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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. ISAKSON).

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DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 13, 2000.

I hereby appoint the Honorable JOHNNY ISAKSON to act as Speaker pro tempore on this day.

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

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MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

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THE INTERNET AND THE NEW ECONOMY

Mr. WELLER. Mr. Speaker, today we are enjoying very good economic growth, and I am so proud this Congress played a role by balancing the budget and cutting taxes for the middle class, boosting our economy. The key part of our economy today is what many call the New Economy, the technology economy.

Let me give my colleagues some statistics that really illustrate the role of the new economy in American society. Today, over 100 million Americans are using the Internet, and 7 new people are on the Internet every second. Seventy-eight percent of Internet users almost always vote in national, State and local elections, compared with 64 percent of nonInternet users. It took just 5 years for the Internet to reach 50 million users, much faster than when compared to the traditional electronic media. It took television 13 years to reach 50 million and radio 38 years to reach the same audience.

The Internet economy generated an estimated 302 billion U.S. dollars in revenue in 1998, employing 4.8 million workers. More workers are employed in the technology economy than auto and steel and petroleum combined, and the average high technology wage is 77 percent higher than the average private sector wage elsewhere. As I noted earlier, one-third of all new economic growth is generated by the technology economy.

I am proud to say I am from a technology State. I represent the State of Illinois. Illinois ranks fourth in high technology employment. Illinois ranks third in high technology exports, so Illinois is clearly a technology State. I have had the opportunity many times to talk with friends and neighbors who are involved in the new economy, and we talk about who has access to the Internet. Over 100 million Americans have access to the Internet, are on line, and 7 new Americans go on line for the first time every second. So clearly there is a great opportunity, not only for information, but also for employment and moving up the economic ladder.

They tell me that it seems that the higher the income level of the family, the more likely that they are on line. If a family has an income of $75,000 or more, they are 20 times more likely than a family with a lesser income to have Internet access or a computer at home. When we ask the question of why are they less likely to have Internet access or computers at home, they tell us that it is because of the cost. They would like to have a computer at home for their children to be able to do their school work, they would like their children to have access to the Internet so that they can access the Library of Congress to do their school papers, but they do not feel they can afford it.

So clearly the cost of Internet access creates what some call the digital divide, but clearly as well is the need for an agenda to provide digital opportunity.

When we look at the costs, I believe we have an important choice to make as we talk about the information superhighway and giving every American access to the information superhighway. We have to make a choice, and that choice is do we want the information superhighway to be a tollway or a freeway. Well, clearly, if we want to address the concern that lower and moderate income families have, and that is that cost is the chief barrier, we need to work to make sure that the Internet, the information superhighway, is a freeway.

So many have pointed out that our new economy is growing because of a tax-free, regulation-free, trade barrier-free climate, but we need to move forward again to create more initiatives to continue to work to eliminate the toll booths on the information highway.

I was proud just a few weeks ago to introduce legislation we call the DATA Act, legislation designed to help lower and moderate-income families go on line, to become part of the new economy. Educators back home in the south side of Chicago and the south suburbs that I represent, they tell me that they notice a difference in children who have a computer and Internet access in the home versus those who do

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not, their ability to compete and do their homework.

I am proud to say that some major employers in the Illinois area, as well as across this country, have stepped forward to help solve that so-called digital divide by providing computers and Internet access as a basic employee benefit. What that means is the employees of Ford Motor Company, American Airlines, Delta Airlines and Intel, everyone from the janitor, the laborer, the assembly line worker, the flight attendant, the baggage handler, all the way up through middle management to senior management, will now have computers and Internet access in their homes for their kids to do their school work. It is a wonderful initiative by the private sector and I salute them and congratulate them. As a result of that, 600,000 American working families will have computers and Internet access at home, many who before never could afford it. That is a great thing.

Many in the Fortune 100 are looking to and following the lead of these 4 great companies, but their tax lawyers tell them that if they do, that it will be treated as a taxable employee benefit, meaning the employee will be taxed. I say to my colleagues, let us remove that toll booth. Let us ensure that computers and Internet access as an employee benefit are not taxed, that it is a tax-free employee benefit treated the same as an employer's contribution to a pension or an employer's contribution to health care.

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COMPACT-IMPACT FUNDING FOR GUAM

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

Mr. UNDERWOOD. Mr. Speaker, I rise today to discuss an issue of vital concern to the people of Guam and this concerns Compact-Impact Aid, which is part of the Interior Appropriations bill which will be brought to the floor today.

Compact-Impact Aid is the assistance that is annually given to the people of Guam as compensation for social and educational costs for the unrestricted migration of 3 newly-created independent States in the Central Pacific, the Compact States of the Republic of the Marshalls, the Republic of Palau and the Federated States of Micronesia.

The President's budget for fiscal year 2001 proposes that Guam receive an increase of $5.42 million for Compact-Impact funding in the Department of Interior's Office of Insular Affair's budget, which would bring Guam's total to $10 billion annually. Last year, Guam received a total of $7.58 million, a 3.5 increase from previous years. From fiscal year 1996 to 1999, Guam received $4.58 million annually. Annual actual Compact-Impact costs for all of the social and educational costs to the government of Guam as a result of this free and unrestricted migration are actually estimated to be between $15 million to $20 million annually.

Unfortunately, this year's Interior Appropriations provides only $4.58 million to Guam because of budgetary scoring problems that the House Committee on Appropriations had with the way in which the administration had identified the source of funding within the Office of Insular Affairs. This is a very serious issue which hopefully will be resolved in the context also of current renegotiations of these Compacts between the United States and the Federated States of Micronesia and the Republic of the Marshall Islands.

I simply want to emphasize that Compact-Impact Aid has been a Federal responsibility since 1986 which has only recently been addressed for Guam, and 1986 was the year that these Compacts went into effect. I understand that the House Committee on International Relations Subcommittee on Asia and the Pacific will be holding an oversight hearing later on this month, and I certainly hope, and I plan to raise the issues of migration of FAS citizens at this important hearing.

The issue of Compact-Impact Aid is not new. Funding authority for Compact-Impact assistance to Guam stems from the 1986 law which governs the relationship between the United States and these newly-created nations. Section 104(3)6 pertains to impact costs and states: ''There are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985 such sums as may be necessary to cover the costs, if any incurred, by the State of Hawaii, the territories of Guam and American Samoa, and the Commonwealth of the Northern Mariana Islands resulting from any increased demands placed on educational and social services by immigrants from the Marshall Islands and the Federated States of Micronesia.''

Since Guam is clearly the most economically developed island in the central Pacific and because of its geographical proximity, the vast majority of these immigrants come to Guam. Under the Compact Agreement, it also states that ''It was not the intent of the Congress to cause any adverse consequences for the U.S. territories and commonwealths or the State of Hawaii.''

It also states that if any adverse consequences occur, Congress will act sympathetically and expeditiously to redress these adverse consequences.

We are now in the 15th year of the implementation of these contracts, and while I appreciate all of the sympathy that Congress could perhaps give on this issue, I certainly expect more expeditious action, particularly in the reimbursement of costs that are incurred directly by the taxpayers of Guam.

Guam's unemployment rate is currently over 15 percent, and from mid 1997 to mid 1998, the total of Compact migrants to Guam was over 7,000. This is a population of 140,000, and this exceeds the numbers that are going to Hawaii and other areas.

This is not the same as problems normally referred to in addressing the impact of immigrant issues in the 50 States. The obligation to Guam is clear in the law; the obligation is written into the treaties of free association between these new countries and the United States, and the obligation to the people of Guam is clear. I am hopeful that we will be able to work on this through the process of conferencing, and we are grateful for the fact that this still remains a high priority for the Clinton administration.

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STOP TB NOW ACT FOR EFFECTIVE TUBERCULOSIS TREATMENT

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

Mr. BROWN of Ohio. Mr. Speaker, tuberculosis is the greatest infectious killer of adults worldwide. It is the biggest killer of young women. tuberculosis kills 2 million people each year, 1 percent around the world every 15 seconds. Tuberculosis hit an all-time high in 1999 with 8 million new cases, 95 percent of them in the developing world.

We have a small window of opportunity during which stopping tuberculosis is very cost-effective. The costs of Directly Observed Treatment, Short Course, so-called DOTS, can be as little as $20, that is $20 to save a life. If we wait, if we go too slowly, so much drug-resistant TB will emerge that it will cost billions of dollars to control with little guarantee of success. Multidrug resistant TB is more than 100 times more expensive to cure than nondrug resistant TB.

I have introduced the Stop TB Now Act with the gentlewoman from Maryland (Mrs. MORELLA) in an effort to control tuberculosis. The bill authorizes $100 million to USAID for tuberculosis control in high incidence countries, mostly using the Directly Observed Treatment, Short Course, so-called DOTS. It calls on USAID to collaborate its efforts with CDC, the World Health Organization, the National Institutes of Health and other organizations with tuberculosis expertise. The measure provides funding for combating Multi-Drug Resistant TB, which is spreading at an alarming rate.

Multi-drug resistant TB has been identified on every continent. According to the World Health Organization, multi-drug resistant tuberculosis ultimately threatens to return TB control to the preantibiotic era where no cure for TB was available. An effective DOTS cure program can prevent the development of multi-drug resistant tuberculosis.

A recent World Health Organization study in India found in areas where effective TB treatment was implemented, the death rate from tuberculosis fell by more than 85 percent. TB accounts for one-third of AIDS deaths worldwide and up to 40 percent of AIDS deaths in Asia and in Africa. Eleven million people are currently affected with TB around the world and with HIV. The good news is that TB treatment is equally effective in HIV positive and HIV negative people. So if we want to improve the health of people with HIV, we must address the issue of tuberculosis.

WHO estimates that one-third of the world's population is infected with the bacteria that causes tuberculosis; two billion, two billion people. An estimated 8 million people develop active tuberculosis each year, and roughly 15 million people in the United States are infected with tuberculosis.

The threat TB poses for Americans derives from the global spread of tuberculosis and the emergence and spread of strains of tuberculosis that are multi-drug resistant.

Up to 50 million people worldwide may be infected with drug-resistant tuberculosis. Incidence is particularly high in selected regions and populations such as Russian prisons where an estimated 5 percent of prisoners have active multi-drug resistant TB. In the U.S., TB treatment, normally about $2,000 per patient, skyrockets to as much as $250,000 per patient, as it did in New York City in the early 1990s when we had to treat multi-drug resistant tuberculosis. Treatment may not even be successful. MDR drug-resistant TB kills more than half those infected, even in the United States and in other industrialized nations, and it is a virtual death sentence in the developing world.

The President recently visited India. I contacted him before that trip to discuss our bill. India has more tuberculosis cases than anywhere else in the world. Their situation illustrates the urgency of this issue. Two million people in India develop TB every year, and nearly 500,000 die from it each year. More than 1,000 Indians a day die from this infectious disease. The disease has become a major barrier to social and economic development, costing the Indian economy $2 billion a year. Three hundred thousand children are forced to leave school in India each year because their parents have tuberculosis, and more than 100,000 women with TB are rejected by their families due to social stigma.

India has undertaken an aggressive campaign to control tuberculosis, but they also need western help. Not surprisingly, the statistics on access to TB treatment worldwide are pretty grim. Fewer than 1 in 5 of those with TB are receiving DOTS treatment. Based on World Bank estimates, DOTS treatment is one of the most cost-effective health interventions available, costing the developing world as little as $20 to save a life. DOTS can produce cure rates of 85, 90, even 95 percent, even in the poorest countries.

Mr. Speaker, Gro Bruntland, the Director of WHO, has said that TB is not a medical issue, but a political issue. We have an opportunity to save millions of lives now and prevent millions of needless deaths in the future.

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RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 18 minutes a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. QUINN) at 10 a.m.

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PRAYER

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

Almighty God, ever present and Lord of history, throughout the ages You have drawn our attention and told us: ''You are a chosen race, a royal priesthood, a holy nation, a people truly set apart as God's own.''

Frankly, Lord, You overwhelm us. We wrestle with the times in which we live because they demand so much from us. We wrestle with Your own deep calling which dignifies us yet demands great responsibility.

Empower us to live up to Your expectations as uniquely chosen to guide the course of human events in this holy Nation.

We are dedicated to serve You by lifting up the sacrifice of work today.

We embrace this work as dedicated service to You, Our God, and as service to the holy people we represent.

Since You have called us to this task, You will surely gift us with Your Spirit, transforming each aspect of our work into an act of worship; transcending all barriers and distinctions into realizing a deeper unity at work in us, Your Spirit, now and forever. Amen.

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THE JOURNAL

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

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

Mr. FOLEY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Chair'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. FOLEY. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

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

The point of no quorum is considered withdrawn.

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PLEDGE OF ALLEGIANCE

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

Mr. BARTLETT of Maryland led the Pledge of Allegiance as follows:

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

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minutes on each side.

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PRESS USE OF TERM ''CONSERVATIVE''

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

Mr. PITTS. Mr. Speaker, Caspar Weinberger, our former Secretary of Defense, wrote a short column for Forbes Magazine recently that should make every conservative and every journalist stop and think for a moment.

Let me quote: ''Why is it,'' the magazine asks, ''that the press always calls the worst elements in Iran the 'conservatives' and refers to the group identified with President Khatami as the 'reformers' or even the 'liberals'?

''The fanatical mullahs who rule Iran . . . oppose human rights, freedom of speech and religion, and all other manifestations of an individual's right to achieve all he or she can.

''They believe in an all-powerful state, ruled by them, where the individual does not count.

''This is not conservatism.

''While President Khatami is not pro-America, he and certainly some of his followers believe in human rights and far more personal freedom than do the clerics.

''That is conservatism.''

Mr. Speaker, we have to wonder what definition our friends in the Fourth Estate are using. Listen to their language. Is anyone they do not like a conservative?

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VOTE AGAINST THE LABOR-HHS-EDUCATION APPROPRIATIONS BILL

(Ms. BALDWIN asked and was given permission to address the House for 1 minute.)

Ms. BALDWIN. Mr. Speaker, I rise today in opposition to the fiscal year 2001 Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act.

Studies show that smaller class sizes help teachers provide more personal attention to students. Teachers are then able to spend less time on discipline, more on instruction for the students that they serve. This helps students receive a stronger foundation in basic skills, skills that will help them succeed in the 21st century economy. The economic function of education must not be overlooked if today's students are to compete in our rapidly growing global economy. I believe that we must ensure that young children have the kind of one-on-one contact with teachers that smaller class sizes will permit.

This bill does not include funding to hire new teachers to reduce class sizes. Let us stop talking about improving education and put our resources into the classrooms. I urge my colleagues to vote against this bill.

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CONDEMNING IRAN OVER THE DETENTION AND TRIAL OF 13 JEWS

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

Mr. FOLEY. Mr. Speaker, today I rise to condemn the actions of Iran in accusing and now trying 13 Jews for allegedly spying for Israel and the United States.

All 13 have been jailed and isolated for more than a year without being formally charged with anything. They are now being formally tried, again without formal charges having been brought.

Mr. Speaker, we are talking about a group of people aged 17 to 48 who are among the least likely to ever be involved in espionage. We are talking about a rabbi, a student, three Hebrew teachers, a shoe store clerk, and a kosher butcher.

They are now confronting a judge who has it in his power to execute them on grounds that are unsupported and without evidence.

All 13 were arrested by the authorities of the Islamic Republic on the eve of Passover in 1999. They have had little access since then to either family or legal counsel.

Mr. Speaker, I think this Congress should rise as one voice repeatedly and repeatedly to condemn this trial and to demand that Iran release these people back to their families and to freedom. This trial is a sham, and it should be treated as one by the world.

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NEW JERSEY DEVILS ARE NEW JERSEY'S ANGELS

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

Mr. ROTHMAN. Mr. Speaker, it is my great pleasure to rise today to honor the New Jersey Devils as the 2000 Stanley Cup champions.

The Devils play a brand of hockey that typifies New Jersey. They are tough competitors led by their captain and playoff MVP, Scott Stevens, whose hard-nosed play shut down the best offensive players in the game. In the finals, they were the underdogs against the defending champs, and we in New Jersey love an underdog.

With a stone wall for a goal tender in Martin Brodeur, the offensive firepower of Jason Arnott, Patrick Elias and Peter Sykora, and a quartet of rookies, including the first Hispanic American player drafted in the first round, Scott Gomez, the Devils fought late into the night in sudden death double overtime on Saturday. In the end, it was the sweet passing from Stevens to Elias to Arnott for the game-winning goal that brought the Cup back to East Rutherford, New Jersey.

Mr. Speaker, the New Jersey Devils are the Stanley Cup champions once again. In the hearts of New Jerseyans, in bringing this Stanley Cup back to New Jersey, these Devils are our angels.

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PRESCRIPTION DRUG COVERAGE

(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, Republicans believe that no senior citizen or disabled American should be forced to choose between buying food or buying the prescription drugs necessary to keep them alive.

Prescription drugs have become a major component of quality health care in America, and they have saved and improved many lives.

But these miracles frequently come with a substantial price tag, one that many Medicare recipients on fixed incomes cannot afford without insurance.

Republicans believe the way to solve this dilemma is to create a fair and responsible prescription drug plan that is affordable, available, and voluntary for all Medicare beneficiaries.

It is the right and moral thing to do. By making prescription drug coverage accessible to everyone. Republicans want to make sure that no senior citizen or disabled American falls through the cracks.

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CONGRATULATING NEW JERSEY DEVILS ON WINNING STANLEY CUP

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

Mr. PASCRELL. Mr. Speaker, early Sunday morning, throughout New Jersey, one could hear screams of joy coming from thousands of homes, diners, and bars. Jason Arnott had just scored the shot heard around the Garden State.

After last night, we have some levity and relaxation. I think it is good in the House this morning.

I rise to congratulate the Devils. This is a prize that has been given to the best hockey team in the world. This year, we will have our very own New Jersey Devils inscribed upon it for the second time in 5 years.

Over the past season, the Devils, who practice at beautiful South Mountain Arena in West Orange, have taken New Jersey fans on a roller coaster season we will soon not forget.

We have watched the break-out seasons of potential rookie of the year and, as Congressman Rothman mentioned, the first Hispanic national hockey league star, Scott Gomez, as well as the short-handed goal prowess of former Wolverine John Madden.

No player he faced or hit will forget the awe-inspiring and inspirational play of Captain Scott Stevens, which earned him the coveted Conn Smythe Trophy as playoff most valuable player.

It is a great happy day for New Jersey, for the Devils, and again, after last night, a point of relaxation for the Congress. We deserve it.

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IN MEMORY OF REVEREND MONSIGNOR THOMAS WELLS

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

Mrs. MORELLA. Mr. Speaker, the Reverend Monsignor Thomas Wells, 56, of Germantown, Maryland, pastor of Mother Seton Catholic Parish in Germantown, died Thursday, June 8, in the parish rectory. He was the victim of an apparent breakin and killed after a violent and bloody struggle with the intruder.

This morning, at 11 o'clock, a funeral mass will be celebrated by Cardinal James A. Hickey at the Sacred Heart Church, which is one of the churches that Monsignor Wells served.

What can I say about a man who was in his prime, who was a shepherd to a community, whether they belonged to his faith or not.

I talked to some of the congregants who made statements, such as, ''He was only the pastor at Mother Seton for about a year and a half, but he touched so many people in the 2,000-member congregation, just as he touched those in other parishes that he served.''

He had served in 5 parishes within the last 3 decades in the State of Maryland. The churches where he served over the past 30 years had been filled in recent years with people who loved the priest for whom they now pray. They are overwhelmed by grief.

He encouraged a lot of the young people. He inspired all who knew him. He was warm, friendly. He had a tremendous sense of humor. He always gave very exciting sermons, motivating people to be the best and to do the most for others.

One can see that the light of God was within him. He was a very holy man, not just by his position in the church

as monsignor, but by the way he helped people.

Articles in the paper pointed out story after story of how he reached out and helped the community. The community grieves for him. He preached a lot about love. He remembered that Thornton Wilder wrote, ''there is a land of the living and a land of the dead, and the bridge is love, the only survival and the only meaning.''

Monsignor Wells will live on in love.

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DEPARTMENT OF LABOR ASLEEP ON THE JOB WHEN IT COMES TO HIGH-TECH JOB CREATION

(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, the Department of Labor is bragging about all the new high-tech jobs they created. Let us check a few of them out. Dust collector, potato peeler, pretzel twisting, mattress testing, pillow stuffer, brassiere cup molder cutter, and panty hose crotch closer.

Does that mean, Mr. Speaker, there is a panty hose crotch closer supervisor job that has been created? What is next? A pocket scientist? Beam me up.

Evidently, the Department of Labor worked so hard that, even when they are sleeping, they are sleeping on the job, Mr. Speaker.

I yield back that the only high tech of the Department of Labor is they are probably getting higher.

