that courageously supported the efforts of Martin Luther King, Jr., the Freedom Marchers.

In her hometown, Detroit, Esther devoted her effort to win equal opportunities in housing, labor and politics for African-Americans. She was the first director of Detroit's Consumer Affairs Department where she worked to protect all consumers from abuse and scams.

Although recently retired, Esther Shapiro remains an activist as a consumer consultant to non-profit, government and business organizations, and currently serves as advisor on consumer affairs to Councilwoman Maryann Mahaffey, President Pro-Tem of the Detroit City Council.

Mr. Speaker, I ask my colleagues to join me in congratulating this remarkable woman, Esther K. Shapiro, for her passion for human rights. I wish her good health and happiness as she continues to make this world a better place for all.

## CONGRATULATING THE STEEL—HIGH ROLLERS BOYS BASKETBALL TEAM ON WINNING THE STATE CHAMPIONSHIP

### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. GEKAS. Mr. Speaker, today I congratulate the Steel-High Rollers Boys' Basketball Team of Steelton, Pa., on winning the PIAA Class AAA State Championship. This is not the first time for these talented young men. They also celebrated victories upon winning at the state championship in 1998 and in 1992.

Starters Walt Chavis, Tanel Woodward, Kurt Cheatham, Joe Zimmerman and Scott Attivo play important roles on the Rollers. But it is all the players on the team who deserve the credit for this victory. These young men have sweated through hours upon hours of warm-ups, drills and scrimmages to become the great team they are today.

Coach Rick Binder is to be commended on training and shaping these young men into a formidable team. In just three seasons, Coach Binder has guided the Steel-High-Rollers to three District 3 AAA championships and two PIAA–AAA championships.

I must also recognize the communities of Steelton and Highspire for the support they have given to their hometown team. When communities join together in a unifying spirit, the sky is truly the limit. It is self-evident the amount of pride and support these towns show, not only to this winning team, but to their school and all of its fine students.

The Steel-Rollers deserve much praise for their victory. I know the U.S. House of Representatives joins me and the communities of Highspire and Steelton in honoring these hard-working and talented young men. Congratulations and continued success.

## JEWISH WOMEN'S ARCHIVE MAKING VALUABLE CONTRIBUTIONS TO OUR UNDERSTANDING OF HISTORY

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. FRANK of Massachusetts. Mr. Speaker, I am privileged to represent a Congressional District that is home to an important cultural institution known as the Jewish Women's Archive. The organization, which is located in the town of Brookline, Massachusetts, was established in 1995 to record and publicize the remarkably rich history of Jewish women in North America. Among JWA's key projects are a ''virtual archive'' that provides an on-line directory of source materials that are available on Jewish women in libraries and other facilities in the United States and Canada, and its Oral History Project, which is focused on the life stories of twentieth century Jewish women.

Another important JWA initiative, which coincides annually with Women's History Month in March, is the ''Women of Valor'' program, an educational and outreach project aimed at helping the Jewish community and, indeed, people of all faiths in North America, to develop a better understanding of the accomplishments of Jewish women. Each year, JWA, in collaboration with Ma'ayan: The Women's History Project in New York, selects three Jewish women who have made notable contributions to our history, creates posters and other educational material providing details about their lives, and then disseminates the materials to more than 8,000 schools, libraries and other interested institutions. Past honorees have included Hadassah founder Henrietta Szold, trade union leader and social welfare activist Rose Schneiderman and poet Emma Lazarus. This year's Women of Valor are former Congresswoman Balla Abzug, anthropologist Barbara Myerhoff and Canadian track and field Olympian Bobbie Rosenfeld.

I would add that, as part of Women's History Month, Joyce Antler—JWA Visiting Director of Research—made a presentation on March 22 before the President's Commission on the Celebration of Women in American History. Her testimony, which touched on many aspects of the role of women in history, cannot be reproduced here in toto, but I would like to excerpt one paragraph, because it sums up so well the important mission of JWA:

> I would like to mention one final strategy used by the Jewish Women's Archive to bring women's history to the public. Last spring, we mounted a program in Boston around the life and legacy of Justine Wise Polier, the activist judge who was a 1999 Woman of Valor. The evening began with moderator Martha Minow of the Harvard Law School asking the question, ''How can a woman so influential in her own lifetime be largely forgotten less than two generations later? And how does a legacy get passed on to another generation?'' The evening began with my own remarks about Polier's life and legacy, followed by personal reflections from Nancy Gertner, a U.S. District Court Judge in Massachusetts, who enthusiastically embraced the similarities between her life and Polier's and left audience members greatly stimulated by the current relevance of Polier's concerns, convictions, and commitments. We have developed other programs across the country in which we bring the past to the present by matching the life and legacy of women of achievement in other generations to those of women today. These programs highlight historical materials that we have collected but place them in new contexts that have local and contemporary relevance. This matching process generates great excitement by allowing audiences to connect in fresh ways to the lessons of the past.

Mr. Speaker, in recognition of the excellent work the Jewish Women's Archive performs in helping us to connect with the past in new ways, I submit the following JWA statement on this year's Women of Valor program to be printed in the RECORD.

SCHOOLS, SYNAGOGUES, UNIVERSITIES AND JEWISH COMMUNITY CENTER TO HIGHLIGHT JEWISH WOMEN'S CONTRIBUTIONS AND ACCOMPLISHMENTS FOR WOMEN'S HISTORY MONTH 2000

In Boston and around the country, Jews and non-Jews, women and men will have the opportunity to learn about the important, but often-ignored accomplishments of Jewish women during Women's History Month this March. This month, thousands of institutions will celebrate Women's History Month by showcasing the accomplishments and contributions of three Jewish women: a leading political activist, a pioneering anthropologist and a gold-medal winning Olympic athlete.

While most Americans are familiar with political activist Bella Abzug, few know about the accomplishments of anthropologist Barbara Myerhoff and Canadian Olympic athlete Bobbie Rosenfeld. All three women are featured in the year 2000 Women of Valor educational poster series produced by the Jewish Women's Archive. In Boston, institutions such as Temple Israel, the Leventhal Sidman JCC, Harvard Hillel and dozens of other places will display the posters throughout Women's History Month and conduct programs highlighting the important role women have played in history. The posters are complemented by a workbook featuring a biography of each Woman of Valor, worksheets and suggested educational activities. In addition, individuals can learn more through an interactive multimedia Women of Valor exhibit on the Jewish Women's Archive website at www.jwa.org. The unique and innovative exhibit includes speeches, photographs, news clips, letters and film clips from archives and libraries throughout the country.

''History teaches us about who we are and where we have been,'' said Gail Twersky Reimer, Executive Director of the Jewish Women's Archive. ''For too long, the contributions of Jewish women have been ignored. Each in her own way, Bella Abzug, Barbara Myerhoff and Bobbie Rosenfeld changed our world. Understanding their work and recognizing their contributions enriches and completes our knowledge about the past.''

The Women of Valor poster series was created to increase awareness of, and interest in, women's history and to stimulate the development of programs that celebrate the lives of Jewish women, past and present. The posters portray their subjects in pictures and narrative, using each woman's own words to create a compelling picture of her achievements and the times in which she lived. Women of Valor posters and accompanying educational materials have been sent to more than 8,000 institutions and organizations throughout the United States and Canada.

Created in partnership with MIT's Center for Educational and Computing Initiatives, the Jewish Women's Archive website is the cornerstone of the Archive itself. It includes interactive multimedia exhibits, an on-line database and resources on North American Jewish women. This unique and invaluable research tool is the first stage in the development of a searchable Internet directory of all source materials on Jewish women available in repositories throughout the United States and Canada.

Now in its third year, the Women of Valor Project is funded by grants from the Covenant Foundation, Righteous Persons Foundation and the Dobkin Foundation. In previous years, the project has featured Glikl of Hamelin, Rose Schneideman and Henrietta Szold (1997); Rebecca Gratz, Lillian Wald and Molly Picon (1998); and Emma Lazarus, Justine Wise Polier and Hannah Greenbaum Solomon (1999). Women's History Month was designated by the United States Congress in 1987 to raise awareness among students and adults, female and male, of the many and diverse accomplishments women have made throughout history.

The Jewish Women's Archive was founded in 1995 to uncover, chronicle and transmit the historical record of Jewish women's lives—their impact on Jewish culture and their active participation in society at large.

One of our nation's leading political activists, Bella Abzug (1920–1998) was a civil rights and labor attorney, a U.S. Congresswoman, and an international women's rights activist. As an attorney Abzug mounted an appeal on behalf of an African American man sentenced to death on groundless charges of raping a white woman, and defended numerous clients during the infamous ''with hunts'' instigated by Senator Joseph McCarthy. In Congress, she promoted an agenda focused on social and economic justice. After leaving Congress, Abzug continued to champion women's and civil rights. She presided over the first National Women's Conference in 1977 and worked with other women to found some of the leading feminist organizations of our day.

Barbara Myerhoff's (1935–1985) groundbreaking research into American Jewry, their lives, culture and religion initiated a sea change in the field of anthropology, leading other anthropologists to expand from studying exotic communities in foreign countries to studying communities in their ''own backyards.'' Her work affected not only her fellow anthropologists, but also helped a broad audience of men and women understand the importance of storytelling to their own lives. A creative and renowned professor and anthropologist, Myerhoff won an Oscar for her film Number Our Days, based on her 1979 book by the same name.

One of Canada's most outstanding athletes, male or female, Bobbie Rosenfeld (1904–1969) championed women's sports both on and off the field. As a competitor in the first Olympic Games to include women in 1928, Rosenfeld led her team to a gold medal in the 400-meter relay and a silver medal in the 100 meter. Despite bouts of severe arthritis, Rosenfled led her softball league in home runs and was voted outstanding women hockey player in Ontario in 1931. When her arthritis became too severe for her to compete, Rosenfeld began coaching track and softball and eventually became a sports columnist for the Toronto Globe and Mail.

## IN MEMORY OF THE LATE REPRESENTATIVE EDWARD HEALEY

### HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. DEUTSCH. Mr. Speaker, today I honor the memory of State Representative Edward Healey, who passed away on March 15, 2000, at the age of 75. It is with a tremendous feeling of sadness that I speak in his honor: Florida has lost an outstanding leader who may never be replaced.

While Edward was born in Elmhurst, New York, he began his long-term affiliation with the State of Florida after moving to the area in 1957. Though he was not a lifelong resident, few have done more to serve the citizens of Palm Beach County: Edward was elected to the Florida House of Representatives in 1974 where he served until 1980. He also served in the House from 1982 to 1984, and was elected again in 1986. Since that time, he has subsequently been re-elected to serve the Palm Springs area in each election.

In addition to his extraordinary work in the state legislature, Representative Healey made numerous contributions to the Palm Beach County community throughout his years in Florida. Edward was active in local government through his participation in the Palm Beach County Criminal Justice Commission, the Palm Beach County Health Care Taxing District Board, and the Palm Beach County Bar Association, where he was a member of the Legislative and Local Government Liaison Committee.

Though Edward Healey's commitments were numerous, he will always be remembered as someone who completely dedicated himself to the community through his work with local and national civic groups. He was involved with a myriad of organizations throughout his life: these organizations included the Florida Wildlife Federation, the Health Care Task Force, the National Audubon Society, the Nature Conservancy, Mothers Against Drunk Driving (MADD), the Urban League, and Common Cause. While this list is far from complete, I am positive that every organization that Representative Healey worked with will miss his leadership and dedication in the coming years. Mr. Speaker, while Edward Healey's passing is a tremendous loss for the Palm Beach County community, I can say without hesitation that his memory will live on through the work of the many organizations to which he dedicated his life. Though we will all miss his presence, I would like to thank and praise Edward for his hard work and leadership in improving the world at large.

## TRIBUTE TO ALEXANDRA LENNOX VAIL

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Alexander ''Al'' Lennox Vail, a longtime friend, who passed away on January 4, 2000. He was 78. Vail was a California rancher, whose family had owned and managed Santa Rosa Island and its 54,000-acre cattle operation there for nearly a century.

Vail was born November 24, 1921 in Los Angeles, California, thirty minutes after his twin brother Russ. The two brothers grew up playing on the island that their grandfather had purchased in 1902, with partner J.V. Vickers. At just 21 years old, Vail began working full-time on Santa Rosa Island as a cowboy. In 1962, he became the general manager of the ranching operation.

Vail and his twin brother continued to manage the ranching operation, off the coast of Santa Barbara, until 1998. At that time, the last cattle were removed under an agreement to protect the island's native plants. Since 1998, the Vails and the Vickers (the Vickers are silent partners) continued to run a commercial elk and deer hunting operation on the island, which Vail managed until his sudden death.

Al will forever be remembered throughout the livestock community for his ethics and stewardship of the bounteous resources of an island that was in his family for almost 100 years.

Vail is survived by his wife, Catherine ''Kay'' Sutherland Vail of Santa Barbara; his daughters, Nita Vail of Sacramento and Mary Vail of

Moorpark; twin brother Russell Vail and sister Margaret Vail Woolley, and their families of Pasadena.

Mr. Speaker, I rise to pay tribute to Alexander ''Al'' Lennox Vail for his dedication to the well-being of the animals and the land. Vail will be remembered by his family members and those who knew him for his integrity, honesty, and hard work. I urge my colleagues to join me in extending my condolences to the Vail family.

## RECOGNIZING THE NCAA DIVISION II NATIONAL CHAMPION METRO STATE ROADRUNNERS

### HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Ms. DEGETTE. Mr. Speaker, today I honor the NCAA Division II National Basketball Champion Metro State Roadrunners from Denver, Colorado. The Roadrunners capped off a remarkable season with a stunning victory over Kentucky Wesleyan, last year's NCAA Division II champions, by a score of 97–79 on March 25, 2000. Metro State finished the season with a 33–4 record and bring home to Denver the State of Colorado's first NCAA national basketball championship trophy ever.

Metro State placed four players on the NCAA Elite Eight All-Tournament Team, including Most Valuable Player DeMarcos Anzures, John Bynum, Lee Barlow and Kane Oakley. It marked the first time four players from one team made the all-tournament team. In addition, Anzures, a senior who previously played for Denver's Skyview High School, was named a first team All-American and Coach Mike Dunlap was named National Coach-of-the-Year by the National Association of Basketball Coaches.