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BLAME WHITE HOUSE FOR HIGHER GAS PRICES

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

Mr. DUNCAN. Mr. Speaker, we understand that today there is tremendous growing concern about the rapidly increasing price of gasoline in this country. The American people need to know that the President, in 1995, vetoed legislation which would have allowed drilling and oil exploration in one tiny portion of the coastal plain of Alaska. Less than 3,000 acres out of the 19.8 million acre Arctic National Wildlife Refuge contains what the geologic survey tells us is up to 16 billion barrels of oil. This is 30 years of Saudi oil.

The President also signed an Executive Order putting 80 percent of the outer continental shelf off limits for oil drilling. This is many billions more barrels of oil in those areas. So if the American people like higher oil prices, they should write the White House and thank them, because that is where the blame and the responsibility lies.

Gas prices could be much, much lower if the President had not vetoed that 1995 legislation and if he would allow more oil drilling and exploration in the outer continental shelf.

SPENDING CUTS TO EDUCATION IN LABOR-HHS-EDUCATION APPROPRIATIONS BILL

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

Mr. UDALL of New Mexico. Mr. Speaker, as we move from budget and taxes to appropriations, we learn the true priorities of our colleagues on the other side of the aisle.

We have seen a trillion dollar tax cut, and we have seen this trillion dollar tax cut divided into smaller pieces: Marriage tax and estate tax. But the bottom line is these are tax cuts which are targeted at a very few of our most privileged in our society.

Now we bring forward today an education bill which provides no money for critical school modernization, for class size reduction, and for targeting low performing schools.

Mr. Speaker, I urge all of my colleagues to vote against this misguided legislation.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. QUINN). Pursuant to clause 8 of rule XX, the Chair will now put the question on the Speaker's approval of the Journal on which further proceedings were postponed earlier today, and then on the motion to suspend the rules on which further proceedings were postponed on Monday, June 12.

Votes will be taken in the following order:

The Journal's approval, by the yeas and nays; and

H.R. 4079, also by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

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THE JOURNAL

The SPEAKER pro tempore. 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 on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 329, nays 66, answered ''present'' 1, not voting 38, as follows:

[Roll No. 257]

YEAS—329

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Coyne
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
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)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
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
Spence
Spratt
Stabenow
Stenholm
Stump
Sununu
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tierney
Towns
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (FL)

NAYS—66

Aderholt
Baird
Bilbray
Borski
Brady (PA)
Capuano
Clay
Coburn
Condit
Costello
Crane
DeFazio
Dickey
English
Etheridge
Filner
Gibbons
Green (TX)
Gutknecht
Hastings (FL)
Hefley
Hill (MT)
Hilliard
Hooley
Hulshof
Jefferson
Johnson, E. B.
Klink
Kucinich
Lewis (GA)
LoBiondo
McDermott
McNulty
Miller, George
Moran (KS)
Oberstar
Olver
Pallone
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Ramstad
Riley
Rogan
Rothman
Sabo
Sanchez
Sanford
Schaffer
Slaughter
Stark
Stupak
Sweeney
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Weller
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—38

Baldacci
Bishop
Boehner
Bono
Campbell
Chenoweth-Hage
Cook
Cox
Cramer
Danner
DeMint
Deutsch
Doyle
Engel
Fattah
Gephardt
Gillmor
Goodlatte
Gordon
Hinchey
John
Jones (OH)
LaTourette
Manzullo
Markey
McCollum
Owens
Sanders
Stearns
Strickland
Talent
Toomey
Turner
Vento
Waters
Watts (OK)
Weldon (PA)
Young (AK)

□ 1042

So the Journal was approved.

The result of the vote was announced as above recorded.

□

REQUIRING FRAUD AUDIT OF DEPARTMENT OF EDUCATION

The SPEAKER pro tempore (Mr. QUINN). The unfinished business is the question of suspending the rules and passing the bill, H.R. 4079, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HOEKSTRA) that the House suspend the rules and pass the bill, H.R. 4079, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 380, nays 19, answered ''present'' 1, not voting 34, as follows:

[Roll No. 258]

YEAS—380

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clement
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
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
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
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
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (FL)

NAYS—19

Capuano
Clay
Clayton
Clyburn
Conyers
Filner
Hastings (FL)
Hilliard
Hoyer
Jackson-Lee (TX)
Johnson, E. B.
Lee
Lofgren
McDermott
Nadler
Payne
Scott
Towns
Wynn

ANSWERED ''PRESENT''—1

Frank (MA)

NOT VOTING—34

Baldacci
Bishop
Boehner
Campbell
Chenoweth-Hage
Cook
Cox
Danner
DeMint
Deutsch
Doyle
Engel
Fattah
Gephardt
Gillmor
Goodlatte
Gordon
Jones (OH)
LaTourette
Manzullo
Markey
McCollum
Obey
Owens
Sanders
Strickland
Talent
Toomey
Turner
Vento
Waters
Watts (OK)
Weldon (PA)
Young (AK)

□ 1051

Mr. NADLER changed his vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MANZULLO. Mr. Speaker, I want the record to reflect that had I been present for the vote on H.R. 4079, requiring an Audit for the Department of Education, I would have voted ''yea''.

□

PERSONAL EXPLANATION

Mr. OWENS. Mr. Speaker, I was unavoidably absent on a matter of critical importance and missed the following votes:

On passage of the Journal, I would have voted ''yea''.

On the bill, H.R. 4079, to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education, introduced by the gentleman from Michigan, Mr. HOEKSTRA, I would have voted ''yea''.

□

PERSONAL EXPLANATION

Mr. BALDACCI. Mr. Speaker, this morning, I was unavoidably detained at the White House at the release of a rural prescription drug coverage report with President Clinton. I missed rollcall vote 247 (approving the journal) and rollcall vote 248 (passage of H.R. 4079). Had I been present, I would have voted ''yes'' on both.

□

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4577, and that I may include tabular and extraneous material.

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

There was no objection.

□

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 518 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4577.

□ 1054

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 further consideration of the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Monday, June 12, 2000, Amendment No. 24 by the gentleman from Wisconsin (Mr. OBEY) had been withdrawn and the bill was open for amendment from page 37, line 13, through page 38, line 5.

Pursuant to the order of the House of that day, no further amendments shall be in order except pro forma amendments offered by the chairman and ranking member or their designees; the amendment printed in part B of House Report 106–657; the remaining amendments listed in the order of the House of Thursday, June 8, 2000, as modified; and the following further amendments, which may be offered by the Member designated in the order of the House or a designee, or the Member who caused it to be printed or a designee, shall be considered read, shall be debatable for 10 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;

an amendment by the gentleman from Florida (Mr. YOUNG) regarding an across-the-board reduction;

an amendment by the gentleman from Michigan (Mr. HOEKSTRA) regarding reductions in education for the disadvantaged, Impact Aid, school improvement programs, and bilingual and immigrant education and increase in special education;

an amendment by the gentleman from Colorado (Mr. SCHAFFER) regarding reduction in education research, statistics, and improvement and increase in special education;

an amendment by the gentleman from Colorado (Mr. SCHAFFER) regarding reduction in Even Start and increase in special education for grants to States;

an amendment by the gentleman from Colorado (Mr. SCHAFFER) regarding reduction in Job Corps training and increase in special education for grants to States;

an amendment by the gentleman from Colorado (Mr. SCHAFFER) regarding reduction in the United States Institute of Peace and increase in special education for grants to States;

an amendment by the gentleman from Oklahoma (Mr. COBURN) regarding fetal tissue research;

an amendment by the gentlewoman from Ohio (Ms. KAPTUR) regarding a report on the impact of PNTR on United States jobs;

an amendment by the gentleman from Vermont (Mr. SANDERS) regarding NIH;

an amendment by the gentleman from Ohio (Mr. HALL) regarding additional funding for Meals on Wheels; and

the amendments printed in the CONGRESSIONAL RECORD numbered 1, 2, 3, 4, 5, 7, 182, 183, 184, 185, 186, 189, 190, 191, 192, 196, 198 and 201.

The Clerk will read.

The Clerk read, as follows:

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: *Provided*, That notwithstanding section 2003(c) of such Act, as amended, the amount specified for allocation under such section for fiscal year 2001 shall be $1,700,000,000.

CHILDREN AND FAMILIES SERVICES PROGRAMS

(INCLUDING RESCISSIONS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105–89), the Abandoned Infants Assistance Act of 1988, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public law 103–322; for making payments under the Community Services Block Grant Act, section 473A of the Social Security Act, and title IV of Public Law 105–285; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, section 5 of the Torture Victims Relief Act of 1998 (Public Law 105–320), sections 40155, 40211, and 40241 of Public Law 103–322 and section 126 and titles IV and V of Public Law 100–485, $7,231,253,000, of which $43,000,000, to remain available until September 30, 2002, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670–679); of which $595,376,000 shall be for making payments under the Community Services Block Grant Act; and of which $5,667,000,000 shall be for making payments under the Head Start Act, of which $1,400,000,000 shall become available October 1, 2001 and remain available through September 30, 2002: *Provided*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

Funds appropriated for fiscal year 2001 under section 429A(e), part B of title IV of the Social Security Act shall be reduced by $6,000,000.

Funds appropriated for fiscal year 2001 under section 413(h)(1) of the Social Security Act shall be reduced by $15,000,000.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 430 of the Social Security Act, $305,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $4,863,100,000;

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, for the first quarter of fiscal year 2002, $1,735,900,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, $925,805,000: *Provided*, That notwithstanding section 308(b)(1) of the Older Americans Act of 1965, as amended, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995: *Provided further*, That in considering grant applications for nutrition services for elder Indian recipients, the Assistant Secretary shall provide maximum flexibility to applicants who seek to take into account subsistence, local customs, and other characteristics that are appropriate to the unique cultural, regional, and geographic needs of the American Indian, Alaska and Hawaiian Native communities to be served.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $206,780,000, together with $5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,394,000: *Provided*, That, for the current fiscal year, not more than $120,000,000 may be made available under section 1817(k)(3)(A) of the Social Security Act (42 U.S.C. 1395i(k)(3)(A)) from the Health Care Fraud and Abuse Control Account of the Federal Hospital Insurance Trust Fund for purposes of the activities of the Office of Inspector General with respect to the Medicare and Medicaid programs.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $18,774,000, together with not to exceed $3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $16,738,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, disease and chemical threats to civilian populations, $236,600,000: *Provided,* That this amount is distributed as follows: Centers for Disease Control and Prevention, $182,000,000, of which $30,000,000 shall be for the Health Alert Network; and Office of Emergency Preparedness, $54,600,000. In addition, $114,040,000 shall be available to the Centers for Disease Control and Prevention for the following activities: $61,000,000 for international HIV/AIDS programs; $25,000,000 for global polio eradication activities; $18,040,000 for continued study of the anthrax vaccine; and $10,000,000 for activities related to the West Nile-like virus. In addition, $100,000,000 shall be available to support the Ricky Ray Hemophilia Relief Fund Act of 1988: *Provided further,* That, notwithstanding any other provision of law, up to $8,000,000 of the amount provided for the Ricky Ray Hemophilia Relief Fund Act may be available for administrative expenses of the Health Resources and Services Administration. In addition, $50,000,000 shall be available to the Office of the Secretary for minority AIDS prevention and treatment activities: *Provided further,* That the entire amount under this heading is hereby designated by the Congress to be emergency requirements 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 under this heading shall be made available only after submission to the Congress of a formal budget request by the President 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: *Provided further,* That no funds shall be obligated until the Department of Health and Human Services submits an operating plan to the House and Senate Committees on Appropriations.

POINT OF ORDER

Mr. COBURN. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. COBURN. Mr. Chairman, on page 44, beginning on line 4 with the word ''provided'' and continuing through the colon on line 14, constitutes legislating on an appropriation and is, therefore, a violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. PORTER. Mr. Chairman, this is the money for bioterrorism; and it has historically for the last 3 years been designated an emergency. We have designated it as an emergency in this bill. But the point of order of the gentleman is correct, and we would have to concede it.

Mr. OBEY. Mr. Chairman, I would also like to be heard on the point of order.

Mr. Chairman, if I understand it correctly, the point of order of the gentleman is being lodged to the proviso that begins on line 4, page 44; is that correct?

The CHAIRMAN. Two provisos.

□ 1100

Mr. OBEY. All right, Mr. Chairman, both provisos down through line 14?

The CHAIRMAN. That is correct.

Mr. OBEY. Mr. Chairman, as I understand it, if that proviso is stricken, then the CBO is estimating that this bill will be $479 billion above the budget cap in budget authority and $1.7 billion in outlays.

I want to make sure I understand what these numbers are. I understand that the committee itself is estimating that if the supplemental passes that, then this bill would be in excess of the budget cap by $500 million in budget authority and $217 million in outlays.

Since the argument is being made that Democratic amendments are breaching the ceilings, I think it is interesting to note that if this point of order lies, that the committee bill itself will be in excess of the amount in the budget resolution.

I would ask either the gentleman from Illinois (Mr. PORTER) or the gentleman from Oklahoma (Mr. COBURN), do these numbers correspond with your understanding of the situation?

Mr. COBURN. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Oklahoma.

The CHAIRMAN. The gentleman from Wisconsin may not yield. The Chair hears argument from each member in his own time.

Mr. OBEY. Mr. Chairman, I got my answer, so I appreciate it. And we concede the point of order.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Oklahoma (Mr. COBURN) makes a point of order that the provision beginning with ''provided'' on page 44, line 4, through ''as amended'' on line 14 changes existing law in violation of clause 2(b) of rule XXI.

The provision designates an amount as emergency spending for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985. As stated on page 796 of the House Rules and Manual, such a designation is fundamentally legislative in character.

Accordingly, the point of order is sustained and the provision is stricken.

The Clerk will read.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided,* That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer: *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. 207. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided,* That the Congress is promptly notified of the transfer.

SEC. 208. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided,* That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further,* That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 211. SUBSTANCE ABUSE.—With respect to fiscal year 2001, the amount of an allotment of a State under section 1921 of the Public Health Services Act shall not be less than the amount the State received under such section for fiscal year 2000 increased by 33.33 percent of the percentage by which the amount allotted to the States for fiscal year 2001 exceeds the amount allotted to the States for fiscal year 2000.

SEC. 212. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of title II of the bill through page 48, line 25, 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 Illinois?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 213. None of the funds in this Act or any other Act may be used to obligate funds for the National Institutes of Health in excess of the total amount identified for this purpose for fiscal year 2001 in the President's budget request (H. Doc 106–162): *Provided,* That none of the funds made available for each Institute, Center, Office, or Buildings and Facilities shall be reduced below the amounts shown in the budget request column of the table printed in the report accompanying the bill making appropriations for the Departments of Labor, Health and Human Services, Education, and Related Agencies for fiscal year 2001.

AMENDMENT NO. 13 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer Amendment No. 13.

The CHAIRMAN. Is the gentlewoman from California a designee of the gentleman from Wisconsin (Mr. OBEY)?

Ms. PELOSI. Yes, I am, Mr. Chairman.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Ms. PELOSI:

Page 49, strike line 1 through 12 (section 213).

The CHAIRMAN. Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from California (Ms. PELOSI) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

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

Mr. Chairman, I am introducing this amendment to add $1.7 billion to the NIH budget. That would bring us to an increase of $2.7 billion in this bill, which will keep us on track for doubling NIH budget in 5 years.

The distinguished chairman of our committee, the gentleman from Illinois (Mr. PORTER), has long been a champion and advocate for the National Institutes of Health. It is a sad thing then to see in this bill that we cannot stay on track.

Why can we not? We cannot stay on track because of the bad budget numbers that have reduced a bad result in this bill, as I said, when we talked about this during general debate, when they asked the question why do so many excellent mathematicians come out of MIT, because so many good mathematicians go into MIT.

Why, conversely, do so many bad results come out of this appropriations process? Because a bad budget bill went into this appropriations process, because that budget agreement, that budget bill insists on a huge tax cut for the wealthiest Americans.

If the majority were willing to cut that tax break for the wealthiest 1 percent in our country by 20 percent, we would have more than enough money to cover all of the amendments that we are talking about in the course of this debate on this legislation; whether it deals with afternoon childcare or worker training or increasing the funding at the National Institutes of Health; whether we are talking about having more funds available to stop substance abuse in our country.

The list goes on and on, but who benefits instead? The wealthiest 1 percent in our country. Indeed, that same wealthiest 1 percent would benefit from increased investments at the National Institutes of Health. Members all know that the National Institutes of Health almost has a biblical power to cure every person in America, rich or poor, who is one episode, one diagnosis, one accident away from needing access to excellent health care. The research at the National Institutes of Health can find cures.

We have far more scientific opportunity and applications for excellent grants than we are able to meet with appropriate funding. Mr. Chairman, again, the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY) have both been longtime champions of increased funding at NIH, but that cannot happen in this bill, sad to say.

In fact, in the bill before us it says that we have a $2.7 billion increase, recognizing the need that my amendment spells out; yet a provision in the back of the bill limits the amount appropriated each of the accounts to the level requested by the President.

I will have more to say on this, Mr. Chairman, after we hear from some of our other colleagues.

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

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. SESSIONS) assumed the Chair.

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MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. McDevett, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

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DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

The CHAIRMAN. Does the gentleman from Illinois (Mr. PORTER) rise in opposition?

Mr. PORTER. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Illinois is recognized for 15 minutes.

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

Mr. Chairman, as I said to the gentlewoman from California (Ms. PELOSI) in full committee markup of this bill, this amendment, of course, tests my resolve more than any other of your theme amendments.

I consider the funding for NIH to be of the highest priority I would very much have liked to put into this bill the full 15 percent increase that I believe is necessary and proper. Such funding is among the best spent money in government to continue on our path of doubling NIH over a 5-year period. Unfortunately, the allocation was not sufficient to do so.

We have in the bill a limitation to limit the obligation to the President's budget, which is a $1 billion increase less the cap and comes out to probably 4 percent to 5 percent, rather than the 15 percent that we favor.

However, the gentlewoman has just used this amendment to make a number of political points, and I would simply say to the gentlewoman she ought to look at the history of funding for NIH. It indicates that the President of the United States has put this at a very, very low priority in all of his budgets for the last 5 years, while the majority party has put it at a very, very high priority.

Congress has provided a total of $7.8 billion in cumulative increases for NIH as opposed to the $4.3 billion requested by the President over the last 5 years. We have put NIH on a funding path to

double its level in 5 years, we have made two down payments and are committed, within the fiscal responsibility, to making the third payment this year.

We cannot do it within the allocation that we have, but we are committed to making that third payment this year.

I would not say that this was done on a partisan basis. It has been a bipartisan effort. It has been supported by both sides of the aisle. I know, and the gentlewoman from California (Ms. PELOSI) knows that there are more scientific opportunities today. Increased funding can lead to cures for major diseases like Alzheimer's disease Parkinson's disease, forms of cancer, diabetes and a host of other diseases is closer than it ever has been before.

We are doing all that we can to get to achieve the 15% increase, but we are constrained by a budget allocation that is not sufficient to allow us to do it at this point.

I know that the gentlewoman herself is committed to reaching that point. What I do not like to see is making political points. This leads us away from the importance of this funding and makes this seem a political clash.

I would simply point out that we have made great progress. We are committed to making continued progress. We believe that this funding can lead to scientific discovery that will help people who need help. It will lead to longer and more healthy lives for all the American people and, perhaps, all the people in this world. This is the best spent money, because it leads ultimately to driving down health care costs in our society. If we work together, we can achieve a result that we can all be proud of in doubling funding for NIH over a 5-year period.

In the 5 years that I have been chairman, 1995 to now, we have increased funding for NIH by 58 percent. If we can double it this year, we will be at 82 percent over that 6-year period, and I simply believe that this is not the proper context to raise political issues. This is something that all of us are committed to accomplishing.

We have made great progress, and we are very hopeful that we will make the kind of progress that all the American people can be proud of in the end.

Mr. WICKER. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Mississippi.

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

I, too, agree, Mr. Chairman, that it is unfortunate that this debate is being used to make political points. NIH and health research has certainly been something that this committee and this subcommittee has approached on a bipartisan basis. And I must say that the gentleman in the well, the gentleman from Illinois (Mr. PORTER), who is in his last year as subcommittee chairman, is leaving a rich legacy of bipartisanship and also support for real programs for real people, improving their health.

Under his leadership, this subcommittee and this committee have shown their support in terms of the dollars indicated there.

□ 1115

I would like to ask the chairman though about the chart there. Do I understand that the red figures are the cumulative amounts of money proposed by President Clinton in his budget; is that correct?

Mr. PORTER. That is correct.

Mr. WICKER. Mr. Chairman, if the gentleman will yield further, then the large amounts above and beyond that in blue amount to the actual appropriations that we have been able to get through this subcommittee and through the Congress of the United States for the National Institutes of Health?

Mr. PORTER. Yes, the gentleman is correct.

Mr. WICKER. As far as the cumulative increases, since the gentleman from Illinois (Mr. PORTER) has been chairman, the cumulative increases are almost double those requested by the President of the United States?

Mr. PORTER. That is correct.