The Roadrunners finished a tremendous three-year run that includes a 86–15 record, three Rocky Mountain Athletic Conference championships and two North Central Regional titles. Although Metro State began this year with two straight losses, the Roadrunners rebounded by winning 33 of their next 35 games and doing so in a rather dominating fashion. In fact, Metro State led the nation in scoring margin by outscoring opponents by an average of 19.1 points a game, including their 18-point victory in the NCAA title game.

Members of the 1999–2000 Metro State Roadrunners include: Anzures, Bynum, Barlow, Dunlap, Michael Alcock, Rashawn Fulcher, Shane Ah Matt, Todd Gower, Jason Johnson, Patrick Mutombo, Clayton Smith, Chris Ford and Jody Hollins.

Mr. Speaker, I ask my colleagues to join me in saluting these fine young men and Coach Dunlap for their outstanding achievement and steller performance throughout this entire season. Congratulations to everybody associated with Metro State for bringing home this impressive championship—a victory of which all of the people of Denver and the State of Colorado can be very proud.

## A LIFE REMEMBERED, A COMMUNITY CHANGED

### HON. STEVEN C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. LATOURETTE. Mr. Speaker, today I offer my deepest sympathies to the family of Walter A. Olson of Jefferson, Ohio.

On Saturday, March 25 at about 6:30 a.m., Walter A. Olson was gunned down just 20 feet from his own front door in a random act of violence that has shocked this small, tight-knit community to its core.

Mr. Olson, a husband, father of six, and grandfather of three, was innocently going about his morning routine on Saturday—a walk to a nearby cemetery where his mother and brother were buried. It was during this peaceful walk that Walter Olson crossed paths with a troubled, 22-year-old neighbor toting a 12-gauge, pump-action shotgun. The black trenchcoat the young man wore was bursting with ammunition and concealed a second gun. The gunman, apparently hellbent on killing anyone in his path, spotted Walter Olson and shot him dead. He then continued walking down Center Street, reloading his shotgun as if nothing had happened.

This tragic, senseless act could have led to much greater carnage had it not been for the Jefferson Police and Ashtabula County Sheriff's Department, which were quick to respond to neighbors' 9-1-1 calls. A gun battle ensued, and the gunman apparently refused to lay down his arms even after he'd been felled by officers' shots. A police dog, Cero—credited with saving the lives of other officers—dies in the line of duty after being shot by the gunman. Police struggle to find a motive for this unprovoked rage.

Mr. Speaker, all too often we hear stories of disturbed, armed people walking into schools, daycare centers, restaurants and other public settings and opening fire indiscriminately on innocent people who have the misfortune of being in the wrong place at the wrong time. We watch the wrenching reports on the evening news with horror, and our hearts and prayers go out to the families. We hug our own children a little harder, and reassure ourselves that horrors like this will never befall our own community. All that changed on Saturday in the small town of Jefferson, Ohio.

Mr. Speaker, Jefferson, Ohio, is reeling in grief from the death of Walter Olson and the death of innocence of their community. The family and friends of Walter Olson have always known of his kindness, and strangers who never met him have been moved by the exemplary, humble life this religious, family man led.

Walter Olson was an Ashtabula County native, a former auxiliary police officer in Jefferson, and a member of the Jefferson Exchange Club and the Jefferson Chamber of Commerce. He'd worked for many years as a petroleum manager for Country Mark, Inc., and was working as a U.S. Census recruiter and field surveyor for Research Triangle Institute in Winston-Salem, NC, at the time of his death. He was a member of St. Joseph Calasanctius Church in Jefferson, where a memorial service was held this morning. He leaves behind his wife, Mary, the manager of the local Hardee's; his children Cindy, Isaac, Randy, Angel, Robin, and Timothy; and his grandchildren Alyssa, Lillian and Warren. Walter Olson was just 51 years old.

Remarkably, Mary Olson holds no animosity toward the neighbor who shot and killed her husband, saying she ''hates that there's a child out there who needed help; that he was so sad that he felt he had to do something like this.'' Her words speak volumes about the power of forgiveness and the goodness of the human heart.

Mr. Speaker, on behalf of the 19th District of Ohio, I extend prayers and condolences to the Olson family and the community of Jefferson. I have requested that a United States flag be flown over the Capitol in Walter Olson's memory.

Walter Olson's time on Earth was not nearly long enough, but we can all take comfort knowing that he lived his life fully, that he loved and was dearly loved, and that he showered others with kindness. I urge the wonderful people of Jefferson to continue to reach out to each other in this time of grief and sorrow, and to realize that it will take time for this family and this community to heal. May God bless the family of Walter Olson, the community of Jefferson, Ohio, and the United States of America.

## TRIBUTE TO THE LATE MRS. RITA M. LEONE

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. TRAFICANT. Mr. Speaker, today I pay tribute to a classmate and good friend of mine at Cardinal Mooney High School, Mrs. Rita M. Leone. Her untimely death after a battle with leukemia deeply saddens me.

Rita was born on May 22, 1943 in Youngstown, Ohio to Michael and Maryann Sebest Check. She graduated from Cardinal Mooney and had been office manager and bookkeeper for the Stillson Donahay Agency for 20 years.

Rita was an active member of the Holy Family Church in Youngstown. She participated in the Altar Guild and was an integral member of Renewal Team Number 8. In addition, she served the church as a Eucharistic minister. She was also active in the Ladies Slovak Union Jednota and the Joliettes bowling team.

I want to send my sincerest condolences to her husband of 38 years, Victor Leone of Youngstown, and their lovely daughter Lisa Leone of Lakewood, Ohio. Rita was a beautiful person and I feel blessed to have been able to call her my friend.

## HONORING REVEREND KARL VARTAN AVAKIAN

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Reverend Karl Vartan Avakian on his 20th Anniversary of Ordination and his 35th year of pastoral ministry. Reverend Avakian serves as the Minister to the Union of

the Armenian Evangelical Union on North America (AEUNA), a Fresno-based ecclesiastical union of 24 Armenian Protestant churches and mission projects in the United States and Canada.

The Minister to the Union ''is the Pastor, the Spiritual Leader and the Chief Executive Officer of the AEUNA. He initiates new policies and programs, inspires and guides committees, implements policies and decisions of the General Assembly, the Board of Directors, or the Executive Committee''.

Reverend Avakian was born in Alexandria, Egypt. He immigrated to Fresno, as a young man, and worked his way through undergraduate school and seminary. In 1979 Avakian was ordained a Minister of the Word and Sacrament and installed as Senior Pastor of the Armenian Presbyterian Church of Paramus, New Jersey. From 1988 to 1990, Avakian served as Moderator, or chief presiding officer, of the AEUNA.

On July 1, 1990, he was installed as Minister to the Union at the organization's Tenth Biennial General Assembly in Waltham, Massachusetts. He has served as Pastor, Spiritual Leader, and Chief Executive Officer of the California-based hemispheric ministry for almost a decade. His duties have included liaison assignments with the Armenian Missionary Association of America, Armenian Evangelical World Council, and Armenian Theological Students' Aid, Inc.

Mr. Speaker, I want to congratulate the Reverend Karl Vartan Avakian for his commitment to the Church and to the community during the last 35 years. I urge my colleagues to join me in wishing Reverend Avakian many more years of continued success.