Mr. WICKER. Finally, let me ask the gentleman, Mr. Chairman, with regard to this appropriation in this bill, which I agree is regrettably low, how does it compare to the amount requested by President Clinton in his budget this year for NIH and health research?

Mr. PORTER. If I understand the gentleman's question correctly, the President requested $1 billion in increased funding for NIH this year. We have placed in the bill numbers indicating a $2.7 billion increase, but, then, because of our budget allocation, we have been forced to limit that amount to the President's request.

Mr. WICKER. The amount contained in this bill is precisely what the President requested; is that correct?

Mr. PORTER. Yes.

Mr. BENTSEN. Mr. Chairman, will the gentleman yield for a question regarding his chart?

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

Mr. BENTSEN. Mr. Chairman, the question I had, and I can barely read it, but the chart starts with fiscal year 1995; is that correct?

Mr. PORTER. That is correct.

Mr. BENTSEN. Does that chart reflect what the appropriations are, or does it reflect concurrent budget resolutions? My question is would that reflect what the fiscal 1995 concurrent budget resolution as adopted by the House and Senate did, which would show a dip of 5 percent?

Mr. PORTER. Mr. Chairman, budget resolutions do not have any effect. They are only advisory. These are appropriations.

Mr. BENTSEN. If the gentleman will further yield, part of the budget allocation we are dealing with today, the fact that the gentleman raised, is the fact that the budget resolution passed by the House does not provide sufficient allocation to meet the doubling of the NIH, and we had a problem with the budget resolution in fiscal year 1995 as passed by the House and the other body that called for a 5 percent reduction in NIH in real terms.

Mr. PORTER. Mr. Chairman, the gentleman should remember that the only jurisdiction the Committee on the Budget has is to set overall spending numbers. The rest is advisory.

Mr. Chairman, reserve the balance of my time.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1–3/4 minutes to the gentleman from Illinois (Mr. JACKSON), a distinguished member of the subcommittee.

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, let me first begin by congratulating the gentleman from Illinois (Mr. PORTER) for what every member of this subcommittee knows to be the truth, that no one in this Congress has had a greater commitment to expanding and increasing NIH funding than the gentleman from Illinois (Mr. PORTER). If the entire House were present during this part of the debate, I would ask at this time for all of them to stand and give the gentleman from Illinois (Chairman PORTER) an outstanding round of applause for his interest and for his commitment and dedication in this area.

I would say to the gentleman from Illinois (Chairman PORTER), we have enormous respect for his efforts in this particular area, and I certainly rise to salute the gentleman.

Let me also indicate that this is the first time since I have been in Congress for 5 years that I am not going to dispute any of the facts that were offered by the majority in the brief demonstration that we had here from the chairman. But I want to make it very, very clear that the gentleman from Illinois (Chairman PORTER), if he had been dealt the appropriate hand in this particular allocation, that we would be looking at increases in NIH consistent with the effort to double resources as consistent with our 5-year objective.

Mr. Chairman, this amendment raises our investment in biomedical research at the National Institutes of Health. Fiscal year 2001 is the 3rd year of this ''doubling NIH in 5 years'' initiative. For 2 straight years we have agreed to provide NIH the 15 percent increases needed to double the budget. This year, the House fails to do so. Staying on track to double NIH's budget requires a $2.7 billion increase for fiscal year 2001. The House bill provides the increase, then takes it away in a general provision and reduces that increase to the administration's request.

Mr. Chairman, it is one thing in an era of deficits to say we cannot afford to invest additional resources in these

programs; but now that we are in an era of surpluses, we no longer have that excuse. All we need to do to pay for this amendment is to scale back the size of the tax cut for the wealthy by 20 percent. We can leave the middle-class tax cuts alone, just scale back the tax cuts for the individuals at the top 1 percent; and we can do just that.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from California (Mrs. CAPPS), a member of the Committee on Commerce, an expert on health issues, and a health professional before she came to the Congress.

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the Pelosi amendment, which seeks to increase funding for the National Institutes of Health. I commend the committee and Congress for the commitment that has been made to double the NIH budget in 5 years specifically by providing necessary 15 percent increases in appropriations each year. But this year, we are going off track. Our budget is throwing us off our 5-year track.

Mr. Chairman, there is not a family in this country that does not feel the promise and the hope of the research that is done under the auspices of the NIH. A year ago it was the deputy director who told my daughter, recently diagnosed with advanced lung cancer, that if she could hold on for 2 years, there was such promising research coming down the pike through NIH.

So many families in this country hold their hope in the research that is done and is spawned by our funding for the NIH. Research in the real life miracle areas of Parkinson's disease, cancer research, Alzheimer's, diabetes, these are situations that people across this country are dealing with on a daily basis. We have established a wonderful track record for funding. We need to keep our resolve now and stick to our promise to double the funding in 5 years.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in strong support of this amendment to provide a $1.7 billion increase to the NIH in order to keep us on track to double its budget by 2004.

Mr. Chairman, the last century will be remembered as the century in which we eradicated polio, developed gene therapy, and discovered some treatments for breast cancer. At the center of this research has been the NIH.

NIH funded scientists have learned how to diagnose, treat and prevent diseases that were once great mysteries. The decoding of the human genome, soon to be completed, will lead to yet more opportunities for research that will revolutionize how we look at and treat diseases. Our efforts will shift increasingly to the genetic level, where we will learn to cure diseases now untreatable.

We should not abandon our commitment to double the NIH budget in 5 years. Let this new century see humanity vanquish cancer and heart disease and genetic diseases and AIDS. Let us not start reversing that goal now. We are now the most prosperous society in the history of this planet. We have unparalleled budget surpluses. We should not deny medical research the funds it needs because of artificial budget restraints in an artificial and politically motivated budget resolution.

In the names of the thousands, perhaps millions of people whose lives will be prolonged and saved by adoption of this amendment, I urge its adoption.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the very distinguished gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I offered this same amendment when the House Committee on the Budget marked up the budget resolution, and I was told at the time that we had put enough money into NIH, that this year we just could not do it.

It is ironic that a few weeks ago we passed the China PNTR bill because we wanted to gain access to more markets where we have a comparative advantage. In the world of medical research, where the United States leads the world and has a comparative advantage, we do not want to provide the resources to do that. I know the gentleman from Illinois (Chairman PORTER) wants to do it, but he is constrained by the budget.

How can a sophisticated, mature economy like the United States not provide the resources that are necessary? It is all part of this budget fallacy, because the Chairman well knows that the Senate is going to mark up the full amount and we will go to conference and we will do it. But we are living under artificial constraints by a budget resolution that is not going to hold water at the end of the year. We should do the right thing today, adopt the gentlewoman's amendment, and move forward where we do enjoy a comparative advantage and bring these cures to the American people, because we know we can do it.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO), a distinguished member of the Subcommittee on Labor, Health and Human Services and Education of the Committee on Appropriations, and a person who is an expert on health policy.

Ms. DELAURO. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from California (Ms. PELOSI). I support a strong national investment in biomedical research. The reason being is that I am alive today due to the advancements in biomedical research. I am a 15 year survivor of ovarian cancer. I know how it feels to be the person behind the statistics.

We are on the brink of tremendous breakthroughs in cancer and many other areas. We have committed ourselves as a Congress to doubling the funding for the NIH over the next 5 years. Why then would we want to fall short of that goal this year?

All the gentlewoman from California (Ms. PELOSI) is asking for is the $1.7 billion that will allow us to get to meeting that goal this year, and the trade-off is, the trade-off is, a tax cut that is going to only benefit the most wealthy people in this country. The lives, the health, the safety of American people all over this country is not to be traded away, not to be traded away, because of a tax cut that will only benefit the wealthiest.

Mr. PORTER. Mr. Chairman, I am happy to yield 3½ minutes to the gentleman from California (Mr. CUNNINGHAM), a very, very strong supporter of NIH and biomedical research.

Mr. CUNNINGHAM. Mr. Chairman, the gentlewoman well knows that I am a champion for medical research. I have got a goal. My daughter scored a perfect 1600 on her SATs this year as a senior at Torrey Pines. She is going to intern in cancer research at NIH this summer.

I am a cancer survivor. There is nothing worse than a doctor looking you in the eye and saying, ''Duke Cunningham, you have got cancer.''

I am a survivor. And if the gentlewoman would have offsets in this, I would be with her in this amendment. I would hope in conference we can add to this and somehow come up with the additional dollars in this.

Unfortunately, the politics in this, that is being shown in all these amendments, is what is discouraging, because the gentlewoman, the ranking minority member, Democrats and Republicans, have come together on NIH funding to support it, and I still hope in some way we can add these particular dollars down the line.

In cancer, Dr. Klausner, and you see what he is doing at NIH, I would say I was saved because of a PSA test. Do you know that right now, because of this research, there are markers for ovarian cancer which we have never had before? Women had no markers in this.

I met a gentleman at NIH that contacted HIV in 1989. The only thing he ever thought about was dying. And now he has hope. He has bought an apartment. He has even bought stocks. This is what we are talking about when we talk about NIH funding.

□ 1130

If the gentlewoman would offer offsets on this, we would support it. She is right. But I want to tell the Members, fiscal responsibility down the line, where we balance the budget and we pay off the national debt as soon as 2012, we spend $1 billion a day, a day, $1 billion a day on just the interest. Think what we are going to have in the future for the Americans for education,

for crimefighting, for NIH, just by keeping our fiscal house in constraint.

The death tax that we passed, a little bit out of touch, saying tax break for the rich, passed on a bipartisan vote; the social security tax that my colleagues put in in 1993 we eliminated, a little bit out of touch by saying that is a tax break for the rich; taking a look at the marriage penalty for people who are married, that is sure not a tax break for the rich.

My colleagues on the other side wish to politicize this and say, tax break for the rich. I think some people actually believe that, after saying it 10,000 times, someone is going to believe it. It is just not so.

Let us come together and support this NIH increase in conference, if there is some way we can do it, and work in a bipartisan way on this particular issue.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), another distinguished member of our Subcommittee of Labor, Health and Human Services, and Education.

Mrs. LOWEY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I rise in strong support of the Pelosi amendment.

Over the last 2 years, with the strong leadership of the gentleman from Illinois (Chairman PORTER) and broad bipartisan support, we have made tremendous progress in our goal of doubling the NIH budget.

Dr. Kirschstein and the Institute directors have done an outstanding job of describing how they have managed large increases and used them to fund good science.

We have to continue our bipartisan effort to increase funding for biomedical research. Whether it is breast cancer, diabetes, autism, or heart disease, we have made real progress towards better understanding and treatment.

My good friends are saying this is politics. They are right. What politics is about is making wise decisions. We have that choice. We can have a smaller tax cut and invest in the National Institutes of Health, and invest in the continued extraordinary challenges that are ahead of us.

We have the opportunity on our subcommittee in this Congress to face the extraordinary challenges in health care ahead. Let us do it. Let us do it now. Let us support the Pelosi amendment.

Ms. PELOSI. Mr. Chairman, I am very, very pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the very distinguished ranking member of our subcommittee and the ranking member of the full Committee on Appropriations, who, along with the gentleman from Illinois (Mr. PORTER), has been a champion for increased funding at the National Institutes of Health.

Mr. OBEY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, the issue is not what the Congress and the President did on this issue in the last decade. The issue is what we are going to do in the next decade.

This bill appropriates $2.7 billion above last year to the National Institutes of Health. But then it has a provision in the bill which says it can only spend $1 billion of that, so the committee has it both ways. It can say yes, we have provided $1.7 billion when they pull this piece of paper out of their pocket, and then they go to the other pocket and say, oh, no, we did not spend that much money, we held the budget down.

The result of this budget is that it cuts $439 million below current services, and that means that it reduces the new and competing grants that go out to scientists to do research on cancer, Alzheimer's, diabetes, and everything else, by about 15 percent.

In real terms, this bill is a reduction from last year. A lot of people on that side of the aisle keep saying, well, this is just the second step in the process. Do not worry, down the line we are going to try to fix this.

What we are saying is that it makes no sense for them to say, well, at some point somebody else is going to be responsible. We are asking the majority side to be responsible now. They keep talking about fiscal responsibility.

Two weeks ago I was at Marshfield Clinic in my district. I had a number of senior citizens talk to me about the miracles that had occurred when they had strokes that disabled them, and they were able to recover from those strokes because of new medical research.

My question to them and my question to the Members today is this: What is more important to this country, to have more success stories like that, more success stories, like the gentleman from California (Mr. CUNNINGHAM), or instead to continue the path that the majority party has been following in providing huge tax cuts, with over 70 percent of the benefits aimed at the wealthiest 1 percent of people in this society?

Members gave away in the minimum wage bill $90 billion in tax cuts to people who make over $300,000 a year. All we are saying is they could finance this amendment on health care, they could finance our amendment on education, on child care, on all the rest if they simply cut back what they are providing in those tax packages by 20 percent. Leave the middle-income tax cuts in place, just take the tax cuts that they are providing for the high rollers, cut them back by 20 percent, and they can meet all of these needs.

It is not enough to have budgets at last year's level, or around last year's level. This is a growing country. It is a growing population. We have new medical discoveries. Every time we make a new medical discovery, we ought to build on it, not use it as an excuse to slack off. That is what we are saying. To me it is outrageous that this amendment cannot even get a vote on the floor of the House today.

Ms. PELOSI. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I thank the Chair for presiding over this very respectful, I think, debate. We have acknowledged the leadership of our chairman and our ranking member in supporting the highest possible funding levels for the National Institutes of Health.

We have recognized that despite the priority that the gentleman from Illinois (Chairman PORTER) gives to the National Institutes of Health, that the budget allocation does not allow him to put the additional $1.7 billion in the bill which keeps us on track of doubling the NIH budget in 5 years.

Members have shared their personal stories about themselves and their children, and pointed to the need for us to invest in this research. There is no argument about that. But when Members say that we are politicizing this debate by saying because we have a tax cut because we cannot afford this funding level for NIH, they are being political.

The fact is, bad budget numbers necessitate a bad appropriation. If we did not have the tax cut, we could afford the NIH funding. It is that simple. That kind of decision is what people send us to Congress to make. We must recollect the values of the American people, which say that it is a good investment to invest in basic biomedical research. It saves lives. It adds to the productivity and the quality of our lives.

This is the most fiscally sound vote a Member can make is to invest further in the National Institutes of Health to save lives, to create jobs in the biomedical industry, and to help us balance our budget by having less money have to be put out because of illness, loss of work days by people who become sick or disabled.

I urge my colleagues to think in a fiscally sound way and support the additional appropriation for the National Institutes of Health.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am very sorry and I think it is very ill-advised that this subject has been raised in this political context. The work to raise NIH funding over the last 5 years has been bipartisan, and I am sorry that it is being used as a point of departure to make a political point. It constrains me to have to make a political point, as well.

The minority party was in charge of this House for many, many years. During the previous 5 years the minority was in charge, and President Clinton was also in charge. If we look at the commitment made for increasing funding for biomedical research during that period of time and compare it to the last 5 years when the majority party has been in control of the Congress, I think we can easily see that we have placed this at a far higher priority.

To me, however, this is not a political matter and should not be raised in a political context. This is a matter that is of utmost importance to our country and to its people. As I said earlier, this is among the best funding anywhere in government, and we should continue to work together on a bipartisan basis to increase it.

However, to propose such increases is easy when you do not have responsibility for any constraints and can spend whatever you want to spend, which is basically what all these amendments do. They say, ''here is what we ought to do.''

We cannot do that. We do not have that luxury. We are the majority party and responsible for the bottom line. We have to live within a budget resolution that was adopted by the majority of the Congress.

So we do the best that we can within that context. We have done the best we can. I would much rather we had a 15 percent increase in the bill for NIH. Unfortunately, we simply do not have the funds to do that. We intend, in this process, to achieve that priority and hopefully we will get there, but it is easy simply to say, well, we ought to spend more money in this area.

This is an important area. Sure, we would like to provide a 15 percent increase, but in the end, somebody has to be responsible for the overall spending of this government and to live within fiscal restraints. We are taking that responsibility, and we are doing the very best that we can within it.

I believe very strongly, and I think the gentlewoman believes very strongly, that in the end we will reach our goal of doubling NIH and providing the third year of a 15 percent increase to get there.

Ms. ESHOO. Mr. Chairman, I rise in support of the amendment by my good friend and colleague from California, NANCY PELOSI. This amendment increases NIH funding by $2.7 billion and would restore the funding level to the amount the Congress agreed to two years ago when it decided to double the NIH budget within five years.

Mr. Chairman, this amendment is truth-in-budgeting legislation. In 1998, and again in 1999, this Congress decided it was critical the National Institutes of Health be funded at a level which doubled the NIH budget by Fiscal Year 2003. Now we are in year three and this appropriations bill seeks to back off from that promise.

Let me remind my colleagues why we decided to double the NIH budget. According to a Joint Economic Committee report issued just last week, 15 of the 21 most important drugs introduced between 1965 and 1992 were developed using knowledge and techniques from federally funded research.

If the Pelosi amendment does not pass, the funding cuts in this bill mean there will be 1,309 fewer federal research grants. Mr. Chairman, my district has the largest concentration of biotechnology companies in the world. The scientific advancements they are working on are moving at revolutionary speed. We cannot afford to cut back on the groundbreaking work they are doing.

The need for increased research grants at NIH has never been greater. Infectious diseases pose a significant threat as new human pathogens are discovered and microorganisms acquire antibiotic resistance. In today's Washington Post, the front page story was about a World Health Organization report which said that disease-causing microbes are mutating at an alarming rate into much more dangerous infections that are failing to respond to treatment.

Mr. Chairman, in the story the WHO warned

> . . . that the world could be plunged back into the preantibiotic era when people commonly died of diseases that in modern times have been easily treated with antibiotics.

A WHO official said,

> The world may only have a decade or two to make optimal use of many of the medicines presently available to stop infectious diseases. We are literally in a race against time to bring levels of infectious disease down worldwide, before the disease wears the drugs down first.

Mr. Chairman, we need NIH to join in this battle before time runs out.

And speaking of time running out, the number of Americans over age 65 will double in the next 30 years. What are we going to do to fight the diseases of the elderly? Also, the threat of bioterrorism—once remote—is now a probability.

Mr. Chairman, our purpose for a sustained funding track for NIH was so that the multi-year process for NIH grantmaking was well planned and spent federal funds efficiently. This amendment by my colleague, NANCY PELOSI, achieves that objective.

More importantly, the Pelosi amendment keeps a congressional promise. Last March, over 108 Members on both sides of the aisle signed a letter urging a $2.7 billion increase in the NIH budget. The Pelosi amendment would provide that increase. It is the third installment on a bipartisan plan to double the NIH budget by 2003.

I thank my colleague, NANCY PELOSI, for offering this amendment, and I compliment her on her leadership and her tireless efforts to improve the health of this country. I urge my colleagues to join her and support this amendment.

The CHAIRMAN. All time has expired on this amendment.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of Section 302(f) of the Congressional Budget Act of 1974.

The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 8, 2000, House Report 106–660. This amendment would provide new budget authority in excess of the subcommittee's suballocation made under Section 302(b), and is not permitted under section 302(f) of the Act.

I would ask a ruling of the Chair.

The CHAIRMAN. Are there other Members who wish to be heard on the point of order?

Ms. PELOSI. Yes, Mr. Chairman.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) is recognized.

Ms. PELOSI. Mr. Chairman, the distinguished chairman lodged a point of order on the basis that this is outside the budget allocation. On that score, he may be correct. But the fact is that despite the expressions of priority for the funding at the National Institutes of Health, which the chairman has very sincerely made and others have made in this Chamber, we had other choices in this bill.

In fact, if this is of the highest priority, why was it not given the same status that other Republican priorities are given in this bill?

As we know, there is a $500 million budget adjustment to accommodate $500 million of other spending in this bill. That could have been done for this $1.7 billion and we could have ensured, guaranteed, given peace to the American people that their health and that the research to ensure it to be protected.

Instead, the only thing protected in this bill is the tax break for the wealthiest people in America. That is the decision that Members have to make. It is not about this being fiscally responsible. We all want to be that. Indeed, our alternative Democratic budget resolution had this $1.7 increase and it was fiscally responsible.

Two things, Mr. Chairman. Because the distinguished chairman has said he is calling a point of order because this is beyond the allocation of the budget, it could be protected just the way this other funding had a lifting of the budget, had an adjustment of the budget figure.

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Secondly, I would say that if we are not going to go down that path then it is not the priority we say it is, and we have to answer to the American people for that.

Technically, on the point of order, the rule protects the wealthiest 1 percent at the expense of the National Institutes of Health, and I concede the point of order.

Mr. PORTER. Mr. Chairman, can I be heard further on the point of order?

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) is recognized.

Mr. PORTER. Mr. Chairman, I would simply respond to the gentlewoman that she had every opportunity to make those choices by offering an amendment within the rules that would have taken money from lower priority accounts and put it in this account if that was her desire. She did not take that opportunity to operate within the bounds of fiscal restraint and has simply offered an amendment without any offset, which is clearly out of order.