## ANNIVERSARY OF THE KODAK BROWNIE

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Ms. SLAUGHTER. Mr. Speaker, I rise today to commemorate the centennial anniversary of the Kodak Brownie box camera. It was 100 years ago in my district in Rochester, New York, that George Eastman's visionary leadership first introduced consumers to photography. The price tag was one dollar, and film sold for 15 cents per roll. For the first time, taking pictures was within the reach of almost every American family.

Cameras in the 1870s were as big as breadboxes. The tools of the professional photographer's trade, including a bulky, unreliable camera, a tripod, and various liquid chemicals, were more than a single man could carry—''a pack-horse load'' as Eastman described it. He resolved to downsize, simplify, and reduce the cost of the ''burden'' of taking pictures.

Look how far we have come in 100 short years. Today, photography and Kodak have moved into the Digital Age; cameras so small you can attach them to hand-held computers grab images and send them over the Internet for all to see; digital feature films bring new meaning to the movie experience; health care innovation promises to improve patient care through enhanced quality of care, especially for those in rural areas or homebound; Kodak technology made possible the spectacular images from the Mars Rover and dazzling images from space. From the 1896 development of the first Kodak product to capture x-ray images, to laser imaging and telehealth services that link patients and doctors regardless of time or distance, Kodak has led the way in innovation.

For over one hundred years, Kodak has been a leader in the Rochester community helping to make it the vibrant and nurturing community it is today. Kodak brings its products, culture and values to communities and workers in other countries. The Kodak name is synonymous with top quality products. As it expands its markets around the world, everyone snapping photos at family reunions, weddings, birthdays, vacations, and anywhere else should pause to thank George Eastman, the man who made all of their ''Kodak moments'' possible 100 years ago with his great invention, the Brownie.

## TRIBUTE TO THE LAW ENFORCEMENT OFFICERS OF HAYS COUNTY, TEXAS

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2000*

Mr. PAUL. Mr. Speaker, today I pay tribute to the law enforcement officers of Hays County, Texas. April 8th is the date of the second annual Hays County Law Enforcement Appreciation Day (LEAD) sponsored by SAC-N-PAC Stores Inc. LEAD 2000 committees have been meeting since last October to make this year's event even more successful than the last, which raised $7,500 for participating law enforcement departments.

As Event Coordinator Cheryl Warren Norton said, ''With the growing rate of violence, especially among our youth, it is our responsibility and the general public's responsibility to assist our law enforcement officers in areas in which they are in need.'' The money raised through LEAD 2000 will go toward crime prevention programs aimed at fighting crime and violence on the 8local level. Local law enforcement is the backbone of public safety and protection across America, and I am proud to represent an area that recognizes its law enforcement personnel for the heroes that they are.

Some of the LEAD 2000 exhibits are SWAT, Mounted Patrol, the Dive Team, and possibly a Black Hawk Helicopter or Star Flight. The event will be held at the Hays County Civic Center and begins at 10:00 a.m. with an award presentation of bicycles for youth calendar contest winners, followed by an auction and fish fry.

Mr. Speaker, I urge my colleagues to join me in saluting our officers in blue across the nation, and I commend the LEAD 2000 organization as a model for other communities. This is an excellent way to show sincere appreciation for those who put their lives on the line for the safety of our communities.

## 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, March 30, 2000 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### MARCH 31

9:30 a.m.
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold oversight hearings to examine the Department of Energy's findings at the Gaseous Diffusion Plant in Paducah, Kentucky, and plans for cleanup at the site.
SD–366

### APRIL 3

1 p.m.
Aging
To hold hearings to examine the rising demand for older workers.
SH–216

### APRIL 4

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Bureau of Indian Affairs and Office of the Special Trustee, Department of the Interior.
SD–138

10 a.m.
Appropriations
Transportation Subcommittee
To hold hearings to examine the implementation of the Driver's Privacy Protection Act, focusing on the positive notification requirement.
SD–192

1 p.m.
Commission on Security and Cooperation in Europe
To hold hearings on the deteriorating freedom of media and speech in Organization for Security and Co-operation in Europe.
334 Cannon Building

2:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2001 for the Department of Defense and the Future Years Defense Program, focusing on joint requirements, capabilities, and experimentation.
SR–222

### APRIL 5

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of the Interior.
SD–124

Indian Affairs
To hold hearings on S. 612, to provide for periodic Indian needs assessments, to require Federal Indian program evaluations.
SR–485

Judiciary
Administrative Oversight and the Courts Subcommittee
To resume oversight hearings on the handling of the investigation of Peter Lee.
SD–226

10 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on Army programs.
SD–192

### APRIL 6

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Veterans Affairs.
SD–138

### APRIL 8

10 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on medical programs.
SD–192

### APRIL 11

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Energy.
SD–138

10 a.m.
Energy and Natural Resources
To hold hearings on S. 282, to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; S. 516, to benefit consumers by promoting competition in the electric power industry; S. 1047, to provide for a more competitive electric power industry; S. 1284, to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any consumer who seeks to purchase electric energy in interstate commerce from any supplier; S. 1273, to amend the Federal Power Act, to facilitate the transition to more competitive and efficient electric power markets; S. 1369, to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency; S. 2071, to benefit electricity consumers by promoting the reliability of the bulk-power system; and S. 2098, to facilitate the transition to more competitive and efficient electric power markets, and to ensure electric reliability.
SH–216

### APRIL 12

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Corporation for National and Community Service, Community Development Financial Institutions, and Chemical Safety Board.
SD–138

Indian Affairs
To hold oversight hearings on the report of the Academy for Public Administration on Bureau of Indian Affairs management reform.
SR–485

10 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on missile defense programs.
SD–192

### APRIL 13

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the National Aeronautics and Space Administration.
SD–138

Energy and Natural Resources
To hold hearings on S. 282, to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; S. 516, to benefit consumers by promoting competition in the electric power industry; S. 1047, to provide for a more competitive electric power industry; S. 1284, to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any consumer who seeks to purchase electric energy in interstate commerce from any supplier; S. 1273, to amend the Federal Power Act, to facilitate the transition to more competitive and efficient electric power markets; S. 1369, to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency; S. 2071, to benefit electricity consumers by promoting the reliability of the bulk-power system; and S. 2098, to facilitate the transition to more competitive and efficient electric power

markets, and to ensure electric reliability.

SH–216

2:30 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings on S. 2034, to establish the Canyons of the Ancients National Conservation Area.

SD–366

APRIL 26

10 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense.

SD–192

SEPTEMBER 26

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs on the Legislative recommendation of the American Legion.

345 Cannon Building

## CANCELLATIONS

APRIL 6

2:30 p.m.

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold oversight hearings on the incinerator component at the proposed Advanced Waste Treatment Facility at the Idaho National Engineering and Environmental Laboratory and its potential impact on the adjacent Yellowstone and Grand Teton National Parks.

SD–366

## POSTPONEMENTS

APRIL 19

9:30 a.m.

Indian Affairs

Business meeting to consider pending calendar business; to be followed by hearings on S. 611, to provide for administrative procedures to extend Federal recognition to certain Indian groups.

SR–485

# *Daily Digest*

# Senate

## *Chamber Action*

*Routine Proceedings, pages S1833–S1924*

**Measures Introduced:** Eighteen bills and one resolution were introduced, as follows: S. 2310–2327, and S. Con. Res. 100. **Pages S1883–84**

**Measure Rejected:**

*Flag Protection Constitutional Amendment:* By 63 yeas to 37 nays (Vote No. 48), two-thirds of those Senators voting, a quorum being present, not having voted in the affirmative, Senate failed to pass S.J. Res. 14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States. **Pages S1833–43, S1857–74**

During consideration of this measure today, the Senate also took the following action:

By a unanimous vote of 100 yeas (Vote No. 47), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on S.J. Res. 14 (listed above). **Page S1839**

**Electronic Signatures in Global and National Commerce Act:** Senate disagreed to the amendments of the House to S. 761, to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees: from the Committee on Commerce, Science, and Transportation: Senators McCain, Burns, Stevens, Gorton, Hutchison, Abraham, Hollings, Inouye, Rockefeller, Kerry, and Wyden; from the Committee on Banking, Housing, and Urban Affairs for items within their jurisdiction: Senators Gramm, Bennett, and Sarbanes; and from the Committee on the Judiciary for items within their jurisdiction: Senators Hatch, Thurmond, and Leahy. **Pages S1843–46**

**Satellite Loan Guarantees Agreement:** A unanimous-consent agreement was reached providing for the consideration of S. 2097, to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, on Thursday, March 30, 2000. **Page S1924**

**Gas Tax Repeal Act Agreement:** A unanimous-consent agreement was reached that notwithstanding Rule XXII of the Standing Rules of the Senate, the cloture vote on the motion to proceed to S. 2285, instituting a Federal fuels tax holiday, occur no later than 6 p.m. on Thursday, March 30, 2000. **Page S1924**

**Nominations Confirmed:** Senate confirmed the following nomination:

Rudy deLeon, of California, to be Deputy Secretary of Defense. **Page S1924**

**Messages From the House:** **Page S1881**

**Measures Referred:** **Page S1881**

**Measures Placed on Calendar:** **Page S1881**

**Measures Read First Time:** **Pages S1856, S1924**

**Communications:** **Pages S1881–83**

**Statements on Introduced Bills:** **Pages S1884–S1913**

**Additional Cosponsors:** **Pages S1913–14**

**Amendments Submitted:** **Page S1915**

**Authority for Committees:** **Page S1915**

**Additional Statements:** **Pages S1876–81**

**Record Votes:** Two record votes were taken today. (Total—48) **Pages S1839, S1874**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 6:40 p.m., until 9:30 a.m., on Thursday, March 30, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1924.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### APPROPRIATIONS—AIR FORCE

*Committee on Appropriations:* Subcommittee on Defense concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on Air Force programs, after receiving testimony from F. Whitten Peters, Secretary, and Gen.

Michael E. Ryan, USAF, Chief of Staff, both of the Department of the Air Force.

## BUSINESS MEETING

*Committee on the Budget:* Committee met to continue markup of an original concurrent resolution setting forth the fiscal year 2001 budget for the Federal Government, but did not complete action thereon, and will meet again tomorrow.

## AMATEUR SPORTS GAMBLING

*Committee on Commerce, Science, and Transportation:* Committee held hearings to examine issues dealing with gambling in amateur sports, including related provisions of S. 2267, to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing substances by athletes (pending on Senate calendar), receiving testimony from Senators Reid and Edwards; Representatives Graham, Roemer, Gibbons, and Berkley; Charles T. Wethington, Jr., University of Kentucky, Lexington, on behalf of the National Collegiate Athletic Association; Jim Calhoun, University of Connecticut Men's Basketball, Storrs; Timothy A. Kelly, National Gambling Impact Study Commission, Alexandria, Virginia; Frank J. Fahrenkopf, Jr., American Gaming Association, Washington, D.C.; Don Yeager, Sports Illustrated, New York, New York; Brian Sandoval, Nevada Gaming Commission, Reno; Kenneth Winters, University of Minnesota, Minneapolis; and Bobby Siller, Nevada Gaming Control Board, Carson City.

Hearings recessed subject to call.

## LAND CONVEYANCE AND MANAGEMENT

*Committee on Energy and Natural Resources:* Subcommittee on Forests and Public Land Management concluded hearings on S. 1778, to provide for equal exchanges of land around the Cascade Reservoir, S. 1894, to provide for the conveyance of certain land to Park County, Wyoming, and S. 1969, to provide for improved management of, and increases accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, after receiving testimony from Elaine F. Brong, Deputy Assistant Director for Renewable Resources and Planning, Bureau of Land Management, and Eluid L. Martinez, Commissioner, Bureau of Reclamation, both of the Department of the Interior; Dennis Bschor, Director, Recreation, Heritage and Wilderness Resources, Forest Service, Department of Agriculture; Wyoming State Senator Henry H.R. Coe, Cody, on behalf of the Park County Board of Commissioners; Jack Rich, Rich Ranch, Seeley Lake, Montana; Becky Smith, Orange Torpedo Trips, Grants Pass, Oregon, and Doug Tims, Maravia Corporation, Boise, Idaho, both on behalf of the America Outdoors; David E. Jenkins, American Canoe Association, Springfield, Virginia; and Jason D. Robertson, American Whitewater Association, Silver Spring, Maryland.

## MEDICARE REFORM—PRESCRIPTION DRUG COVERAGE

*Committee on Finance:* Committee resumed hearings to examine the inclusion of a prescription drug benefit in the Medicare program, focusing on current and supplemental drug coverage, beneficiary income spending, benefit design, and cost controls, receiving testimony from Senators Frist, Kennedy, Snowe, and Wyden; Representative Bilirakis; Michael Hash, Deputy Administrator, Health Care Financing Administration, Department of Health and Human Services; Michael Fogarty, Oklahoma Health Care Authority, Oklahoma City, on behalf of the National Association of State Medicaid Directors; Carol J. McCall, Allscripts, Inc., Libertyville, Illinois; and Marjorie Dorr, Anthem Blue Cross and Blue Shield of Connecticut, North Haven, on behalf of the Blue Cross and Blue Shield Association.

Hearings recessed subject to call.

## NOMINATION

*Committee on Finance:* Committee concluded hearings on the nomination of Michelle Andrews Smith, of Texas, to be an Assistant Secretary of the Treasury, after the nominee testified and answered questions in her own behalf.

## GOVERNMENT EFFICIENCY

*Committee on Governmental Affairs:* Committee concluded hearings to examine budget and oversight issues to better position the federal government to meet current and emerging challenges and shape a more efficient and effective government, after receiving testimony from David M. Walker, Comptroller General of the United States, General Accounting Office.

## ALLEGED CHINESE ESPIONAGE

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts resumed oversight hearings on alleged Chinese espionage, focusing on the handling of the investigation of Peter Lee, receiving testimony from Stephen W. Preston, General Counsel, and John G. Schuster, Jr., Branch Head, Submarine Security and Technology Branch (OPNAV N875), both of the Department of the Navy; Dan Sayner, Assistant Special-Agent-in-Charge, Los Angeles Field Office, Federal Bureau of Investigation, Department of Justice; and Thomas L. Cook, Nonproliferation and International Security Division, NIS–9/Weapon Design Technologies, Los

Alamos National Laboratory, and Richard Twogood, former Technical Director, Non-Acoustical Anti-Submarine Warfare Program, Lawrence Livermore National Laboratory, both of the Department of Energy.