The CHAIRMAN. The Chair is prepared to rule.

Ms. PELOSI. Mr. Chairman, if I may, since the gentleman characterized my remarks, if I may?

The CHAIRMAN. Very briefly the gentlewoman from California may respond.

Ms. PELOSI. Mr. Chairman, the distinguished gentleman knows that I had

no opportunity to have an offset of the $1.7 billion. All I am saying is give this the same treatment as has been given to other Republican priorities by making a budget cap adjustment so that this can be afforded in this bill.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) has conceded the point of order, but the Chair would say that he is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentlewoman from California, by proposing to strike a provision scored as negative budget authority, would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is therefore sustained. The amendment is not in order.

AMENDMENT NO. 4 OFFERED BY MR. ANDREWS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. ANDREWS:

Page 49, after line 12, insert the following new section:

SEC. 214. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''DEPARTMENT OF HEALTH AND HUMAN SERVICES—OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT'', and increasing the amount made available for ''HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES'' (to be used for a block grant to the Inner City Cardiac Satellite Demonstration Project operated by the State of New Jersey, including creation of a heart clinic in southern New Jersey), by $40,000,000.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. Chairman, let me begin by expressing my appreciation to the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY) for the fair and even-handed way in which they handled this matter procedurally. Those of us who wish to offer these amendments very much appreciate the expansiveness of the time agreement, the fairness of it, and I wanted to say that for the record this morning.

Let me also say the purpose of this amendment is a commendation and a challenge. In the area of commendation, it is to commend the gentleman from Illinois (Mr. PORTER), the gentleman from Wisconsin (Mr. OBEY), and all the members of this subcommittee for the attention they have paid and the commitment they have made to the health care of the people of this country, in particular, the issue of our struggling urban hospitals.

I represent the City of Camden, New Jersey, which by just about any measure is one of the poorest cities in the United States of America. We are fortunate to have a number of health care institutions in the City of Camden which remain, despite very difficult economic conditions. One of the consequences of their continued commitment to a poor urban area is that they carry a disproportionate share of the burden of caring for the uninsured or for those whose care is not fully compensated by Medicaid or other public programs.

In New Jersey, we have undertaken a rather creative and progressive way to try to address this imbalance. New Jersey has decided to create a special opportunity for urban hospitals to operate heart hospitals or heart clinics, cardiac services, in more affluent suburban areas. The strategy is rather wise and simple. The revenues that would be gained from operating these heart facilities in more affluent areas would recapture dollars which could then be used to help offset and subsidize the cost of providing care for the uninsured and for persons for whom the compensation is not sufficient in the poor urban areas. It is a wise strategy.

The challenge that I would offer, however, is what comes to what I believe is New Jersey's incomplete execution of this strategy. The original plan in our State was that there be two of these demonstration projects, one in the northern part of our State and one in the southern part of the State, which I am privileged to represent. For reasons which are not clear to me, and not clear to the health care institutions in southern New Jersey, only one of these pilot programs has gone forward. I believe that this is a mistake.

The purpose of this amendment is to provide a Federal opportunity, a Federal subsidy, for this pilot program to go forward both in the southern part of our State and in the northern part of our State.

I believe that the problems in our part of New Jersey are at least as acute, at least as difficult, as those of our northern neighbors and the proper position for our State health department is to provide for a second pilot project in the southern part of our State.

The purpose of this amendment is to offer an idea for a Federal share or a Federal partnership in making that pilot program succeed.

Now having said that, because the committee has been so progressive and wise in promoting the interests of urban hospitals, it is my intention to ask unanimous consent to withdraw this amendment after my colleagues have had a chance to comment on it.

Mr. Chairman, with that in mind, after making this statement, I would reserve the balance of my time.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part an appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Mr. Chairman, the authorization for this program has not been signed into law. The amendment, therefore, violates clause 2 of rule XXI, and I would ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. STEARNS. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Is the gentleman offering an amendment?

Mr. STEARNS. I am going to offer an amendment. Also, Mr. Chairman, I wanted to have a colloquy with the gentleman from Illinois (Mr. PORTER).

The CHAIRMAN. Does the chairman designate the gentleman to strike the last word?

Mr. PORTER. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

Mr. STEARNS. Mr. Chairman, I intend to offer an amendment to move $10 million into the Adoption Incentives Program. I decided not to offer that amendment today, but I would like to engage in a colloquy with the gentleman from Illinois (Mr. PORTER) regarding the importance of funding this program.

Mr. Chairman, the Adoption Incentives Program has helped to dramatically increase a number of children adopted out of foster care. I certainly appreciate all the good work he has done in the Labor, Health, and Human Services appropriations bill, including the $2 million increase for the Adoption Incentives Program.

I would like to ask the gentleman to continue his hard work in conference and build on this program by further increasing funding for this program.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman from Florida (Mr.

STEARNS) for highlighting the importance of the Adoption Incentives Program. I will continue to work with him and with my colleagues in conference to ensure States receive the funding they need to help more kids move from foster care to permanent and loving, caring homes.

Mr. STEARNS. I thank the chairman. I appreciate his commitment to providing more money for adoption. I strongly support the positive steps Congress has taken in this area and believe we should do even more. That is why I am here this morning. President Clinton supports increasing funding for this program. Adoption is also a positive alternative to abortion, and I hope the gentleman is successful in finding additional money in funding for the Adoption Incentives Program.

AMENDMENT NO. 189 OFFERED BY MR. STEARNS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 189 offered by Mr. STEARNS:

Page 49, after line 12, insert the following section:

SEC. 214. Amounts made available in this title for carrying out the activities of the National Institutes of Health are available for a report under section 403 of the Public Health Service for the following purposes:

(1) To identify the amounts expended under section 402(g) of such Act to enhance the competitiveness of entities that are seeking funds from such Institutes to conduct biomedical or behavioral research.

(2) To identify the entities for which such amounts have been expended, including a separate statement regarding expenditures under section 402(g)(2) of such Act for individuals who have not previously served as principal researchers of projects supported by such Institutes.

(3) To identify the extent to which such entities and individuals receive funds under programs through which such Institutes support projects of biomedical or behavioral research, and to provide the underlying reasons for such funding decisions.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, this is a sensitive subject. I have a Congressional Research Report here, which I worked with in doing this amendment. My amendment has three components to it. The first identifies and asks NIH to identify amounts that are distributed, given to individuals and corporations seeking funds from the Institute to conduct research. We have had constituents who have applied to NIH and who have been unable to find out, after great frustration, why they did not get the money. They could not find out who the individual was who got the money, or corporations, and they did not know or find out how much it was. So my amendment, first of all, asks NIH to identify the monies that are given to individuals and also then the amendment asks that they identify the individuals so that we see the money expended, the individuals who received it and then we would like to see some justification for why the NIH gave this money.

Now I have a report from the Congressional Research Service that sort of confirms what my amendment is talking about. It concludes, and I would just like to read the conclusion from this Congressional Research Report, that there is no question that NIH is an esteemed institution that subsidizes biomedical research and is a value to the people the world over, but that does not remove it from its vast agenda and continuing controversy over how the agency should allocate its ever-increasing appropriations.

As a public agency, supported through tax revenues, NIH will, in all likelihood, face even greater scrutiny in the future. That is what my amendment does.

It attempts to bring NIH into the next millennium with more transparency.

I have been a long-time advocate of NIH. In fact, I have supported the idea of doubling its funding over the next 5 years. A lot of universities in Florida, particularly the University of Florida and Florida State, have benefited from NIH research grant money. So I am a great supporter of NIH, but we are talking about Federal tax dollars here, and I am concerned we are not making public the information from grants that NIH has given the individuals, the amount of money provided, and how they made their decisions on these grants.

So I hear in my congressional district in Central Florida from doctors that they have not been able to succeed in getting NIH funding and they do not know why and they have to apply 5, 6, 7 times with no answers. There is just sort of a huge Federal bureaucracy. They say we just need to have much more transparency there.

Let me share what I have learned about the research grants and how these decisions are made. In reviewing steps that could or should be taken by NIH, I discovered that NIH is starting, just starting, to move in the right direction with a peer review process. There are several areas that Congress must look at when assessing NIH approaches and decisions that are made by them and how research dollars are to be spent.

First of all, how effective is its peer review system and the agency's ability to identify proposals with the greatest potential? Another issue is why the agency has not installed an electronically-based grant application award system. This is pretty basic today. So I urge them to do so. This would be exceedingly beneficial to everybody.

Supporters of NIH, and there are many, including myself, would like to see a greater accountability of the NIH director and to make its planning and budgeting reporting process more open.

In 1998, Mr. Chairman, a report was issued by the Institute of Medicine and the National Academy of Sciences entitled Scientific Opportunities and Public Needs. This report highlighted several issues that needed to be addressed by NIH, including its peer review process. So we have on the books documentation that shows that NIH needs to be more scrupulous in how they award grants and make the information known.

I think NIH's policies and reviews and procedures should be expedited and this amendment simply is saying to NIH, let us have some more transparency and make the number of people, their names available, who the research grants are given to, how much money they were given and in the end what was the process that was used. If this was done, Mr. Chairman, I think this would move this Agency towards this transparency concept I envision.

Mr. Chairman, I have an amendment at the desk. My amendment would require a report to: (1) identify amounts disbursed to enhance competitiveness of entities seeking funds from the Institutes to conduct biomedical and behavioral research; (2) to identify the entities receiving funding, including a separate statement on expenditures for individuals who have not previously served as principal researchers of projects supported by the Institutes; and (3) to provide an explanation for such funding decisions made by the National Institutes of Health to entities seeking funds to conduct biomedical and behavioral research. Money is available under Section 403 (42 U.S.C. 283) of the Public Health Service Act for the purposes of carrying out such a report.

First, I want to say that I am a long-time supporter of NIH because I know how valuable the research being conducted by this illustrious body has been to our nation in finding the causes and cures of diseases. The NIH has and will continue to greatly benefit our nation.

In fact, I am a cosponsor of the resolution to double the NIH budget over a five year period. We are currently in our third year in that effort. There are many fine universities in the State of Florida that benefit from NIH research grant money, including the University of Florida, which I once had the privilege of representing. That being said, however, I have heard from numerous individuals about the difficulties involved in securing research grants through NIH. These are federal tax dollars we are talking about! I am concerned that we are not making these grants available to new graduates who need this important seed money to continue their biomedical and behavioral research in their chosen fields.

We all know that universities and colleges across the country are not having students enter the hard sciences as they once did—we must ensure that those that do are not discouraged from putting their talents to work in

research efforts being conducted by the federal government.

There is a positive note to all this. Let me share with you what I learned about the research project grants and how these decisions are made. In reviewing steps that could or should be taken by NIH, I discovered that NIH is moving in the right direction in its peer review process. There are several areas that Congress must look at when assessing NIH's approach to decisions that are made by them in how research dollars are to be spent. First, how effective is its peer-review system and the agency's ability to identify proposals with the greatest potential. Another issue is why the agency hasn't installed an electronically-based grant application and award system. This would certainly be beneficial.

Supporters of NIH, and there are many, including myself would like to see a greater accountability of the NIH Director, and to make its planning, budgeting and reporting process more open. In 1998 a report was issued by the Institute of Medicine and the National Academy of Sciences entitled, Scientific Opportunities and Public Needs: Improving Priority Setting and Public Input at the National Institutes of Health. This report highlighted several issues that needed to be addressed by NIH, including its peer review process.

As a result, the NIH Council of Public Representatives (COPR) was created by former NIH Director Dr. Harold Varmus. The IOM committee recommended steps to make the agency more welcoming to public input, including the establishment of COPR. There were 20 public members selected to COPR and the first meeting was in April 1999. The committee members have participated in the NIH budget retreats, the NIH Government Performance and Results Act (GRPA), hearings on patient protections, health research related to diverse populations, health disparities, performance reviews of Institute Directors in addition to the regular COPR meetings and conference calls. The council has taken a life of its own and taken its role very seriously reviewing NIH's policies and procedures, research priorities, research funding, public input, and input to the public.

The Council sets the agenda and directs the discussion items. During these meetings we have learned the difficulties involved in the budget process and with the uncertainty of each year's appropriations bills, and the difficulty in making multi-year research commitments. Most directors have played it conservatively to make sure they will have the funds to continue projects. In addition the need to increase young researchers has been a priority at NIH. The research training program and mentorship program has been increased to meet this important crisis.

My amendment would require a report to identify and provide an explanation for funding decisions made by the NIH to entities seeking research grants. I would urge the NIH to continue in its efforts to ensure that our nation's best and brightest receive the dollars necessary to conduct important life saving research. While it is good to know that some steps have been taken, I believe it is incumbent upon Congress to continue to serve as a watch dog since taxpayer dollars are involved. I believe that we have benefited by finding out more about this newly formed Council, but I would remind my colleagues that this did not come about until the IOM and the National Academy of Sciences brought these issues to light.

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Mr. PORTER. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) claims the time in opposition and will be recognized for 5 minutes.

Does the gentleman from Illinois continue to reserve a point of order?

Mr. PORTER. Mr chairman, I continue to reserve my point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PORTER).

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

Mr. Chairman, I would say to the gentleman from Florida (Mr. STEARNS) that who receives grants of NIH funding and the amount of those grants and the purpose for which the grants are made is public knowledge. That is readily available and can be provided to the gentleman, or anyone else, at any time he would like to have it.

The peer review process is a process that has developed over a long, long period of time. It is set forth in Federal regulation. It is easy to understand the process and to see it at work. Is it perfect? Certainly nothing is perfect. It needs to be reviewed and made more responsive.

Ask the scientific community, generally, whether this is a good system that is competitive and separates good science from bad science, I think there is, overwhelmingly, a general consensus that it works quite well to separate good science from bad, to bring the best science to the top and to fund only that which has great potential and is well conceived.

With respect to electronic grant applications, NIH is working on that right now. I think it is a very good point that the gentleman makes and ought to be followed up on; but it is already being done, and we expect that the system will be perfected and brought on-line very soon.

So I would simply say to the gentleman that he makes good points, but I think that there is great progress being made with respect to each one.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. PORTER. Yes, I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I thank the gentleman from Illinois for his comments. Dr. Harold Varmus was the former NIH director, and he sort of confirmed what my amendment intends. He recommended steps to make the agency more welcoming to the public and available and transparent, including what he called a Council of Public Representatives, COPR. There were 20 members that he selected, put this together; and he had a meeting in April 1999.

Mr. PORTER. Mr. Chairman, those councils are up and running, yes.

Mr. STEARNS. I know, Mr. Chairman, but part of the thinking he had was the council was there to make this agency more transparent. So I urge the gentleman from Illinois (Mr. PORTER) and the committee to continue this peer review and the process of making this more transparent.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, 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 it changes existing law by imposing additional duties.''

I ask for a ruling from the Chair.

The CHAIRMAN. The point of order is raised by the gentleman from Illinois (Mr. PORTER) against the Stearns amendment. Does any Member wish to be recognized on the point of order?

In pertinent part, the amendment earmarks funds in a manner not supported by existing law. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2001''.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by sections 3122, 3132, 3136, and 3141, parts B and C of title III, and part I of title X of the Elementary and Secondary Education Act of 1965, $1,505,000,000, of which $119,500,000 shall be for section 3122: *Provided,* That up to one-half of 1 percent of the amount available under section 3132 shall be set aside for the outlying areas, to be distributed on the basis of their relative need as determined by the Secretary in accordance with the purposes of the program: *Provided further,* That if any State educational agency does not apply for a grant under section 3132, that State's allotment under section 3131 shall be reserved by the Secretary for grants to local educational agencies in that State that apply directly to the Secretary according to the terms and conditions published by the Secretary in the Federal Register.

AMENDMENT NO. 14 OFFERED BY MR. OBEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. OBEY:

Page 49, line 20, after the dollar amount, insert the following: ''(increased by $65,000,000)''.

Page 49, line 21, after the dollar amount, insert the following: ''(increased by $65,000,000)''.

Page 52, line 7, after ''titles'' insert ''II,''.

Page 52, line 12, after each of the two dollar amounts, insert the following: ''(increased by $960,000,000)''.

Page 52, strike the proviso beginning on line 17 and insert the following:

: *Provided,* That of the amount appropriated, $960,000,000 shall be for title II of the Elementary and Secondary Education Act of 1965,

notwithstanding any other provision of law, for State formula grants and other competitive grants subject to such terms and conditions as the Secretary of Education shall establish to improve the knowledge and skills of such individuals as early childhood educators, teachers, principals, and superintendents, and for teacher recruitment and retention activities: *Provided further,* That of the amount appropriated, $2,115,750,000 shall be for title VI of the Elementary and Secondary Education Act of 1965, of which $1,750,000,000 shall be available, notwithstanding any other provision of law, to reduce class size, particularly in the early grades, using fully qualified teachers to improve educational achievement for regular and special needs children in accordance with section 310 of Public Law 106–113

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendments.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

Pursuant to the order of the House on Thursday, June 8, 2000, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Illinois (Mr. PORTER) each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself 4½ minutes.

Mr. Chairman, last year during the debate on education issues, Democrats focused primarily on the need to reduce classroom size. On the Republican side of the aisle, the gentleman from Pennsylvania (Chairman GOODLING) said, and he made a good point, he said, look, it does not do any good to have smaller classrooms if the teachers in those classrooms are not well trained to teach. I happen to agree with that.

So this year, President Clinton added $1.1 billion in his budget for teacher training and $1.7 billion to reduce classroom size.

In my view, there ought to be room in this budget for both Republican and Democratic priorities. This amendment adds a little over $1 billion to teacher-training programs and to teacher-retention programs. It strikes the action that the committee has taken in block granting teacher training funds into a solid single block grant rather than identifiable programs.

Why do we do that? Because we have seen what happened before. What happens with this Congress is that, if they take individual programs and block grant them, then the next time down the road, they cut them. They do not have to take the heat for cutting the individual programs because the effect of those cuts on those programs are masked. So we want that to remain visible.

Secondly, I offer it because one out of every 10 teachers in this country is teaching a subject that they are not trained to teach. We are about to lose 20 percent of the teachers that we do have in the country to retirement.

When parents get up in the morning and they send their kid to school, it seems to me they have got a right to know four things: first of all, that their child is going to spend that day with a well-trained teacher; secondly, it is going to be in a decent school; thirdly, that school is going to be equipped with modern 21st century technology; and, fourth, the class size is going to be small enough so that you have got enough discipline so that the kid can learn. I think that is what they are entitled to.

Now, we have heard a lot of talk about the need for special education. I agree with that. What we have to recognize is that these funds that we are trying to add today help teachers prepare themselves to be able to deal with children with disabilities who are mainstreamed in regular classrooms.

As this chart demonstrates, we are going to see an increase in the number of students in high schools from a little less than 15 million children to a little over 16 million children over the next decade. This budget needs to respond to that increase, and we are not doing it.

I would suggest that, if our schools work, that our society will work. I happen to have the old-fashioned belief that, if our churches are able to function, if our schools are able to function well, that everything else in society will take care of itself. Then if our schools do not work, nothing will eventually work in this society.

Our schools cannot work without well-trained teachers. Our schools cannot work without having the resources to put an additional 100,000 and even more teachers in the classrooms, every one of them well trained.

So that is what we are trying to do. We are trying to double, essentially, the Eisenhower training programs. We are trying to increase technology training so teachers know how to use technology in educating, and we are trying to put an additional $270 million in to help the highest poverty schools in the country to recruit, to train, and to mentor qualified teachers.

We will not be able to get a vote on this amendment today because of the rule under which it is being debated. The issue to me is very simple. Do my colleagues think it is more important to respond to this coming challenge in the classroom, or is it more important to give away $90 billion in tax cuts to people who made over $300,000 last year? That is the choice. I think my colleagues ought to be on the side of the kids.

Mr. PORTER. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from Pennsylvania (Mr. GOODLING), chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, first of all, I want to make sure that I do not think there is any Member of Congress that does not understand that if we can reduce class size in the early grades, and if we have a quality teacher in that classroom, children will probably do better. The problem is the quality of the teacher has not been the driving force.

Now, when we think about 100,000 teachers, that is a sound bite. Somebody did a poll, and somebody said, ''Boy, that is sexy. Let us get that out there.'' Why is it kind of silly? Well, it is kind of silly because there are 15,000 public school districts. There are a million classrooms, 100,000 teachers, a million classrooms. So my colleagues know very well it is a sound bite issue more than anything else.

I pleaded with the President when he started it not to indicate that that is the direction to go, but to indicate whatever one needs in the local district. If one can reduce class size, fine. If one can prepare teachers who one already has who have potential, that is even better.

The very day last year when we finished negotiating the 100,000 teacher business, the New York newspaper whole front page said, ''Parents, 50 percent of your teachers are not qualified.''