Hearings continue Wednesday, April 5.

### CAMPAIGN REFORM

*Committee on Rules and Administration:* Committee resumed oversight hearings to examine issues dealing with campaign finance reform, focusing on Presidential selection process and campaign contribution limits, after receiving testimony from Senators Thompson, Lieberman, and Gorton; Roger Pilon, CATO Institute Center for Constitutional Studies, and Derek Cressman, United States Public Interest Research Group, both of Washington, D.C.; Lamar Alexander, Nashville, Tennessee; and Herbert E. Alexander, Silver Spring, Maryland.

Hearings continue Friday, April 7.

### BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the following bills:

S. 1507, to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, with an amendment in the nature of a substitute; and

S. 1509, to amend the Indian Employment, Training, and Related Services Demonstration Act of 1992, to emphasize the need for job creation on Indian reservations, with an amendment.

### CHOCTAW INDIAN LAND TRUST

*Committee on Indian Affairs:* Committee concluded hearings on S. 1967, to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band, after receiving testimony from Kevin Gover, Assistant Secretary of the Interior for Indian Affairs; and Phillip Martin, Mississippi Band of Choctaw Indians, Philadelphia, Mississippi.

### 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.

# House of Representatives

## *Chamber Action*

**Bills Introduced:** 20 public bills, H.R. 4109–4128; 2 private bills, H.R. 4129–4130; and 3 resolutions, H. Con. Res. 295 and H. Res. 451–452, were introduced. **Pages H1587–88**

**Reports Filed:** Reports were filed today as follows:

H.R. 3039, to amend the Federal Water Pollution Control Act to assist in the restoration of the Chesapeake Bay (Rept. 106–550);

H.R. 1359, to designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the "Frank J. Battisti and Nathaniel R. Jones Federal Building and United States Courthouse" (H. Rept. 106–551);

S. 1567, to designate the United States courthouse located at 223 Broad Street in Albany, Georgia, as the "C.B. King United States Courthouse", amended (H. Rept. 106–552); and

H.R. 1776, to expand home ownership in the United States, amended (H. Rept. 106–553). **Page H1587**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Nussle to act as Speaker pro tempore for today. **Page H1481**

**Journal:** Agreed to the Speaker's approval of the Journal of March 28 by a yea and nay vote of 356 yeas to 47 nays with 1 voting "present", Roll No. 80. **Pages H1481, H1484–85**

**Emergency Supplemental Appropriations:** The House completed general debate and began considering amendments to H.R. 3908, making emergency supplemental appropriations for the fiscal year ending September 30, 2000. **Pages H1495–H1585**

Agreed To:

Toomey amendment, printed in H. Rept. 106–549, that appropriated $4 billion from the on-budget surplus to reduce publicly held debt (agreed to by a recorded vote of 420 ayes with none voting "no" and 3 voting "present", Roll No. 83); **Pages H1516–19**

Hutchinson amendment, printed in H. Rept. 106–549, that allocates $15 million of unobligated funding in the Community Oriented Policing Services program for initiatives to combat methamphetamine production and trafficking; **Pages H1540–41**

Sawyer amendment, printed in H. Rept. 106–549, that allocates $50 million of funding for Plan Colombia and Andean Regional Counternarcotics Activities for assistance for internally displaced persons in Colombia; **Pages H1541–42**

Lewis of California amendment, printed in H. Rept. 106–549, that appropriates an additional $4 billion for military health care, quality of life, recruitment and retention, and readiness and maintenance (agreed to by a recorded vote of 289 ayes to 130 noes, Roll No. 85); **Pages H1546–52, H1556**

Gilman amendment, printed in H. Rept. 106–549, that conditions military assistance for Colombia upon certification by the President that the Government of Colombia has implemented a strategy to eliminate coca and opium poppy production by 2005, grants the head of the Colombian Armed Forces the authority to dismiss personnel for gross violation of human rights, assures that the Armed Forces cooperate with civilian authorities in the investigation and prosecution in civilian courts of human rights, and develops a Judge Advocate General Corps for the Colombian armed forces (agreed to by a recorded vote of 380 ayes to 39 noes, Roll No. 87) ; **Pages H1543–46, H1557–58**

Fowler amendment that expresses the sense of the Congress that members of the Armed Forces and their dependents should not have to rely on the food stamp program; **Page H1563**

Hoekstra amendment, printed in H. Rept. 106–549, that transfers $1 million to the Corporation for National and Community Service Inspector General to conduct reviews and audits of the State Commissions on National and Community Service; **Page H1576**

Largent amendment, printed in H. Rept. 106–549, that makes available $750,000 to the Commission on Online Child Protection; **Page H1577**

Schaffer amendment, printed in H. Rept. 106–549, that requires the GAO conduct and complete a comprehensive fraud audit of the Department of Education; **Pages H1583–84**

Rejected:

Sanford amendment, printed in H. Rept. 106–549, that sought to reduce funding for various programs by $1.6 billion; strike emergency designations to bring all spending on budget and subject to caps; and sequester all funding except defense and disaster relief as offsets (rejected by a recorded vote of 108 ayes to 315 noes, Roll No. 82); **Pages H1514–16**

Obey amendment, printed in H. Rept. 106–549, that sought to reduce funding for counternarcotics by $552 million (rejected by a recorded vote of 186 ayes to 239 noes, Roll No. 84); **Pages H1520–24**

Pelosi amendment that sought to reduce funding for counter-drug activities for Push Into Southern Colombia program by $51 million; **Pages H1524–40**

Ramstad amendment, printed in H. Rept. 106–549, that sought to strike Title I, Counternarcotics, and thereby reduce overall funding by $1.7 billion (rejected by a recorded vote of 158 ayes to 262 noes, Roll No. 86); **Pages H1552–54, H1556–57**

Fowler amendment, printed in H. Rept. 106–549, that sought to prohibit the use of $40 million for a referendum among the residents of Vieques, Puerto Rico regarding further use of the island range by the Navy and require that the President certify that all trespassing and other intrusions on the range have ceased and that comprehensive operational training has resumed before economic development funding of $40 million is made available (rejected by a recorded vote of 183 ayes to 232 noes, Roll No. 88). **Pages H1561–63, H1584–85**

Points of Order Sustained Against:

Taylor of Mississippi amendment, no. 9 and printed in the Congressional Record, that sought to limit the number of military personnel in Colombia; **Pages H1542–43**

Farr amendment that sought to earmark Agency for International Development funding in Bolivia, Ecuador, Peru, and Colombia for alternative economic development activities to be managed by the United Nations Drug Control Program; **Pages H1554–56**

Section 3602 that specifies that the Executive Draft on Federal Transportation in the National Capital Region shall take effect on the date of enactment and requires a study on its implementation within 60 days of enactment; **Pages H1572–73**

Withdrawn:

The Clayton amendment was offered but subsequently withdrawn that sought to make $1 million available for implementation of the Flood Water Mitigation and Stream Restoration Project in Princeville, North Carolina; **Page H1565**

Kaptur amendment was offered but subsequently withdrawn that sought to allocate $130 million for grants and loans for equity capital to establish farmer-owned cooperatives for the processing and marketing of agricultural commodities, including livestock; **Pages H1565–66**

Kilpatrick amendment was offered but subsequently withdrawn that sought to provide an additional $20 million in funding for flood recovery efforts in the Republic of Mozambique and surrounding affected countries; **Pages H1569–70**

Blagojevich amendment was offered but subsequently withdrawn that sought to provide an additional $500 million for youth activities under the Workforce Investment Act; **Pages H1570–71**

Cardin amendment was offered but subsequently withdrawn that sought to increase the limit on Social Security Administration administrative expenses by $336 million; **Pages H1571–72**

Isakson amendment was offered but subsequently withdrawn that sought to provide $225,000 for the Web-Based Education Commission; **Page H1575**

Postponed proceedings:

Weldon of Pennsylvania amendment that provides $10 million for the Volunteer Fire Assistance Program, $80 million for a local government matching Fire Competitive Grant Program, and allow Community Development Block Grants to be used for local fire service use was offered and debated. The Chair postponed further proceedings on the amendment; **Pages H1577–83**

H. Res. 450, the rule that provided for consideration of the bill was agreed to by a yea and nay vote of 241 yeas to 182 nays, Roll No. 81. **Pages H1485–95**

**Order of Business—Emergency Supplemental:** Agreed that during further consideration of H.R. 3908, in the committee of the Whole pursuant to H. Res. 450, no further amendment shall be in order except for pro forma amendments offered by the Chairman or ranking member of the Committee on Appropriations for the purpose of debate; amendment printed in part B of H. Rept. 105–549 and numbered 12; and amendments offered by Representatives Paul, Stearns, Taylor of Mississippi, Traficant, Baldacci, Tancredo, and Kaptur. **Pages H1585–86**

**Senate Messages:** Messages received from the Senate today appears on page H1481.

**Quorum Calls—Votes:** Seven yea and nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H1485, H1494–95, H1515–16, H1519, H1523–24, H1556, H1556–57, H1557–58, and H1584–85. There were no quorum calls.

**Adjournment:** The House met at 10:00 a.m. and adjourned at 12:03 a.m. on Thursday, March 30.

# *Committee Meetings*

## FREEDOM TO E-FILE ACT; FEDERAL FARM POLICY REVIEW

*Committee on Agriculture:* Ordered reported, as amended, H.R. 852, Freedom to E-File Act.

The Committee also held a hearing to review federal farm policy. Testimony was heard from public witnesses.

## COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Commerce, Justice, State, and the Judiciary held a hearing on the FCC. Testimony was heard from William E. Kennard, Chairman, FCC.

## DEFENSE APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Defense continued appropriation hearings. Testimony was heard from Representatives Kilpatrick, Baca, and Roemer; and public witnesses.

## INTERIOR APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Interior held a hearing on the National Park Service. Testimony was heard from Robert Stanton, Director, National Park Service, Department of the Interior.

## LABOR-HHS-EDUCATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education held a hearing on the Railroad Retirement Board, the Institute of Museum and Library Services, the National Education Goals Panel, and the Armed Forces Retirement Home. Testimony was heard from Cherryl T. Thomas, Chair, Railroad Retirement Board; Beverly Sheppard, Acting Director, Institute of Museum and Library Services, National Foundation on the Arts and the Humanities; Ken Nelson, Executive Director, National Education Goals Panel; and David F. Lacy, CEO/Chairman of the Board, Armed Forces Retirement Home.

## TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Treasury, Postal Service, and General Government held a hearing on the GSA and the Administrative Office of the Courts. Testimony was heard from David Barram, Administrator, GSA; and Jane R. Roth, Judge, U.S. Court, Third District.

## VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on VA, HUD and Independent Agencies held a hearing on the EPA. Testimony was heard from various Assistant Administrators of the EPA.

## BUSINESS CHECKING MODERNIZATION ACT

*Committee on Banking and Finance:* Ordered reported, as amended, H.R. 4067, Business Checking Modernization Act.

## RADIO BROADCASTING PRESERVATION ACT; RURAL LOCAL BROADCAST SIGNAL ACT

*Committee on Commerce:* Ordered reported, as amended, H.R. 3439, Radio Broadcasting Preservation Act of 1999.

The Committee also began markup of H.R. 3615, Rural Local Broadcast Signal Act.

## NEW ELECTRONIC MARKET COMPETITION

*Committee on Commerce:* Subcommittee on Finance and Hazardous Materials held a hearing on Competition in the New Electronic Market: Part 1. Testimony was heard from public witnesses.

## EEO DATA AND COMPLAINT PROCESSING PROBLEMS

*Committee on Government Reform:* Subcommittee on Civil Service held a hearing on EEO Data and Complaint Processing Problems. Testimony was heard from Representative Wynn; Carlton Hadden, Acting Director, Federal Operations, EEOC; Michael Brostek, Associate Director, Federal Management and Workforce Issues, GAO; Cynthia Hallberlin, Chief Counsel, Alternative Dispute Resolution Program, National Program Manager of REDRESS, U.S. Postal Service; Roger Blanchard, Assistant Deputy Chief of Staff, Personnel, USAF, Department of Defense; and a public witness.

## ENHANCING COMPUTER SECURITY

*Committee on Government Reform:* Subcommittee on Government Management, Information, and Technology held a hearing on Enhancing Computer Security: What Tools Work Best?'' Testimony was heard from Jack Brock, Director, Governmentwide and Defense Information Systems, GAO; Dave Nelson, Deputy Chief Information Officer, NASA; and a public witness.

## FCC AUTHORIZATION

*Committee on House Administration:* Held a hearing on the Federal Election Commission authorization. Testimony was heard from the following officials of the FEC: Darryl Wold, Chairman; Danny Lee McDonald, Vice Chairman, and Chairman, Finance Committee; and David Mason, Commissioner.

## OIL INDUSTRY SOLUTIONS TO COMPETITIVE PROBLEMS

*Committee on the Judiciary:* Held an oversight hearing on Solutions to Competitive Problems in the Oil Industry. Testimony was heard from Senators Murkowski and Campbell; Representatives Gilman, Sanders, Markey and Weygand; Rich Parker, Director, Bureau of Competition, FTC; Mike Fisher, Attorney General, State of Pennsylvania; and public witnesses.

Hearings continue April 7.

## EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT

*Committee on Rules:* Testimony was heard from Chairman Archer and Representatives Johnson of Connecticut, Hulshof, Rangel and Jefferson on H.R. 7, Education Savings and School Excellence Act of 1999.

## NOAA AUTHORIZATION BUDGET REQUEST

*Committee on Science:* Subcommittee on Energy and Environment held a hearing on Fiscal Year 2001 Budget Authorization Request: NOAA. Testimony was heard from D. James Baker, Administrator, NOAA, and Under Secretary, Oceans and Atmosphere, Department of Commerce; Joel C. Willemssen, Director, Civil Agencies Information Systems, Accounting and Information Management Division, GAO; and Steven J. Brown, Deputy Associate Administrator, Air Traffic Services, FAA, Department of Transportation.