Now, probably many of those 50 percent might have had potential, but of course no, no, no, one just hired. What did they do with the first group that we allowed the President to hire? Thirty-three percent had no qualifications whatsoever. They did this in California, spent $2 billion, and ended up again where they needed the most qualified in Los Angeles, for instance, over 30 some percent were totally unqualified.

Now, I do not know where the 18 came from, this magic number that somehow or other 18 will really give one quality education. Every piece of research that I have ever read has indicated that, if one cannot get class size down to 12 or 13, one is probably not making much difference. However, the important thing is that, even if one has five and the teacher is unqualified, one has not done anything to help the students.

That is why it is so wrong to move away from the Teacher Empowerment Act. The Teacher Empowerment Act is a bipartisan effort. What do we do in the Teacher Empowerment Act? We reform teacher certification. We have mentoring programs to help retain beginning teachers. We have expanding alternative groups to teacher certification. We work with teachers to reform tenure systems so we can reward those who do well. We support initiatives to use technology to deliver professional development. We support partnerships between high-need schools, higher education institutions, businesses, and other groups to promote and deliver high quality professional development programming.

In our Teacher Empowerment Act, hiring much-needed special education teachers is allowed, providing professional development for math and science teachers, implementing projects to promote the retention of

highly qualified teachers, and attracting professionals from other areas to teach.

All of these things are in the Teacher Empowerment Act. In other words, we are trying to make very, very sure that we are talking about quality, and this is the way to go. As I said, it was a bipartisan effort just passed last year. If we get the other body to move, we will finally get around to this business of saying, not only can we reduce class size, which we now allow, and that is part of the Teacher Empowerment Act, part of the money must go to reduce class size; but we say we will only do that if one replaces a teacher that is there with a quality teacher, or any new teacher is a quality teacher.

I mention, again, we are dealing with education technology. I indicated yesterday, we have seven programs on the books, five are funded, spread out over every agency downtown. The amounts are so small that no one can do anything worthwhile.

What we say again in our reauthorization of the Elementary and Secondary Education Act is we will combine it. If one needs equipment, one will get equipment. If one needs to better prepare one's teachers to use technology, use one's funds for that. If one needs software, do that. If one needs hardware, do that.

But let us not proliferate existing programs and even add more programs so that, again, we spread the money so thinly that it does not help anybody anywhere.

Now, again, our teacher program makes very, very sure in a bipartisan way that we prepare teachers for the 21st century, that they are quality teachers. We realize that reducing class size means nothing unless there is a quality teacher in that classroom.

Now, last year, the Secretary mentioned three or four superintendents who were so pleased to get this amount of money to reduce class size. I called each one of those superintendents. Do my colleagues know what each one said? Thank you for the money. We appreciate the money. However, had we been able to use the money to help all of our children, these are the ways we would have used it.

□ 1215

One said they would have improved their homework hot line; another said I would have had in-depth professional training.

We have to get away from this program of where we meet in an afternoon or we meet in the evening and somehow or other we are going to improve the quality of teaching. They need in-depth summer programs; they need in-depth semester programs. All of these things we do in TEA.

So I would say let us reject this amendment and let us move on with the IDEA reauthorization.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the ranking member for yielding me this time.

I hope that all Members of the House heard the words of the Chair of the Committee on Education and the Workforce. He said that there is absolutely no doubt that if you lower class size and improve the quality of the teacher that the children will learn better. That is exactly what we are talking about today.

The gentleman makes reference to what the committee reported out in terms of improved conditions for our teachers and the quality of their service, but he forgets to tell us that we are talking about an authorization bill. My colleagues, today is the time to put those words into reality and to provide the money. That is what this amendment is all about. We are trying to improve the conditions upon which our children are now faced with in thousands of classrooms across this country.

In one of my schools, we have 120 children with four teachers; a ratio of 30 to 1. By the acts of this Congress, I got two teachers into that school for this third grade. It immediately lowered the classroom ratio to 20. There is absolutely no doubt that those children will be better educated because of the funding priority of this Congress.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

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

I cannot believe that any Member would support a bill that would repeal last year's bipartisan agreement to hire 100,000 new teachers in this country. Communities all across America had faith in that agreement. They hired new teachers to give their youngest students smaller classes. Almost 3 million children could be denied the benefits of smaller classrooms unless we pass the Obey amendment.

And what about our teachers? H.R. 4577 cuts funding for improving teacher quality, and it also cuts the funding for recruitment of new qualified teachers. The Obey amendment will put top quality teachers in small classrooms. Our students will get the assistance they need to perform at the very highest standards.

The Obey amendment is a wise investment in this Nation's future and it deserves a vote.

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

Mr. Chairman, to clarify what we have done, we have taken the $1.3 billion that is in class size and we have added it to the $335 million in Eisenhower Professional Development. We have added other small programs to reach a total of $1.75 billion; and we have appropriated that for the Teacher Empowerment Act, pending its enactment into law.

As the chairman just said, the Teacher Empowerment Act strikes a balance between hiring more teachers to reduce class size and recruiting, and retraining quality teachers. It also empowers teachers to choose the training that best meets their classroom needs. It encourages States and localities to implement innovative strategies, such as tenure reform, merit-based performance plans, alternative routes to certification, and differential and pay bonus for teachers. Ninety-five percent of the funds would go directly to the local level.

The President has eliminated funding for Eisenhower Professional Development in his budget and then proposed a number of new national programs related to teachers, as well as consolidations and restructuring of existing teacher training programs. What he has added is a number of different programs with nice sounding names; all unauthorized, while zeroing out the money for an authorized program, the Eisenhower Professional Development.

We have met the President's request for teacher training and quality teachers in the classroom. We believe this is a very, very high priority. It is very much a part of our education agenda. Our difference here is that we are operating within the constraints of a budget resolution while the amendment, of course, does not and simply adds another billion dollars.

I believe that this amendment simply is another politically motivated amendment that tries to create an issue over teacher training. We agree on the importance of teacher training and development. We believe that the Teacher Empowerment Act will do that far better than the number of categorical programs that are unauthorized, as the President has suggested, and far better than his 100,000 teachers sound bite. We are hopeful that the Teacher Empowerment Act will be enacted into law and we can fund it fully, as the President has requested.

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

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

All I would say, Mr. Chairman, is that the Senate has brought out its authorization bill and it has not included the Teacher Empowerment Act. So that may be false hope.

Secondly, with respect to block granting, what the majority has done with the social service block grant, which was at $2.4 billion 2 years ago, they cut it to $1.7 billion under the TEA–21 legislation. Then the Senate cut it in the labor-health bill this year to another $600 million. It has become the incredible shrinking block grant, and we are afraid we are going to do the same thing to education by first blocking them and then shrinking them.

Thirdly, I would point out that it is incorrect to say that the President is zeroing out the Eisenhower Teacher Training program. He is doubling that

program essentially from $335 million to $690 million, and then adding some features that strengthen it as well.

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

Mr. PORTER. Mr. Chairman, I would inquire of the Chair of the time remaining.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) has 6 minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 7½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the ranking member for yielding me this time.

It gets awfully tiresome on this side of the aisle to listen to the fact that we may have constraints in the budget when, in fact, the architects of the budgets are the ones who have tied themselves in knots and now are leaving us without the proper amount of money to fund both the quality of our teachers as well as the size of our classrooms.

I was one of the people who worked in a bipartisan manner with the chairman on the Committee on Education and the Workforce and understand full well that the best, the optimum situation is to have a qualified teacher teaching a class of proper proportion so that the job gets done. By underfunding both aspects of that, we are not getting it done. Making it conditional on the passage of the Teacher Empowerment Act, particularly in light of the Senate's action leaving out part of that equation, is the wrong way to do. We need to make sure we can fund both the teacher quality aspects of this and the size aspect of it.

There are 533 new teachers in Massachusetts because of the classroom size initiative that the President put in place with the help of this Congress. To jeopardize that is unfair to those children and those parents as well as the teachers and the principals and superintendents.

That is the direction to go. Fund this. Stop giving us this stuff about how we are constrained by the budget when my colleagues on the other side of the aisle are, in fact, the architects of a bad piece of work.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. WU).

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

Class sizes are way too large and we all know that, but it is not right to pit teacher training against class size reduction or any other education priority. The reason that we cannot do both class size reduction and teacher quality enhancement, and all of our other education priorities, is because of the trillion dollar tax cuts which have been proposed in this House. If we jettisoned these irresponsible trillion dollar tax cuts, we could do both class size reduction and teacher quality enhancement and all of our other educational priorities.

We need to take a more common sense approach to our budget to achieve our education priorities: Reducing class size and enhancing teacher quality. These are all things that can be done if we jettison these irresponsible tax cut proposals.

Mr. PORTER. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

Mr. GOODLING. Mr. Chairman, I just wanted to compliment the other side. They are doing an outstanding job of sticking to the political line. There is no question about that.

I did want to mention block grant. Those are two words that the other side despises more than any other words. But who built title I? My colleagues on the other side of the aisle. Do my colleagues know what title I is and was? The biggest block grant that ever came from the Congress of the United States.

Do my colleagues know what did not happen? We have not closed the achievement gap after $140 billion. So I would hope we would put that argument to rest.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Chairman, I thank my colleague from Wisconsin for yielding me this time.

Mr. Chairman, in response to the recent remarks of the gentleman from Pennsylvania, why would we then go from one block grant program that he feels has failed our American children and move to another block grant philosophy with a variety of other programs if they are not, in fact, working?

As a member of the Committee on Education and the Workforce, I rise in support of the Obey amendment. We know now that, other than the active involvement of parents in their own child's education, the next most important determinant of how well kids are going to perform in the classroom is the quality of the teacher and whether that teacher has a manageable class size in which to work. That is exactly what the Obey amendment addresses, and we know that this is working.

In our own State of Wisconsin, we have a very successful SAGE program of class size reduction and teacher training with reports and studies coming out to show student achievement in this area. Down in the State of Tennessee we have the STAR program as well, which is working very effectively.

We had hearings in the Committee on Education and the Workforce showing the importance of class size reduction. But over the next 10 years, we are going to have a 2.2 million teacher turnover. That presents both an opportunity and a challenge, a challenge that we can address here today with the Obey amendment to make sure that there are the professional development funds to get quality teachers in the classroom come see students succeed in those classrooms.

That is why we need to stress teacher quality when authorizing teacher training and professional development programs. That is why we need to demand accountability to the federal investment in public education. And that is why so many of us here believe in the commitment to class size reduction, which is thwarted by the majorities' bill.

And that is why my own State of Wisconsin started a program in 1995 designed specifically to improve the achievement levels of students in grades K- through 3 in disadvantaged schools. The program, known as the Student Achievement Guarantee in Education, or S.A.G.E., incorporates four components into a comprehensive effort at raising student performance: class size reduction, teacher professional development, challenging curriculum, and community involvement.

In 1998, a study by the University of Wisconsin at Milwaukee discovered dramatic improvements in student test scores from those schools participating in the S.A.G.E. program S.A.G.E. has been so successful that it has been expanded statewide and has secured significant funding increases by the state's legislature. This focus on reduced class size and teacher quality not only works, but is extremely popular among participating students, teachers and parents.

Wisconsin is not alone in working to reduce class size in order to improve student scores. In Tennessee, the STAR and Challenge projects have produced good data indicating a general educational advantage for students in smaller classes. Similar programs in North Carolina, Indiana, Nevada and Virginia, as well as initiatives either started or planned in at least 20 other states show clear indication that a focus on reducing class size helps students, particularly those in areas of higher need, achieve greater performance goals and standards.

I am profoundly disappointed that this underlying bill does not maintain a solid Federal commitment to class size reduction and teacher quality. The Federal role in education is to provide targeted assistance to those students and schools with high economic need, and to identify and address issues of national significance. In terms of class size reduction, this bill is simply another attempt to turn the Federal commitment to education into a new form of general revenue to State Governors.

This bill is anything but education friendly. The Majority has squandered a unique opportunity to address the pressing needs of our Nation's schools and leverage wise investments in our children's learning environment. I urge my colleagues to support the Obey amendment. It's time we approach our commitment to education seriously.

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

Mr. HOLT. Mr. Chairman, I rise in support of this. There are few things that we can point to that have more of an effect on a student's performance than personal attention from teachers, and this is critically important.

I have with me here today in Washington representatives of school boards

from across central New Jersey, and they have pointed out again and again, wherever I go, whenever I visit schools, that class size is getting the better of them. They want, help and we should be helping them. This is important across the country and we must do It.

□ 1230

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I rise in support of the Obey amendment.

Mr. Chairman, we should be making a national priority today reducing class size, and we ought to take the lead to provide some support to our local school districts that want to do this.

Anyone who has visited elementary schools today knows that one of the most fundamentally important things we can do is to support the teacher in developing that personal relationship with the student to really excite and engage them about learning.

We face major challenges ahead. We are having a problem now retaining a lot of people who have chosen to go into the teaching profession. And what do teachers need and want more than anything? They want control back in their classroom. And we can give control of the classroom back to them by giving them a workable class size, around 20 students per teacher to teach.

The third thing we need to keep in mind is we have to hire over 2.2 million new teachers over the next decade, just 7,000 alone in my home, the Tampa Bay area. We are not going to be able to attract the type of teachers we need and keep them unless we can give them a manageable class size and invest in professional development to give them the tools they need to use technology and the curriculum to excite kids about learning.

That is why we need to adopt the Obey amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I am astounded to hear the majority say that our proposal for 100,000 teachers to reduce class size is nothing more than a sound bite. They cannot tell the students in my school that have two teachers in the third grade that reducing the class size from 30 to one to 20 to one is a sound bite. This is a reality.

It has not only improved the educational opportunities for the children that got the two new teachers, but it improved the classroom quality, also, of the remaining three classes.

So this is an amazing statement that the chairman of our Committee on Education and the Workforce has propounded today. The 30,000 teachers that have been spread across the country have dramatically improved the educational opportunities of these youngsters.

Let us not just talk about what we are going to do for education. If title I is a block grant, wonderful. It was block granted for the poor children in this country based upon a very precise formula. That is what we are doing here today. We are asking this Congress to appropriate money to reduce class size and improve teacher quality.

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. MCKEON) the chairman of the Subcommittee on Post-Secondary Education, Training and Life-Long Learning of the authorizing committee.

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

Mr. Chairman, the 100,000 teachers sounds like a great idea, and it may be a great idea. But a Federal 100,000-teacher mandate does cause problems in the local area.

We set out last year in a bipartisan way to really find out how our committee could help do a better job of education across the country. We held hearings across the country, and we listened to people. We listened to parents. We listened to teachers. We listened to school board members, superintendents. We asked them, what is the most important thing in education? And they said, first of all, the parent; and, secondly, a qualified teacher.

Now, I have six children. I have 19 grandchildren. It is important to me that they have a good education. When our children were going to school and my wife was active, she was PTA president. She was very active in the local schools, most of the parents know who the best teachers in the schools are. Most of the parents know which teachers are the most qualified and which can help their students learn the most. And they try to get their students into the classroom with the best qualified teacher.

Now, it is very important, it is very popular right now to talk about reducing class size. And in California, our governor did this a few years ago. He cut all class sizes from K through three down to 18. We thought would be very helpful. But the problem was we did not have enough qualified teachers available to be hired, just as there is not 100,000 qualified teachers right now to be hired. And so it resulted in over 30,000 underqualified teachers in the classroom in California to get that class size down to 18.

I asked parents, I said, if they had a choice of having their child in a classroom of 15 students with a brand new teacher just out of school, maybe not quite as seasoned, quite as qualified as some that had been around a little longer, or if they had their chance to have the very best teacher in that school of a class size of 25, where would they have their child go? And every time they say, I would take the class with the best qualified teacher even if we had 25 students.

The thing is, with the Teacher Empowerment Act, we do not have to make that kind of decision. We could have both. We say in the Teacher Empowerment Act, use this money for class size reduction. If they cannot get enough qualified teachers, then they can use that money to help their teachers become better qualified. They can give them a voucher. They can let them go get the training that they need.

In one of our hearings here in Washington, D.C., we had a young African American teacher that had been teaching just a few years; and he told us that he was hired to teach reading in the third grade and he was very frustrated. His first year he had not had a class in how to teach reading. But he was told that he knew how to read, he can teach reading. He said he was very frustrated. He was not able to teach. His students were not learning. He was ready to give up the teaching profession.

Fortunately, he had an administrator that helped him get the teaching that he needed so that he was able to adequately teach his students. But it took a few years of preparation. He said now he felt better about what he was doing, his students were learning, and he was able to progress.

That is what we do with the Teacher Empowerment Act. We help teachers become better teachers so that they are qualified and able to really help young children learn, which is what we are all trying to achieve.

But instead of having a mandate out of Washington saying they have to hire 100,000 teachers, we give the local jurisdictions the opportunity to make the best use of that money.

I oppose this amendment and encourage all of my colleagues to do so.

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

Mr. Chairman, I swear that the previous speaker has not read this amendment. This amendment says, instead of spending $700 billion dollars on tax cuts, instead of spending $90 billion in tax cuts for people who make more than $300,000 a year, instead of giving $200 billion in tax cuts to the richest 400 people in this country, instead, do two things: provide an increased number of teachers so you can have smaller classes and it says provide more teacher training.

The gentleman who just spoke acts as though we do not have anything in here for teacher training.

Under the law, under the 100,000 new teachers effort which the President is trying to move forward, 25 percent of that can be used for training; and if you reached 18 kids per classroom, you can use it all for teacher training.

This amendment that we are trying to add would add 1 billion additional dollars for teacher training, not for class size, for teacher training. We add $690 million to help upgrade existing teachers in the classroom, and we use the other money to help recruit and retrain new teachers in high-poverty areas. That is what it does.

We are taking the criticisms from that side of the aisle last year and responding to them. We are saying, do not just do smaller class size, do both smaller class size and additional teacher training.

The question really is, when you blow the smoke away, are you trying to save this money for your high-roller friends on their tax cut, or are you willing to put it into the classroom, recognizing we have got a million more kids that we have to teach and we need the best teachers in the country to do it?

So it is a choice between your high-rollers and your kids, and I think you know what side you ought to come down on.

Mr. PORTER. Mr. Chairman, I yield the balance of the time to the distinguished gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

Mr. GOODLING. Mr. Chairman, first of all, let me remind everyone that that amendment says nothing about tax cuts. So I do not know what that discussion is all about.

But let me say again to the gentlewoman from Hawaii (Mrs. MINK), yes, I want to repeat, it was positively a political sound bite; 100,000 teachers, 15,000 school districts, one million classrooms, and they talk about class size reduction. But they got embarrassed because the President never once mentioned quality when he started that. I pleaded with him to talk about quality. And then they got embarrassed because of the first 20,000 hired, 33 percent were totally unqualified.

Now, was that not something to do to children, stick them in a classroom with fewer people with a totally unqualified teacher. Shame. Shame. Shame.

And so, we say in the Teacher Empowerment Act, we are not interested in this quantity business that we have talked about for all these years; we are only interested in quality.

In 1970, yes, I reduced class size in the early grades as a superintendent. I did not come to Washington. I went to my school board. That is where I went. And, yes, I did not put any in there until there was a quality teacher to put in there to reduce class size.

Let us stick with the Teacher Empowerment Act. Get the most for your money. Get quality. Get class size reduction. Get everything that is needed to improve instruction in the classroom. That is what we are all about.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, 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 it changes existing law.''

The amendment directly amends existing law. I would ask for a ruling from the Chair.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) raises a point of order against the Obey amendment.

Does any Member wish to be heard?

Mr. OBEY. Yes. I do, Mr. Chairman.

Mr. Chairman, as I understand the rule, we are not able to offer an amendment that adds to the funding level assigned to this subcommittee through the budget resolution because the budget resolution set aside a huge amount of money for tax cuts, which the majority party would prefer to see instead of funding for programs like this and Social Security and Medicare and all the rest.

That means that all we can do is offer these amendments, but we cannot get a vote on it. It is a pretty strange way to run a railroad, but that is the way we are going to be railroaded, I guess. And so, I reluctantly concede the point of order.

The CHAIRMAN. The gentleman concedes the point of order. The gentleman from Illinois (Mr. PORTER) makes a point of order that the amendment offered by the gentleman from Wisconsin (Mr. OBEY) proposes to change existing law, in violation of clause 2(c) of rule XXI.

The amendment in pertinent part includes a provision directly waiving ''any other provision of law.'' By seeking to waive any other provision of law, the amendment constitutes legislation on an appropriation bill in violation of clause 2(c) of rule XXI.

Accordingly, the point of order is sustained.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Ms. VELAZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentlewoman from New York.

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

Ms. VELAZQUEZ. Mr. Chairman, a complaint was filed with the Department of Health and Human Services Office of Civil Rights (OCR) because of discriminatory practices against limited English speaking persons as well as hearing impaired clients who applied for TANF and Medicaid benefits.

In October 1999, the Health and Human Services Office of Civil Rights (OCR) found the New York City Human Resources Administration, the New York State Department of Health, the New York State Office of Temporary and Disability Assistance, and Nassau and Suffolk Counties guilty of discriminatory practices against limited English speaking and hearing-impaired persons.

These local, county, and state entities were found in violation of Title VI of the Civil Rights Act as well as the Americans With Disabilities Act.

Those who already are challenged with navigating a massive bureaucracy should not have to be penalized further because they do not speak the language and dared to ask for help. This is appalling.

The Office of Civil Rights within the Department of Health and Human Services came to some very troubling revelations. Limited English-speaking clients were asked to bring their own language interpreters.

This pattern of misconduct was so prevalent and well known to the community that clients seeking assistance made arrangements to bring their own interpreters before going to a public assistance office.

Bilingual staff people were limited or non-existent, and staff were often not aware they were required to provide such assistance. This is unacceptable.

Investigators from HHS found that public assistance offices failed to provide necessary assistance and services to hearing-impaired clients and staff members lacked the ability to ensure effective communication with hearing-impaired clients.

The basic conclusion of the Office of Civil Rights was that clients were denied access to federal funds. Specifically, they were denied access to Medicaid and TANF funds.

The Office of Civil Rights required the Human Resources Administration to submit a corrective plan of action.

To add insult to injury, the plan submitted by the agency was totally devoid of any serious intent to correct its conduct. The plan submitted was so inadequate, that the Office of Civil Rights rejected it. The Office of Civil Rights then drafted a plan for the agency which the agency has yet to agree to.

As the Representative of one of the largest Hispanic constituencies in New York City, one of the largest Asian populations nationally, and the largest number of Eastern European immigrants in Brooklyn, I am very concerned that my constituents are being denied their rights.

New York City is not an island unto itself. I dare to think, how prevalent such behavior may be on a national level. We have a responsibility to ensure that funds which we deem as necessary for the well-being of our constituents reaches them.

In a nation that is founded upon the diversity of its people, this conduct cannot be tolerated. Because of this, our capacity for tolerance and understanding of all people should be a foregone conclusion.

Mr. Chairman, it is for this reason that I ask that you consider the inclusion of language in the Committee Report to urge the Department of Health and Human Services to examine this matter on a national level.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act of 1965, $8,816,986,000, of which $2,569,823,000 shall become available on July 1, 2001, and shall remain available through September 30, 2002, and of which $6,204,763,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002, for academic year 2001–2002: *Provided,* That $6,783,000,000 shall be available for basic grants under section 1124: *Provided further,* That up to $3,500,000 of these funds shall be available to the Secretary on October 1, 2000, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: *Provided further,* That $1,158,397,000 shall be available for concentration grants under section 1124A: *Provided further,* That $8,900,000 shall be available for evaluations under section 1501 and not more than $8,500,000 shall be reserved for section 1308, of which not more than $3,000,000 shall be reserved for section 1308(d): *Provided further,* That $190,000,000 shall be available

under section 1002(g)(2) to demonstrate effective approaches to comprehensive school reform to be allocated and expended in accordance with the instructions relating to this activity in the statement of the managers on the conference report accompanying Public Law 105–78 and in the statement of the managers on the conference report accompanying Public Law 105–277: *Provided further*, That in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children served by title I to meet challenging State content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement.

□ 1245

AMENDMENT NO. 192 OFFERED BY MR. VITTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 192 offered by Mr. VITTER:

Page 50, line 11, insert after the dollar amount the following: ''(decreased by $116,000,000)''.

Page 51, line 21, insert after the first dollar amount the following: ''(decreased by $78,548,000)''.

Page 52, line 12, insert after the first dollar amount the following: ''(decreased by $158,450,000)''.

Page 53, line 5, insert after the dollar amount the following: ''(decreased by $30,765,000)''.

Page 53, line 17, insert after the first dollar amount the following: ''(increased by $1,419,597,000)''.

Page 54, line 13, insert after the dollar amount the following: ''(decreased by $900,000)''.

Page 54, line 17, insert after the dollar amount the following: ''(decreased by $5,849,000)''.

Page 55, line 2, insert after the dollar amount the following: ''(decreased by $3,420,000)''.

Page 55, line 10, insert after the first dollar amount the following: ''(decreased by $36,850,000)''.

Page 56, line 13, insert after the dollar amount the following: ''(decreased by $823,283,000)''.

Page 57, line 14, insert after the first dollar amount the following: ''(decreased by $158,502,000)''.

Page 58, line 3, insert after the dollar amount the following: ''(decreased by $7,030,000)''.

The CHAIRMAN. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Louisiana (Mr. VITTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. VITTER).

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

Mr. Chairman, I bring before the House today an amendment to fully support over time our Federal commitment to IDEA, the Individuals with Disabilities Education Act. This has been a long-running frustration in the education community and across our country, Mr. Chairman, the fact that since 1975, the Federal Government has created an enormous burden and mandate with IDEA but has not kept its commitment to adequately fund that mandate.

In 1975, IDEA was passed, and part of that passage was the notion that the Federal Government would fully fund over time that additional mandate on local government by funding 40 percent of the national per-pupil expenditure for students with disabilities. Unfortunately, we have never come close to that mark.

Now, recently, just about a month ago, we took an important vote on H.R. 4055 by the gentleman from Pennsylvania (Mr. GOODLING). I was a cosponsor of that measure. That measure, which passed overwhelmingly, 421–3, said that over the next 10 years, we would increase IDEA funding by $2 billion per year, and, therefore, over that 10-year period, we would get to our full Federal commitment on the issue of IDEA, something we have promised to do but have failed to do since 1975. That was just a month ago. 421–3.

Also this year, we passed a budget resolution, the fiscal year 2001 budget resolution. That committed us to the same thing, an increase in $2 billion per year to, over a reasonable amount of time, get us to our full funding commitment. In fact, that budget resolution went further. It said that we would commit ourselves to fully funding special education before appropriating funds for new Federal education initiatives.

My amendment, which I bring before the House today, lives up to that promise, lives up to the promise of the budget resolution that we passed recently and lives up to the promise of H.R. 4055 which we passed recently by an overwhelming margin.

It is really quite simple. It would take any increases in funding on education initiatives and shift those increases, only increases in funding over last year, to IDEA, and that would fully fund our $2 billion per year commitment so that we will stay on track to get to full Federal funding of our Federal commitment over 10 years.

Now, I know some of these increases in other areas are very warranted, are very popular. But we need to keep this fundamental Federal commitment which we have just restated this year twice through both the bill of the gentleman from Pennsylvania (Mr. GOODLING) and the fiscal year 2001 budget resolution before we move on to new programs and to new spending in existing programs. My amendment will do that.

In summation, Mr. Chairman, there are many good reasons to pass this amendment. Number one, we should keep our commitment, a commitment restated twice this year. Number two, we should support Federal education initiatives and our special education students. Number three, and perhaps even most importantly, we should give local systems additional flexibility, because every time we give them more special education dollars to keep our Federal commitment, we free up local and State money, and that gives more flexibility, more power to the local level where it belongs.

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

Mr. OBEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

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

There is no one in this House who would like to see funding rise for special education more than I would. I have a nephew that benefits from special education. But this amendment is a Johnny-one-note approach to education, and it ought to be defeated.

We will be offering an amendment later on in the process which attempts to add a billion and a half dollars to special education by asking the majority to consider cutting back its tax cuts by about 20 percent in size. That is the best way, in my view, under present circumstances to strengthen special education.

This amendment is opposed by the National Association of State Directors of Special Education, it is opposed by the National PTA, it is opposed by the American Association of School Administrators, the National Education Association, and the National Education of Federally Impacted Schools. Why? Because it cuts the maximum Pell grant award for every working-class kid trying to go to college $275 below last year's level. It cuts education for the poorest kids in this country who are having the most trouble getting an education, the disadvantaged, by $116 million. That means 178,000 fewer kids will be served. It cuts the increases in this bill for Even Start literacy services, comprehensive school reform and high school equivalency and college assistance for migrant students. It cuts services to the deaf and blind students at Gallaudet and at the Printing House for the Blind and at the National Technical Institute for the Deaf. It cuts Impact Aid by $78 million.

The National Association of State Directors of Special Education says as follows:

''While we support full funding for IDEA and welcome increases in funding that take us toward that goal, we are concerned that these increases are the result of cuts in proposed spending on Federal education programs that also serve the needs of children with disabilities, including title I, 21st century community learning centers, and vocational education. As a result, taking money from one education program and putting it into special education will not increase the total amount of funding available to support children with special needs. These proposed amendments demonstrate the fundamental problem with this appropriations bill. It lacks sufficient funding and support for education programs across the board. This deficiency will

not be fixed by moving dollars from one program to another.''

I could not have said it better myself. I would urge rejection of the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank my friend from Wisconsin for yielding me the time. I would like to say to the gentleman from Louisiana, he has got the right idea, he is just taking it out of the wrong pot of money.

What we are trying to do with this debate in education today and yesterday and last week is say that the majority budget where they have put so much money, a trillion dollars, aside for a tax cut, we need to make sure that some of that money can go toward new ideas with accountability, with good quality, for education. Nothing is more important than the title I program for the poorest of the poor.

This bill funds it at about $8.5 or $8.6 billion. I offered an amendment with 39 Republicans on the authorization process that increased title I by $1.5 billion. This does not increase it by $1.5 billion. This amendment takes money away from the poorest kids, puts it into a good account, but we should not be forced to take it from poor kids to put it in special education programs. We should be able to do both.

I urge defeat of the amendment.

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

In closing on this side, I want to make two fundamental points. First of all, this amendment only involves cuts by the Washington definition of the term. In the real world, across the country, people know what a cut is, and they know the difference between a cut and a lack of increase in spending. This keeps our same level of spending on other vital education programs as last year, and it only moves what would be new and additional spending dollars to special education. So it is not a cut except in the old, stale Washington definition and Washington sense of the term.

We do this in the amendment, we move that money, those additional new funds to special education for a very good and compelling reason, because we voted twice this year, in the bill of the gentleman from Pennsylvania (Mr. GOODLING) by an overwhelming margin and in the fiscal year 2001 budget resolution to put special education and meeting our Federal commitment to special education at the top of the priority list. It is time we did that.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, there is no enterprise that is more important and no responsibility that is greater for any public official than to see to it that our public schools are our first priority, not just for some kids but for all kids. That means kids who need special education; that means kids from wealthy families. It means kids from middle-class and poor families.

The only thing you have got when you start out in life is opportunity. The question is how much you are going to be given by your society as you grow or how much is going to be taken away. This amendment seeks to give additional opportunity for some kids at the expense of others.

That is not the way we ought to be doing things in this country. We should not be making it more difficult for 178,000 kids who are most at risk of failing in education to lose help under Federal education programs. We should not be taking funding away for the National Technical Institute for the Deaf. We should not be taking it away for Gallaudet, the university for deaf and deaf/blind. We ought to be able to find a way. And sooner or later before this year is over, we will. Before this year is over, the majority will have to recognize that more money is going to have to go into this bill for education. It is $3.5 billion below the President's request.

If you want to fix this bill, take care of that and you will fix most of the problem.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. VITTER).

The amendment was rejected.

AMENDMENT NO. 202 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:

Amendment No. 202 offered by Mr. HOEKSTRA:

Page 50, line 11, insert after the dollar amount the following: ''(decreased by $116,000,000)''.

Page 51, line 21, insert after the first dollar amount the following: ''(decreased by $78,548,000)''.

Page 52, line 12, insert after the first dollar amount the following: ''(decreased by $158,450,000)''.

Page 53, line 5, insert after the dollar amount the following: ''(decreased by $30,765,000)''.

Page 53, line 17, insert after the first dollar amount the following: ''(increased by $383,263,000)''.

The CHAIRMAN. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, when Congress passed the Individuals With Disabilities Act in 1975, the Federal Government made a commitment to pay 40 percent of the special education budget and required States to pay the other 60 percent. The Federal Government, however, currently only pays roughly 12.6 percent toward the IDEA budget, and the States are forced to make up the rest of what is an unfunded mandate.

This amendment takes a more targeted approach by eliminating increases in four programs and moving the money into funding for the Individuals with Disabilities Education Act. This amendment would move about $383 million in funding, still far short of the $2 billion in increase necessary to move IDEA funding to the target that was outlined in the budget resolution. The amendment is not a criticism of the programs where we are taking the money out of. Rather, it is a transfer of funding to a program which Congress has said should be our number one funding priority. This is consistent with the budget resolution. It is also consistent with the resolution that passed the House of Representatives identifying IDEA as our most important funding priority.

□ 1300

It is also very consistent with what educators, school administrators, and parents have said at the local level as we have gone around the country, because what this mandate does, without fully funding it, is it saps resources from local school budgets.

Governor George Ryan in Illinois: ''The support of increased Federal funding is a key element in assuring successful compliance with IDEA in the future.'' Representative Alice Seagren told us this last week in Minnesota: ''One of the most positive things Congress could do is to fund the Federal Special Education mandates before you consider any new programs.'' Bob Selly who is superintendent of the East Yuma County School District in Colorado: ''My suggestion, if it is going to be mandated by the Federal Government, figure out what is it is going to cost the schools and fully fund the Federal mandate.''

Eric SMITH, superintendent of the Charlotte Schools in Charlotte, North Carolina: ''Based on a lack of funding, there are systemwide struggles which directly affect the quality of service we can provide to our students.'' From a parent in Pennsylvania: ''I believe that a lack of funding is a major detriment to fulfilling the promise of IDEA giving children with disabilities access to a free and appropriate education in the least restrictive environment.''

This amendment seeks to move us in the direction that the budget resolution has said we should go, that this House has said we should go, and that Congress in 1975 said that we should go by funding 40 percent of the mandate that we imposed on some State and local schools.

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

The CHAIRMAN. Does any Member claim time in opposition?

Mr. OBEY. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

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

Mr. Chairman, again, the choice we face is this, both parties want to increase support for special education.

The question is, are we going to do that by scaling back by just a tiny amount the size of the tax cuts that the majority party is pushing through this place, or are we going to do that by cutting back on funding for disadvantaged children? Are you going to do that by cutting back on Impact Aid to local school districts?

Are you going to do that by cutting out increases for charter schools in this bill and the increases for education for homeless children? Are you going to really cut $31 million from Indian Education, 29 percent below the House bill and 33 percent below the request?

I do not know how many times you have had the occasion to have Native American children either in your office or just talking to them at home. So often we see that they lack confidence. They are not sure of themselves. They do not want to speak up.

They have not been treated very well in this society, and this amendment provides that that treatment is going to be just a little bit worse.

I do not think that it makes sense fiscally. I do not think it makes sense in terms of human values. This amendment is opposed by the National Association of State Directors of Special Education, the very people that it purports to help. And it is also opposed by the Easter Seals Society. It says Easter Seals does not support amendments that propose to reduce funding of Federal general education programs in order to provide an increase for special education. Every child in America benefits when all educational programs are adequately funded. Moreover, Easter Seals is working to ensure that students with disabilities have the opportunity to benefit from general education programs, including the 21st Century Community Learning Centers, GEAR-UP, and title I.

Mr. Chairman, we know in the end this bill is going to have to provide more funding for special education and for a lot of other education programs. That, unfortunately, is not going to happen today, because of the rule under which this bill is being brought to the floor, but this is not a vote that you want to cast. This is not a vote you want to go home and explain to your constituents.

We should not be picking on the most defenseless and most troubled children in this society in order to help other defenseless and troubled children. I would urge defeat of the amendment.

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

Mr. HOEKSTRA. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Michigan (Mr. HOEKSTRA) has 1½ minutes remaining, the gentleman from Wisconsin (Mr. OBEY) has 1¾ minutes remaining.

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

Mr. Chairman, it is interesting to take a look at the funding and the taking away from different groups to fund others. Title I since 1998 increased 19 percent. Impact Aid since 1998 increased 22 percent. Indian Education since 1998, an increase of 80 percent. School improvement programs since 1998, an increase of 110 percent.

What we are saying is these programs have been funded and increased over the last 3 years, but let us meet and fulfill the commitment that this House said, which was special education funding is our number one priority. Let us fully meet our commitment as we fully met our commitment, then let us take a look at the other programs. But these other programs have been receiving increases. What we are saying this year is let us take a focused approach, and let us put our money where our promises and our commitments were.

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

Mr. OBEY. Mr. Chairman, how much is remaining?

The CHAIRMAN pro tempore. The gentleman from Wisconsin has 1¾ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me the time and would simply state that, I believe, while well-intentioned, this amendment might jeopardize the $30 million increase that we have worked so hard for a program that the gentleman from Michigan (Mr. HOEKSTRA) and I have had hearings on; that we both agree should be supported at a higher level of funding, and that is charter schools.

The gentleman from Michigan (Mr. HOEKSTRA), who I have the deepest of respect for, we work together on the Subcommittee on Oversight and Investigations on the Committee on Education and the Workforce, have had a hearing, an extensive hearing on what a wonderful innovation is being brought forward on charter schools in this country.

They are accountable. They are innovative and creative. They allow us to do new things at the community level with parental involvement. We need more funding. And we hear from the business community and the high-tech community that starting a new charter school, the upstart costs are one of the most difficult barriers to get them going, so we have a $30 million increase; the Senate has this at $210 million. Let us keep that in the bill; let us not threaten that with taking money away from that charter school program.

Mr. OBEY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, the gentleman from Michigan (Mr. HOEKSTRA) said that special education should be our highest priority. I agree that special education, teacher training and small class size all ought to be our top priorities, but I do not believe that special education ought to be our only priority; and I do not think it ought to be funded by dealing another heavy blow to other children who in some cases are even more disadvantaged than some of the children who need special education.

It seems to me in the end we will recognize what we all have to do, that will not happen until conference; but this approach is a beggar-thy-neighbor approach, and I do not think it would be well received by the public; and I urge its rejection.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

The amendment was rejected.

The CHAIRMAN pro tempore. The Clerk will read.

Mr. BONILLA. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Washington (Mr. NETHERCUTT).

The CHAIRMAN pro tempore. Is the gentleman from Texas (Mr. BONILLA) a designee of the gentleman from Illinois (Mr. PORTER)?

Mr. BONILLA. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Texas (Mr. BONILLA) for 5 minutes.

Mr. NETHERCUTT. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I yield to the gentleman from Washington.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman from Texas for yielding to me.

Mr. Chairman, I had previously intended to offer an amendment to this bill, which would increase the Star Schools Program up to last year's funding level of about $51 million. My amendment would have increased this program a little over $5½ million with offsets proposed for administrative costs in the Department of Education.

I have decided not to offer the amendment formally, but to enter into a colloquy with the chairman of our subcommittee to get some assurance that this issue will be considered in conference. The purpose of the Star Schools Program is to capitalize on new interactive communication technologies which allow educators to improve instruction in mathematics, in science, foreign languages, adult literacy and other subjects, especially to traditionally underserved students.

The Stars Schools Program was first authorized in 1988 and was reauthorized most recently under title III of the Improving America's Schools Act. The program allows the Office of Educational Research and Improvement to make grants for a duration of 5 years, allows the authority to make awards to special statewide projects and special local projects.

The program has been really a very effective program in my district, the east side of the State of Washington. It

has provided services to more than 6,000 schools in every State, the District of Columbia, and several territories.

About 1.6 million learners have participated in the student staff development parental and community-based activities produced under the Stars Schools Program. I visited the STEP Star Program in Spokane, Washington, which is the Star Schools Program offered by Educational Service District 101 in my 5th Congressional District of Washington. The program is tremendously impressive, and I must say we held a town hall meeting with several schools in rural communities outside of the Spokane area, and it was very effective. I especially commend the work of ESD 101 Superintendent Terry Munther and Government Affairs manager Steve Witter.

We could have interactive communication and discussion of not only issues of the day, but the opportunity for students in local, rural communities to have the same opportunities to learn as students in urban communities.

It is a very great program. It is well operated. It services children as it should, regardless of geographic location. So I am delighted that the chairman of the subcommittee is willing to enter into this colloquy and to talk a little bit about this, and allow me to say a few words in support of the program, because I think if we had a vote on it, we would have a good chance of passage; but I do respect the process here of trying to make sure we stay within our budget limitations, but also try to solve the funding issues that affect very serious programs like this one in the conference.

Mr. Chairman, I would ask for the assurance of the gentleman from Illinois (Mr. PORTER) that we will seek to increase funding for the Stars Schools Program up to the level of last year to the extent that we can during the conference with the other body.

Mr. BONILLA. Mr. Chairman, I thank the gentleman from Washington (Mr. NETHERCUTT) for bringing this good program to the attention of the subcommittee, and the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER), gives his assurance that he will work to increase the line item for this particular program, the Stars Schools Program in conference.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $985,000,000, of which $780,000,000 shall be for basic support payments under section 8003(b), $50,000,000 shall be for payments for children with disabilities under section 8003(d), $82,000,000, to remain available until expended, shall be for payments under section 8003(f), $25,000,000 shall be for construction under section 8007, $40,000,000 shall be for Federal property payments under section 8002, and $8,000,000, to remain available until expended, shall be for facilities maintenance under section 8008.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles IV, V–A and B, VI, IX, X, and XIII of the Elementary and Secondary Education Act of 1965 (''ESEA''); the Stewart B. McKinney Homeless Assistance Act; the Civil Rights Act of 1964; and part B of title VIII of the Higher Education Act of 1965; $3,165,334,000, of which $1,073,500,000 shall become available on July 1, 2001, and remain available through September 30, 2002, and of which $1,515,000,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002 for academic year 2001–2002: *Provided,* That of the amount appropriated, $1,750,000,000 shall be for the Teacher Empowerment Act, if such legislation is enacted.