## OVERSIGHT—COAST GUARD ICEBREAKING MISSION

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on the Coast Guard icebreaking mission. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Transportation: Rear Adm. Ernest R. Riutta, USCG, Assistant Commandant, Operations; and Chief Warrant Officer Richard W. Glasgow, USCG, Coast Guard Activities, New York; and public witnesses.

## INTELLIGENCE MATTERS

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on Fiscal Year 2001 Tasking, Processing Exploitation, and Dissemination (TPED, etc.). Testimony was heard from departmental witnesses.

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## COMMITTEE MEETINGS FOR THURSDAY, MARCH 30, 2000

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2001 for Treasury Law Enforcement Bureaus, 9 a.m., SD–192.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for

fiscal year 2001 for the Department of Housing and Urban Development, 9:30 a.m., SD–138.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 2001 for the National Institutes of Health, Department of Health and Human Services, 9:30 a.m., SD–124.

*Committee on the Budget:* business meeting to continue markup of a proposed concurrent resolution setting forth the fiscal year 2001 budget for the Federal Government, 9 a.m., SD–608.

*Committee on Commerce, Science, and Transportation:* to hold hearings on S. 1361, to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, 10 a.m., SR–253.

*Committee on Energy and Natural Resources:* to hold hearings on S. 882, to strengthen provisions in the Energy Policy Act of 1992 and the Federal Nonnuclear Energy Research and Development Act of 1974 with respect to potential Climate Change; and S. 1776, to amend the Energy Policy Act of 1992 to revise the energy policies of the United States in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, 9:30 a.m., SD–366.

Subcommittee on Forests and Public Land Management, to hold oversight hearings on the President's October 1999 announcement to review approximately 40 million acres of national forest lands for increased protection, 2:30 p.m., SD–366.

*Committee on Environment and Public Works:* Subcommittee on Superfund, Waste Control, and Risk Assessment, to hold hearings on the Administration's fiscal year 2001 budget for programs with the Environmental Protection Agency's Office of Solid Waste and Emergency Response, 10:30 a.m., SD–406.

*Committee on Finance:* business meeting to mark up H.R. 6, to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals, 10 a.m., SD–215.

*Committee on Foreign Relations:* to hold hearings to examine the need for nonproliferation policy innovations, 9:30 a.m., SD–430.

Full Committee, meeting to discuss crucial issues before the United Nations, 2 p.m., SD–419.

*Committee on Governmental Affairs:* to hold hearings on the nominations of Alan Craig Kessler, of Pennsylvania, to be a Governor of the United States Postal Service; and Carol Waller Pope, of the District of Columbia, to be a Member of the Federal Labor Relations Authority, 10 a.m., SD–342.

*Select Committee on Intelligence:* to hold closed hearings on pending intelligence matters, 2:15 p.m., SH–219.

*Committee on the Judiciary:* Subcommittee on Constitution, Federalism, and Property Rights, to hold hearings to examine racial profiling within law enforcement agencies, 2 p.m., SD–226.

*Committee on Rules and Administration:* to hold oversight hearings on the operations of the Architect of the Capitol, 9:30 a.m., SR–301.

## House

*Committee on Commerce,* Subcommittee on Energy and Power, hearing on the following bills: H.R. 2335, Hydroelectric Licensing Process Improvement Act of 1999; H.R. 1262, to provide that existing facilities located on the Pentwater River in Michigan, are not required to be licensed by the Federal Energy Regulatory Commission under part 1 of the Federal Power Act; H.R. 3852, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alabama; S. 422, to provide for Alaska state Jurisdiction over small hydroelectric projects; S. 334, to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii; S. 1236, to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho; and S. 1937, to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Administration to join operating entities, 10 a.m., 2322 Rayburn..

Subcommittee on Finance and Hazardous Materials and the Subcommittee on Health and Environment, joint hearing on the EPA's Proposed Budget Request for Fiscal Year 2001, 10 a.m., 2123 Rayburn.

*Committee on Government Reform,* to mark up the following bills: H.R. 4040, Long-Term Care Security Act; and H.R. 2842, Federal Employees Health Benefits Children's Equity Act of 1999, 10 a.m., and to continue hearings on "Missing White House E-Mails: Mismanagement of Subpoenaed Records", 11 a.m., 2154 Rayburn.

*Committee on the Judiciary,* to continue markup of H.R. 1304, Quality Health-Care Coalition Act of 1999; and to mark up the following: H.R. 3767, Visa Waiver Permanent Program Act; H.R. 371, Hmong Veteran's Naturalization Act of 1999; H.R. 3125, Internet Gambling Prohibition Act of 1999; H.R. 3660, Partial-Birth Abortion Ban Act of 2000; and private relief bills, 9:30 a.m., 2141 Rayburn.

Subcommittee on the Constitution, hearing on H.R. 2964, Bounty Hunter Responsibility Act of 1999, 2 p.m., 2237 Rayburn.

Subcommittee on Crime, hearing on H.R. 3380, Military Extraterritorial Jurisdiction Act of 1999, 2 p.m., 2226 Rayburn.

*Committee on Resources,* Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following bills: H.R. 3176, to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii; and H.R. 3292, to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana, 2 p.m., 1324 Longworth.

Subcommittee on National Parks, and Public Lands, hearing on the following bills: H.R. 2919, National Underground Railroad Freedom Center Act; and H.R. 3241, to direct the Secretary of the Interior to recalculate the franchise fee owed by Fort Sumter Tours, Inc., a concessioner providing service to Fort Sumter National Monument in South Carolina, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, oversight hearing on California Central Valley Project (CVP) Operations and the CALFED Program, 10 a.m., 1334 Longworth.

*Committee on Science,* Subcommittee on Technology, hearing on the Changing Face of Healthcare in the Electronic Age, 11 a.m., 2318 Rayburn,

*Committee on Ways and Means,* hearing on the Future of the World Trade Organization, 11 a.m., 1100 Longworth.

Subcommittee on Social Security, hearing on Social Security Program Integrity Activities, 9 a.m., B–318 Rayburn.

*Permanent Select Committee on Intelligence,* executive, briefing with Endeavor Shuttle Mission Astronauts, 12 p.m., and, executive, hearing on Fiscal Year 2001 General Defense Intelligence Program Budget (DIA, S&T Centers, etc.), 1 p.m., H–405 Capitol.

*Next Meeting of the* **SENATE**

**9:30 a.m., Thursday, March 30**

**Senate Chamber**

**Program for Thursday:** Senate will begin consideration of S. 2097, Launching Our Communities' Access to Local Television Act (Satellite Loan Guarantees).

Also, following disposition of S. 2097, Senate will vote on the cloture motion on the motion to proceed to S. 2285, Gas Tax Repeal Act; following which, Senate will begin a period of morning business.

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**10 a.m., Thursday, March 30**

**House Chamber**

**Program for Thursday:** Complete consideration of H.R. 3908, 2000 Emergency Supplemental Appropriations Act.

## Extensions of Remarks, as inserted in this issue

HOUSE

Biggert, Judy, Ill., E438
Condit, Gary A., Calif., E440
DeGette, Diana, Colo., E443
Deutsch, Peter, Fla., E442
Forbes, Michael P., N.Y., E440
Frank, Barney, Mass., E441
Gekas, George W., Pa., E441
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