AMENDMENT NO. 185 OFFERED BY MR. ROEMER

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

Mr. BONILLA. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 185 offered by Mr. ROEMER:

Page 52, line 12, after the first dollar amount, insert the following: ''(increased by $25,000,000)''.

Page 52, line 19, strike the period and insert the following: '': *Provided further,* That of the amount appropriated for programs under this heading, $25,000,000 shall be made available for teacher transition programs described under section 306.''

Page 59, line 10, after the first dollar amount, insert the following: ''(decreased by $25,000,000)''.

Page 64, after line 6, insert the following new section:

SEC. 306. (a) PURPOSE OF TEACHER TRANSITION.—The purpose of this section is to address the need of high-need local educational agencies for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, needed by those agencies, following the model of the successful teachers placement program known as the 'Troops-to-Teachers program', by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

(b) PROGRAM AUTHORIZED.—

(1) AUTHORITY.—The Secretary is authorized to use funds appropriated under paragraph (2) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this section.

(2) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $9,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 through 2004.

(c) APPLICATION.—Each applicant that desires an award under subsection (b)(1) shall submit an application to the Secretary containing such information as the Secretary requires, including—

(1) a description of the target group of career-changing professionals upon which the applicant will focus its recruitment efforts in carrying out its program under this section, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this section;

(2) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

(3) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, support, and provide teacher induction programs to program participants under this section, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

(4) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

(A) the program's goals and objectives;

(B) the performance indicators the applicant will use to measure the program's progress; and

(C) the outcome measures that will be used to determine the program's effectiveness; and

(5) such other information and assurances as the Secretary may require.

(d) USES OF FUNDS AND PERIOD OF SERVICE.—

(1) AUTHORIZED ACTIVITIES.—Funds under this section may be used for—

(A) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

(B) training stipends and other financial incentives for program participants, not to exceed $5,000 per participant;

(C) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

(D) placement activities, including identifying high-need local educational agencies with a need for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

(E) post-placement induction or support activities for program participants.

(2) PERIOD OF SERVICE.—A program participant in a program under this section who completes his or her training shall serve in a high-need local educational agency for at least 3 years.

(3) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under paragraph (1)(B), but fail to complete their service obligation under paragraph (2), repay all or a portion of such stipend or other incentive.

(e) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall make awards under this section that support programs in different geographic regions of the Nation.

(f) DEFINITIONS.—As used in this section:

(1) The term 'high-need local educational agency' has the meaning given such term in section 2061.

(2) The term 'program participants' means career-changing professionals who—

(A) hold at least a baccalaureate degree;

(B) demonstrate interest in, and commitment to, becoming a teacher; and

(C) have knowledge and experience that are relevant to teaching a high-need subject area in a high-need local educational agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to carry out this section $25,000,000 for fiscal year 2001.

The CHAIRMAN pro tempore. Pursuant to the order of the House on Monday, June 12, 2000, the gentleman from Indiana (Mr. ROEMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. ROEMER).

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

Mr. Chairman, I rise to offer a bipartisan amendment offered by myself, my good friend, the gentleman from Florida, (Mr. DAVIS), and my good friend, the gentleman from Michigan (Mr. UPTON). I also rise to offer an amendment that is offset, $25 million towards the transition to teaching, to bring new people in second careers into teaching, in math and science and technology, three of the real concerns that we have for improvement in the quality of teaching today.

It is offset. It is offset by a $25 million cut from the fund for the improvement of education.

□ 1315

So I do not know what the majority's opposition to this is. It is a brand new program based on a successful program that is currently working called Troops-to-Teachers. The Troops-to-Teachers idea was to help people move from the military to the teaching profession. Right now that 1994 program has 3,300 former military people teaching in schools, and 83 percent of them have stayed in inner-city school or rural school hard-to-teach areas.

What is the difficulty? It is a bipartisan amendment. It is offset. It is based on a successful idea to bring new people into the teaching profession.

Now, we might hear from the majority that this is legislating on an appropriations bill. Only in Washington do you hear such terminology, ''legislating on an appropriations bill,'' which means a bipartisan bill with a good idea and a solid track record might not even get a vote on it.

So I am exasperated. I cannot figure out why an education subcommittee of the Committee on Appropriations would rule out of order an innovative, creative idea, with such promise for quality in the teaching profession.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Texas (Mr. BONILLA) continue to reserve his point of order?

Mr. BONILLA. Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin (Mr. OBEY) wish to claim the time in opposition?

Mr. OBEY. Mr. Chairman, if the gentleman from Texas (Mr. BONILLA) is not going to claim the time in opposition, then I will claim the time in opposition to this amendment.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

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

Mr. Chairman, I rise in reluctant opposition to the amendment. I very much support where the gentleman wants to put this money, but I do not agree with where he wants to get it. I think the same problem lies with this as it lies with other amendments. So, at the proper time, if it is pursued to a vote, I would have to urge the House to oppose it.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER), and ask unanimous consent that he be allowed to control the time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to my friend and neighbor, the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank my Hoosier colleague and friend for yielding me time.

Mr. Chairman, I want to lend my support to the gentleman's amendment. I agree with the offset, and I believe it is commendable that the gentleman has an offset. But I also think that there are few issues that are of importance to our education system as much as where we are going to get the math, science and technology teachers for the next generation.

We do job training through the Federal Government, we do transitions' training through the Federal Government, and we do teacher training through the Federal Government. This crosses all different categories. This is not a new innovation.

I hope that if we cannot get it done today, we can move it through the authorizing committee. I think it is a great idea. Our only hope really to address this question is how we can get people moving from the private sector, many of whom have made their money in the private sector and may be willing to come back and teach our young people, or we will not able to compete worldwide.

Mr. Chairman, I thank the gentleman for his leadership.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for his support of this amendment.

Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from the State of Florida (Mr. DAVIS), who has worked so hard on this bill.

Mr. DAVIS of Florida. Mr. Chairman, we face, over the next 10 years, a need to hire over 2.2 million new teachers in this country. In my home, the Tampa Bay area, 7,000 new teachers we will need over the next 10 years. The problem is there is already a cut. School districts around the country are already starting to experience a lot of difficulty in attracting qualified teachers.

Well, today we can adopt a solution to that. We can adopt an amendment that is a Transition to Teaching Act, that will allow people who aspire to be teachers to go back to school to qualify for up to a $5,000 grant to cover their tuition and fees. In return, they must meet the same high standards that anyone else would need to be certified in their particular State, and they must spend at least 3 years teaching in a school with a high level of poverty, the schools having the greatest difficulty attracting the teachers we need today.

Most importantly, we are finding that around the country people that are prepared to move from the boardroom to the classroom, from the police station on Main Street to the school on Main Street, are valuable teachers. They are using their life experience to reach out to kids, to help them get excited and engaged in learning.

This amendment adopts the President's budget proposal of $25 million to start this program. It has bipartisan support. It has passed unanimously in both the House and the Senate. This is something we can do today to begin to equip our school districts and States to deal with this teacher shortage problem; not just to replace teachers, but also to bring more quality in the classroom by allowing these professionals to use their life experience to succeed as teachers.

Mr. Chairman, I would urge adoption of the amendment.

Mr. ROEMER. Mr. Chairman, I yield myself the balance of my time.

Mr. OBEY. Mr. Chairman, I yield the gentleman from Indiana (Mr. ROEMER) 2 minutes.

The CHAIRMAN pro tempore. The gentleman from Indiana (Mr. ROEMER) is recognized for 3 minutes. The gentleman from Wisconsin (Mr. OBEY) has 1½ minutes remaining and the right to close.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding me time, as well as his hospitality on that issue.

Mr. Chairman, the issue I close on in this bipartisan debate is we are trying to be innovative, and we are piggybacking on a successful idea called Troops-to-Teachers that has transitioned thousands of people from the military sector into the teaching sector. Now we are trying to transition people, from accountants, police officers, people in high technology jobs, into the teaching profession. It is a bipartisan idea, supported by the gentleman from Indiana (Mr. SOUDER), the gentleman from Michigan (Mr. UPTON), the gentleman from Florida (Mr. DAVIS), and me. It has an offset, so it is fiscally responsible.

I would like to ask somebody on the Republican side to tell me substantively why they disagree with this issue? I would be happy to yield the next 10 seconds to them to disagree with it.

Nobody rises on the Republican side to show any opposition to this amendment, which we have worked on, which the House has passed, which the Senate has passed, which we are trying to get

through procedural obstacles and distractions, some way of bringing a good idea from the floor of the House to the American people.

We would hope that there would be some kind of bipartisan support between Republicans and Democrats, since both support this idea, that we could get this bill on the suspension calendar or as a separate piece of legislation through this body to help the critical need for more teachers in America.

We have a digital divide, Mr. Chairman, with too many poor kids not having access to technology. We have a teaching divide in this country, where so many teachers may not get access to technology, or, when they get a donation of a brand new computer, they do not know how to use it. They are not equipped with the software and the skills to teach that technology to young people in inner-city or rural areas. This amendment deals with that shortage and that paucity, but, because of obstacles by the majority side, we cannot get this amendment voted on today.

So I would hope in the future when we have an education idea that is bipartisan, that is based on a successful idea that is working, that has been passed by the House and the Senate, I would hope that we could get some cooperation to support this legislation in the future.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, the gentleman wanted somebody to stand up in opposition. I could not get any time. My problem is the gentleman is authorizing on an appropriations bill. The gentleman helped us create TEA. Get the gentleman's two Members of the other body to move, and all of these things that the gentleman wants to do here are included in that, and then it will be done properly.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman is recognized for 1½ minutes.

Mr. OBEY. Mr. Chairman, this amendment proposes in part a good idea. It wants to take the concept of using retired military people in the classroom and add to that the concept of also using retired civilians in the classroom, especially to deal with problems like math and science. That is a terrific idea, and we ought to do it. The amendment that we will be offering later in the bill will do it; it just will not do it by damaging some of the programs that would be damaged if we funded that increase by reducing the programs the gentleman is trying to reduce.

I understand that the gentleman is forced to do that because of the rule under which we are operating. That is not his fault. But eventually we are going to have to do it the right way, and at that point I will look forward to the gentleman's full support, because I think the gentleman will be happy with the product that we produce after the President eventually is able to convince the majority party that they are not going to go home until they restore the money which they have cut from his education budget. I will predict that will include initiatives such as this.

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

POINT OF ORDER

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BONILLA) reserved a point of order. Does the gentleman from Illinois insist on the point of order?

Mr. PORTER. Mr. Chairman, 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.'' This does that.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentleman from Indiana desire to be heard on the point of order?

Mr. ROEMER. Mr. Chairman, with your patience and diligence, only in Washington, D.C., can you have a point of order on legislation on an appropriations bill on a bipartisan amendment that is on a successful idea that has an offset and does not take money and harm other programs.

I reluctantly, very reluctantly, concede the point of order on a technical Washington, D.C. term.

The CHAIRMAN pro tempore. The point of order is conceded and sustained.

The Clerk will read.

The Clerk read as follows:

READING EXCELLENCE

For necessary expenses to carry out the Reading Excellence Act, $65,000,000, which shall become available on July 1, 2001 and shall remain available through September 30, 2002 and $195,000,000 which shall become available on October 1, 2001 and remain available through September 30, 2002.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, $107,765,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act of 1965, without regard to section 7103(b), $406,000,000: *Provided*, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies.

AMENDMENT NO. 15 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer Amendment No. 15 as the designee of the gentleman from Wisconsin (Mr. OBEY).

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mrs. LOWEY: Page 53, after line 14, insert the following:

SCHOOL RENOVATION

For grants and loans to carry out school renovation under title XII of the Elementary and Secondary Education Act of 1965, $1,300,000,000, which shall become available on July 1, 2001 and shall remain available until expended, of which (1) $50,000,000 shall be for grants to local educational agencies (as defined in section 8013(9) of such Act) in which the number of children determined under section 8003(a)(1)(C) of such Act constituted at least 50 percent of the number of children who were in average daily attendance in the schools of such agency during the preceding school year; (2) $125,000,000 shall be for grants to local educational agencies (other than those eligible under paragraph (1)); and (3) $1,125,000,000 shall be for the costs of direct loans to local educational agencies: *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 not to exceed $7,000,000,000: *Provided further*, That notwithstanding any provision of titles XII and XIV of the Elementary and Secondary Education Act of 1965, the Secretary of Education shall make these grants and loans subject to such terms and conditions as the Secretary shall establish.

Mr. PORTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. A point of order is reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from New York (Mrs. LOWEY) and a Member opposed each will control 15 minutes.

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

□ 1330

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

Mr. Chairman, I have an amendment to include a package of $1.3 billion in grants and loans for urgently needed repair and modernization at our Nation's crumbling schools.

The desperate need to repair America's school schools is not a new issue for any of us. Four years ago, I conducted a survey of New York City schools and discovered that one in every four schools holds classes in areas such as hallways, gyms, bathrooms, janitors' closets. Two-thirds of these schools had substandard critical building features such as roofs, walls, floors.

This is an outrage. This is a disgrace. In response to that shocking study, I worked with the administration to author the very first school modernization bill in 1996. It is now 4 years later. School enrollment is skyrocketing.

High-speed modems and the wiring to support them is no longer a luxury. We have kids in the United States of America attending classes in rooms with asbestos-filled ceilings and in rooms heated with coal stoves. It would be laughable if it was not so disgraceful and potentially tragic.

Some of my colleagues will say this is not a Federal responsibility but the fact is that the States are doing the best they can. They need a partnership. They need Federal dollars to fill in the holes. In fact, the National Education Association estimates that the unmet school modernization need in America's schools totals over $300 billion, and that is on top of what school districts and States are already spending.

The problem is simply too big for local and State officials to handle alone. Simply stated, the need for school modernization is a national problem that demands a national response.

The Federal government, in my judgment, has a responsibility to ensure that public education is more than a promise, and our students cannot learn when the walls are literally crumbling around them. That is why we just should not end this session, Mr. Chairman, without providing at least this proposal for emergency school repair.

Frankly, Mr. Chairman, this is an issue where we will either pay now or we are going to pay later. If we do not provide the resources even for this targeted emergency assistance, we will continue to undermine our students and teachers as they struggle to meet standards and achieve academically.

We can spend the money now, targeted at the most urgent repairs first, and its reach will be broad. Through loans and grants, $1.3 billion would be leveraged with local dollars to provide $7 billion for approximately 8,300 school projects. The funding will go to high-need school districts for critical repairs such as ceilings, leaky roofs, and removing asbestos.

Pay now, or pay later in lower student achievement, even more burdened teachers, and potentially, even accident or injury in crumbling schoolrooms.

America's children need us to make the right choice now, to use this opportunity we have in this time of unprecedented prosperity to rebuild their schools and lift up the quality of their education. If we fail as a Congress once again to take action to meet our school modernization needs, it is wrong and we are going to pay.

I urge my colleagues to join me, acknowledge the shameful physical condition of our schools, give some relief to our States and localities. We cannot give our students a 21st century education in 19th century schools.

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

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to the order of the House, points of order are reserved.

Does the gentleman from Illinois (Mr. PORTER) wish to claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes.

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

Mr. Chairman, for at least 212 years of our Republic the schools in our country, the public schools, have managed to handle their own construction. They have done a pretty good job of it. It has never ever been a Federal responsibility, nor should it be.

As the gentlewoman points out, there is an estimate of over $300 billion in unmet needs. I do not doubt the needs at all. The needs are there. The question is, who should be funding it? I think, as throughout our entire history, our local school districts, aided by the States, should provide for this need.

If we had an allocation of $300 billion more, Members might be able to make an argument that there are sufficient funds to do this right now. But we do not have an allocation anywhere near that. To get the Federal government into this area of responsibility would undermine local control of public education. Local control is at the heart of our educational system in America. This is not another area where the Federal government ought to go in.

One of the things that was done in the last Congress was to pass the Taxpayer Refund and Relief Act of 1999. This Act included the national public school construction initiative. This initiative would have made permanent changes in bond rules so that State and local governments issuing public school construction bonds could take increased advantage of arbitrage rebate rules to help finance school construction and renovation.

Unfortunately, the President of the United States vetoed that legislation when it was laid on his desk.

I cannot see the possibility of the Federal government undertaking the kind of spending responsibility contemplated in this amendment. The States are doing very well. The economy is performing very well. State coffers are overflowing. The money is actually being spent by many of our States to support this State responsibility and to improve the condition of the schools, as it should be.

Mr. Chairman, it seems to me that this matter is a responsibility of another level of government, not a Federal responsibility. It will be undertaken properly and carried out by States and localities. We should not get the Federal government into yet another area of local control.

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

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

Mr. Chairman, I thank the gentleman, but briefly, as the gentleman well knows, after World War II, the United States did respond to the tremendous demand for schools and we built schools. We understood at that time that education was a priority.

All I am saying, Mr. Chairman, is that there is a tremendous problem in this country. Two hundred years ago we did not have computers in every classroom. Pencils and pens were adequate. We need to wire our schools. We need to provide computers. We need to ensure that every youngster has the best education they can.

Mr. Chairman, I am very pleased to yield 90 seconds to my good colleague, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the Lowey amendment. Our local school districts cannot raise sufficient funds to do all that is needed, desperately needed school construction funds to repair schools and to improve the overcrowding situation.

The city of Santa Maria lies in the heart of my Central Coast district. It has some of the worst overcrowding problems in the country. They have tried repeatedly to raise bonds, funds for this, and were not able to do it.

I recently visited Oakley School in Santa Maria, a school built originally for 400 students with an enrollment now of over 900. The school is forced to use precious playground space for 14 portable classrooms, which requires them to hold three different lunch periods. The first lunch period starts at 10:30 in the morning.

Mr. Chairman, I am so disappointed that we have done nothing in this 106th Congress to address the overcrowding and needed repairs in our schools across the country. The families of the Central Coast of California have told me again and again that school construction funding is their number one priority.

Just this morning I met with some middle school students from Santa Lucia school in Cambria where they carved up their multipurpose building into classrooms, and they have used their library for classrooms. I myself as a school nurse know what it is like to do vision and hearing screening in the janitors' closets.

Mr. Chairman, I believe this Congress has to treat school construction in a manner that reflects the importance of our schools and of our education in society and in our communities today. I ask Members to show their support for schools and students in need. Support the Lowey amendment.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, I am a little confused as to where the administration stands on school construction.

Back in 1995, we had a rescission of the funding that was already appropriated, and then in the President's 1996 budget he put no money in for any kind of construction. We got out of his language in that budget request, ''The construction and renovation of school

facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers,'' and now, this is the administration I am quoting, not me, ''primarily by local taxpayers. We are opposed to the creation of a new Federal grant program for school construction. No funds are requested for this program in 1996. For the reasons explained above, the administration opposes the creation of a new Federal grant program for school construction.''

That is the administration doing the talking here. Then, of course, we passed legislation that would have made permanent changes to bond rules, so that State and local governments issuing public school construction bonds could more easily comply with the arbitrage rebate rules. Guess who vetoed that?

So it is a little confusing as to where the administration stands on school construction. All schools would be eligible to take advantage of that change in the arbitrage rules, unlike the President's proposal, which is a limited eligibility.

We already provide school construction assistance for schools that show a need for additional funds. The qualified zone academy bonds program provides $400 million of tax credits to investors who purchase bonds issued by qualified zone academies for school renovation projects.

What is also confusing is when they offer an amendment like this with so little money, and then they do not prioritize. I do not understand that. It seems to me with that small amount there certainly would be a priority list. Otherwise, it gets misused.

Again, it is confusing because I am reading what the administration is saying, and the administration is saying over and over again, both in their veto of the tax bill and also back in 1996, that they thought that this is a place they do not want money because they thought it was the for local taxpayers.

Last night I was amazed because the gentleman said, oh, but it was your administration that was administering these programs. I have news for them, they administered the programs just exactly as the majority said they had to administer the program. They had to send the money, that is all they said. They never went out to look to see what was happening with the money. They said, you send the money where we said the money goes. So do not give me that foolish, facetious argument.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Maryland (Mr. HOYER), a member of the committee

Mr. HOYER. Briefly, the distinguished chairman talked about waste, fraud, and abuse. They did not cancel one Head Start program under their administration, I told the chairman, and he said that, as well. It was Donna Shalala that came along and said if Head Start is not working, we are going to shut down programs.

Mr. Chairman, the chairman of our committee continually says, regrettably, we do not have the money. He does not say we ought not to do it. He says, regrettably, we do not have the money. That is a self-imposed tax-cutting limitation. That is why we do not have the money, because they have determined that the wealthiest in America needed more than the children in America.

The President does have a program, as the chairman knows. For the jurisdictions that have the money to sell bonds he allows a tax credit, which makes them a little cheaper and therefore easier to sell, and therefore easier to proceed to provide the classroom space that our children so desperately need and that teachers need to have safe schoolrooms in which to teach.

This program supplements it for the neediest children in America. Are we so parsimonious that we will not do that for the neediest children in America?

The CHAIRMAN pro tempore. Does the gentleman from Texas (Mr. BONILLA) claim the time of the gentleman from Illinois (Mr. PORTER)?

Mr. BONILLA. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Texas is recognized.

Mr. BONILLA. Mr. Chairman, I yield 15 seconds to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I just want to remind everyone in the Chamber that the Secretary only made that decision after we said, from the Congress, we are not interested in quantity anymore, we are interested in quality. It did not matter whether it was the Johnson administration, it did not matter whether it was the Reagan administration, they did not have that edict from the Congress. They now do, and she is taking advantage of what we have given her.

□ 1345

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MILLER), a member of the subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I thank my colleague from the subcommittee, the gentleman from Texas (Mr. BONILLA), for yielding me this time.

Mr. Chairman, this amendment is another one of these theme amendments from the other side and basically what has happened, the goal is to basically undermine the budget process that we have. The budget process was adopted back in the 1970s to try to put some fiscal discipline in our spending programs here in Congress. It did not work for the first couple of decades, while the Democrats controlled this House, and once we started getting a handle on our fiscal problems and now we have a surplus, the idea is let us forget about the budget process and let us just spend, spend, spend.

The way the budget process works is, we propose a budget in the House and in the Senate. We agree to a budget. We agree to a set of numbers. This was passed by a majority in the House and a majority in the Senate. Now we have to live with these numbers. I know some do not like the budget that was adopted but the majority of the Congress adopted this budget and we have to live within this budget.

So that is what we are doing is saying are we going to believe in the budget process or are we going to just undermine it? That is what the basic objective we are talking about here is.

Now, when we have a surplus, the question is what do we do with all of our extra money? I mean, it is exciting to spend money and there are a lot of good programs in the Federal Government but the problem is we have to establish priorities. There are some, I think, very high priorities.

For example, I am a very strong supporter of the National Institutes of Health, as I think many of my colleagues on the other side are. We want to attack cancer with research. We want to go after the problems of Alzheimer's and Parkinson's diseases. That is a high priority. We are concerned about world health problems with the CDC, but all of a sudden now we have a new program.

Last night we just appointed conferees to the Subcommittee on Military Construction. Maybe we are moving in the direction of having a school construction subcommittee, because this is a slippery slope. When one starts putting a billion here to start with, it is not too much; a billion in Washington it does not seem like a lot of money to some people but it is a slippery slope.

There is a need. There is a problem with education. There is a problem with our school systems, but this is traditionally done at the State and local level. That is where we need it to remain. If we want to help our schools, let us relieve them with special education funding but we have to still live within the principles of a budget. If we want to stay responsible and keep this surplus and preserve it and not get ourselves in the hole where not too many years ago we were looking at $200 billion deficits as far as the eye could see, let us start spending money.

I mean, we are talking about billions and billions of dollars in these theme amendments that totally destroy and undermine the budget agreement. This is a totally new program. It is not authorized. It is my opinion it should be defeated.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FORD), a fighter on school modernization, who understands how important it is.

Mr. FORD. Mr. Chairman, I thank the gentlewoman from New York (Mrs. LOWEY) for yielding me this time.

Mr. Chairman, we get called back here every week to name post offices and to even fund unwanted aircraft carriers, but when it comes time for us

to confront education head on we begin to fiddle, Mr. Chairman. We send money from the Federal Government to build roads, to build highways. I am always fascinated when I hear my colleagues on the other side suggest that this is a local issue, this is local control. They did not complain when the home builders came before us recently asking that local land disputes be decided in Federal courts. Neither did I. I supported it.

They do not come complaining that building prisons is a local issue when those at the local level say we need more money to throw criminals in jail, which I support. But when it comes time to build schools, to provide children with an opportunity to learn in a safe and clean and learner-friendly environment, they begin to buckle, they begin to flinch. They begin to point fingers and suggest that it is not our responsibility.

Name me a prison in America, Mr. Chairman, that closes early, as 30 of my schools do during the summertime because they have no air conditioning. There is not one.

I would hope my colleagues on the other side could do better by our kids. We ought to be thankful they cannot write campaign checks like the gunmakers, the insurance industry, and the pharmaceutical industry. If they could, perhaps we could give a better answer than the answer we are giving today.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Texas (Mr. BONILLA) for yielding me this time.

Mr. Chairman, as the individual who heads the subject matter of K through 12 education, the Committee on Education and the Workforce, there are a few figures we need to trot out here in the overall understanding of what we are doing.

One figure is simply this: In the five previous years, including two Presidents, the Republicans have put an increase of 48.2 percent in education funding K through 12, or 8.2 percent per year. In the 5 years before that, when the Democrats were in charge of the Congress under two Presidents at that time, the total was 32.9 percent or 6 percent a year, a lesser percentage than the Republicans have been putting in, in the last 5 years.

There are a lot of reasons for this: A President who cares about education; a Congress which cares about education; both parties which care about education, but we need to be very careful in saying who is slighting education because the last 5 years have been the highest increases in K through 12 education in the history of the Congress of the United States.

Now we get to the issue of school construction here. There is a lot of room for expenditures. That is being done in this budget, as in other budgets. We also can, frankly, afford some of the tax cuts that have been talked about and debt retirement. I understand we are probably going to have an extra trillion dollars here very shortly.

The real issue is what are we supposed to be doing about this? I know when I was a governor, we fought hard to reduce the size of the classrooms in K through 3 because we thought that was so important, but we also fought hard for school construction; mostly done at the State level. That indeed is a State function, something which we thought a great deal about in terms of what we had to do.

Yet in Delaware, a State which has, according to all the studies, relatively good schools, we need a billion dollars for new schools. If we take that and extrapolate that over 435 congressional districts because that is just one congressional district, that is $435 billion. If we put together a program like that, it is probably $500 billion. Others will say it is $300 billion.

In the event, that is the low. I would say it is something higher than that.

We are talking here about $1.3 billion. Maybe if it can be leveraged, some more; but if it is leveraged, money is owed. So even if one gets to $7 billion, they are talking about an absolute drop in the bucket. That is the problem with this. We are buying into a program which is a State and local responsibility, with a very small sum of money, so that we can stand up politically and say that we have solved the problems of construction of our schools.

This does not even begin to do that. We all need to understand it and, in my judgment, it probably should not be a Federal responsibility. If it is, let us look at what the Federal Government has mandated or facilitated to the States, including dealing with IDEA, dealing with technology, dealing with safety, dealing with the OSHA requirements, whatever it may be. Maybe in that area we could do something but, in my judgment, an open-ended construction bill is not the way to go, and we need to be very careful about this. We need to have further discussions. Perhaps something can be done, but I do not think this is the solution right now.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. ETHERIDGE), a leader in education.

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

Mr. ETHERIDGE. Mr. Chairman, I brought this chart up here because we talk about numbers. I want people to understand, we are not talking about a static number. We are talking about the growth in the number of students in high school over the next 10 years, the greatest we are facing in this Nation's history in terms of numbers.

So if we are talking about how much we have increased the budget, we need to reflect. We have not increased it anywhere near what we need to be increasing it to meet the needs.

We need to pass the Lowey amendment, to restore the administration's plan to assist our local schools in repairing the schools that need to be repaired instead of this massive tax cut that we are talking about.

As a former superintendent of my State schools, I know firsthand that we need to invest in schools to help our children get individual attention, to have proper discipline and instruction that they need to meet the skills of the 21st century, and this $1.3 billion will restore 5,000 local schools that badly need it.

We can see from this chart that would only be a scratch in where we need to go.

Mr. Chairman, there is a lot that needs to be done. I grew up on a farm, and there is one thing a person understands. One does not eat the seed corn, and this Congress is about to do that.

Mr. Chairman, I rise in strong support of the Lowey amendment that restores the administration's plan to assist repair plans for local school buildings. This bill would kill that plan to finance the majority's massively irresponsible tax scheme. I strongly oppose those misplaced priorities.

As the former superintendent of my state's public schools, I know firsthand we must invest in our schools so that students get the individual attention, discipline, and instruction they need to learn the skills to succeed in this New Economy. This amendment will restore to the bill $1.3 billion for 5,000 local school districts across the country to fix leaky roofs, upgrade plumbing, and bring schools into compliance with local safety codes. Common sense tells us that no school can provide an adequate education if children are subjected to substandard facilities.

Mr. Chairman, budget choices come down to a question of our values. Do we value investment in our nation's future by providing our children the best education in the world? Or do we fritter away that future by acting like drunken sailors when it comes to tax cuts? I support responsible tax relief for middle class families, but we must not raid the Treasury and jeopardize our ability to make necessary investments.

Mr. Chairman, I grew up on a small farm. The farm teaches you hard lessons. I believe cutting education to finance massive tax breaks is as dumb as eating your seed corn. I call on my colleagues to reject the Republican majority's misguided values, reject this bill and vote for the Lowey amendment.

Mr. BONILLA. Mr. Chairman, I yield an additional minute to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I thank the gentleman from Texas (Mr. BONILLA) for yielding me this additional time.

Mr. Chairman, it is nice to have all these Johnny-come-latelys. For 22 years, I tried to get 40 percent of excess spending back to the local districts as far as special ed is concerned. If the majority had done that for all these years, Los Angeles, for instance, would have been getting an extra 100 million dollars every year. Can one imagine what they could have done in school construction, what they could have

done in class size reduction? Chicago would have gotten $76 million extra every year. New York City would have gotten $170 million extra every year. Imagine what they could have done.

Again, I could not get them to move to get that 40 percent of excess funding back to those local districts, so their money would be freed to do just the things that we think now is our responsibility: Class size reduction; school construction. All the money would have been available, but they had to take their money for our mandate and so they could not do the kinds of things they should have been doing in relationship to class size reduction, in relationship to construction.

Again, I am confused about where the administration stands on construction.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY), my good friend and leader.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise to show my strong support for the Lowey amendment. This is a crisis. When we have had crises before, the Federal Government has, in fact, stepped in. Over the last 4 years, I visited many of the schools in my district and, frankly, I was shocked by the conditions I found.

Our teachers are holding classes in trailers because their classrooms aren't safe. Students crowd into these rooms. They sit on floors. They sit on radiators. They have classes in closets. Just this morning, a gentleman came into my office. He said his daughter in high school went into a classroom, 40 chairs, 60 students.

Schools in my district are being forced to trade teachers for bricks and mortar. These children cannot afford the trade-off and they should not have to expect to choose between safe and adequate classrooms and more teachers.

Studies show that on the average, students who attend schools in poor conditions score lower on achievement tests. This is just one more hurdle our students should not have to jump through.

One-third of all of our schools need extensive repair and over half of our schools need repair of at least one major building. Please support this amendment. It provides the States the much-needed assistance to renovate the decrepit schools.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. CROWLEY), my good colleague, and a leader on school construction. I have seen his district and the need is clear.

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

Mr. CROWLEY. Mr. Chairman, I rise in support, in strong support, of the Lowey amendment. School renovation and construction is of the utmost importance to our children and to the future of our country.

My colleague from New York has been a leader in the fight for Federal funding for school renovation and construction assistance.

Schools, as part of our Nation's infrastructure, are in desperate need of repair and modernization. One-third of our Nation's schools were built prior to World War II. In the city of New York, the average age of a school is 55 years of age, and one out of five schools is over 75 years of age.

I have the most overcrowded school district in New York City, School District 24, which is operating at 119 percent of capacity. Additionally, enrollment is increasing by 30,000 every 5 years. My colleagues from New York are seeing similar problems arise.

How can we expect our children to work hard and care about their education and their future when they have classrooms that were formerly closets or bathrooms? That is not showing that we care about our children.

I ask, would someone allow their child to attend a school that has a roof falling in or fire alarms that do not work? Congress is allowing their children to go to school under those conditions.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Brooklyn, New York (Mr. OWENS), my colleague who knows firsthand what a tremendous problem we have in our city schools.

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

Mr. OWENS. Mr. Chairman, $1.3 billion is a very tiny amount, but it is one step forward. $1.3 billion is $1.3 billion above zero.

The Republican majority has offered nothing. This small step to take care of emergency repairs will open the door, I hope, to an understanding that our schools are a part of our national security system.

We had 300 personnel short of an aircraft carrier launched last year because we did not have the right personnel to put on. They could not meet the high-tech requirements. We have a bill coming up next week to bring in people from outside the country to take jobs in our high-tech industries. Those same people came from countries that built their own nuclear industry on the basis of what they learned here as students and as workers here.

We need to deal with the problem of $254 billion needed to bring up our school infrastructure as determined by the National Education Association survey, which was completed recently.

The General Accounting Office in 1995 said we needed $110 billion at that time. Enrollments have grown. We need to spend on a level which understands that we are going into the 21st century, a cyber civilization.

□ 1400

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from New York (Mrs. LOWEY) has 3 minutes remaining. The gentleman from Texas (Mr. BONILLA) has 1½ minutes remaining and has the right to close.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), our distinguished ranking member of the committee, who has been a leader on education.

Mr. OBEY. Mr. Chairman, who are we trying to kid? I have been in this House 31 years, and there has not been a year when the Republicans in this House have not favored less funding for Federal education than Democrats.

Over the last 5 years, first they wanted to abolish the Department of Education. Then they tried to savage every education program that they can get their hands on. Now that the polls are showing that education is increasing in popularity, they are backing away.

Now they act as though somehow the idea of the Federal Government helping local school districts with renovating buildings is a new idea. Franklin Roosevelt, for goodness sake, helped local school districts build 5,200 new schools when he was President in the 1930s. He helped them renovate 1,000 schools that needed renovation.

My colleagues passed a minimum wage bill just a few weeks ago that gave $11 billion in wage benefits to low-wage workers but gave $90 billion in tax cuts to people making over 300,000 bucks a year.

What does one have to do to finance this amendment? Cut back that $90 billion to their wealthy friends to $89 billion. Is not that a terrible thing to ask to them do?

My colleagues ask why the administration opposed the Archer arbitrage position. It is very simple. Because that provision encouraged delays in construction because delaying construction would mean that schools could have earned additional interest by leaving the money in the bank rather than putting it in the school. That is why the administration opposed that provision and supports this one.

If my colleagues are for education, if they are for helping kids in lousy school buildings get a better deal, support this amendment. I was in a school 2 weeks ago where the furnace room looked like it was in the Titanic, for God's sake.

It is about time my colleagues recognize this is a growing population. There are some communities that do not have the financial power to do this job without Federal help. It is about time my colleagues give it to them.

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

Mr. Chairman, I ask my colleagues to forget the old stereotypes. We need a partnership between the Federal, State, and local governments. This is an emergency. I visited a school in New York just a couple of weeks ago where the kids had to move from one side of the gymnasium to the other side of the gymnasium when it was raining. This in the United States of America; this at the time of our greatest prosperity.

Franklin Roosevelt responded to the emergency. If we can build roads, if we can build highways, if we can build bridges, if we can build prisons, Mr. Chairman, let us work and be a partner to the State and local government; and we can reduce the taxes at the same time.

We just do not have to have as large a tax cut as we are proposing. We can respond and make sure that we are really educating every youngster. This is the least we can do. Shame on us if we do not. Shame on us if we do not pass this amendment.

This is $1.3 billion, and we have a responsibility to all the youngsters in this great country of ours. I ask for my colleagues' support.

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

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BONILLA) has 1½ minutes remaining.

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

Mr. Chairman, in closing, I am a person who can recall back when I started high school in the late 1960s that, not only did we have a problem with facilities, we had no facilities with which to attend high school classes, and they had to split the class size up. Freshmen and sophomores went in the morning, and juniors and seniors went in the afternoon.

I would venture to say that because of the disarray with the local school board back then, that even if we had a program in place like this, they would have squandered that money; and they would have never seen the light of day and created one single classroom.

The myth exists in this country that some people, and with good intention, stand up and try to say, if we give Washington the power, they can solve all problems locally for us, education, health care, school construction, child care, all of these things, if only Washington will create one more program.

But I venture to say this, the solutions for these problems do lie back in the neighborhoods, and they will not be easy problems to solve. But they must be done at the grassroots level, or the true solutions will never be found. Solutions like this will only, at best, provide a Band-Aid for very temporary relief for a very serious problem.

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, 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.''

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mrs. LOWEY. Mr. Chairman, I concede the point of order. I regret that we were not able to offer this amendment so we can provide this to our youngsters all throughout the United States.

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BONILLA) raises a point of order that the amendment offered by the gentlewoman from New York (Mrs. LOWEY) changes existing law, in violation of clause 2(c) of rule XXI.

The amendment, in pertinent part, establishes a new program in the area of school renovation and waives the Elementary and Secondary Education Act to do so.

Clause 2(c) of rule XXI provides that an amendment to a general appropriation bill shall not be in order if changing existing law. This provision has been construed to prohibit the enactment of law where none exists. By seeking to waive existing law and establish a new program, the amendment changes existing law and constitutes legislation on an appropriation bill in violation of clause 2(c) of rule XXI. Accordingly, the point of order is sustained.

The Clerk will read.

The Clerk read as follows:

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, $6,550,161,000, of which $2,557,885,000 shall become available for obligation on July 1, 2001, and shall remain available through September 30, 2002, and of which $3,742,000,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002, for academic year 2001–2002: *Provided,* That $9,500,000 shall be for Recording for the Blind and Dyslexic to support the development, production, and circulation of recorded educational materials.

AMENDMENT NO. 16 OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer amendment No. 16 by the gentleman from Wisconsin (Mr. OBEY), and I am offering the amendment as his designee.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Ms. DELAURO:

Page 53, line 17, after each of the two dollar amounts, insert the following: ''(increased by $1,510,315,000)''.

The CHAIRMAN pro tempore. On this amendment, points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

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

Mr. Chairman, I am offering an amendment today that would increase special education funding in this bill by $1.5 billion. This amendment calls attention to the fact that this bill grossly underfunds the Individuals with Disabilities Act. It fails to put us on the road to full funding by the year 2010. That is the goal this House set with its recent vote of 421 to 3 in support of the IDEA full funding act. That was just a few short weeks ago.

We should be living up to the commitment that we made with that vote and the commitment that this Congress made to help local schools meet the needs of educational needs of children with disabilities when it passed IDEA in 1975.

A number of Members have come to the floor today bemoaning the lack of IDEA funding in this bill. There is a simple reason why we cannot provide additional funding for IDEA, and it is because the Republican leadership proposed a tax cut that benefits the wealthiest 1 percent of Americans, ahead of the special education needs of our children.

If my colleagues supported the Republican budget resolution, they set these priorities in place. Do not now come to the floor of this House and lament the lack of IDEA funding. Because of these misplaced priorities, the needs of special education youngsters will not be met in this bill. We will not be on track to fully fund IDEA by the year 2010.

For so many years, back before IDEA became law, hundreds of thousands of disabled children received no formal education. Those were dark days. We should never go back to a time when the potential of so many bright youngsters with so much to offer was squandered due to a lack of understanding.

We finally opened our eyes to what these children have to offer. The passage of IDEA authorized several programs to support and improve early intervention and special education for infants, toddlers, children, and youths with disabilities. It, in fact, has made a world of difference, but we are not doing enough.

I offered this amendment in the Committee on Appropriations that would have started us on the road to fully fund the Individuals with Disabilities Education Act by adding $1.5 billion to the bill, bringing the increase in funding for this year up to $2 billion. That increase would put us on target for fully funding IDEA by 2010 as we said we would in this body.

Without a $1.5 billion increase this year, we will miss the mark. While it is estimated that it would require $15.8 billion to fully fund IDEA, the most the Congress has ever spent on the program is one-third of that amount. Mayors, school superintendents, and teachers from across my district tell me again and again that they are struggling to provide these youngsters with the education they deserve.

I might add that we mandate government, the States and local government to provide an education for these youngsters. In fact, what we do is impose an unfunded mandate on them. But this Congress has not made good on its commitment to provide the 40 percent of the cost that schools pay for special education.

These school districts and the children are being shortchanged by a shortsighted policy. And we are shortchanging ourselves by not ensuring that these children receive every opportunity available to learn and to thrive because they can thrive. They have so much to offer us. We just need to give them the chance. We can do that by fully funding IDEA.

I thought we could all agree that IDEA was grossly underfunded. This Congress voted almost unanimously by a vote of 421 to 3 in favor of a resolution that said that we would fully fund this program by 2010. When it came time to put their money where their mouth is, the Republican leadership balked. They rejected moving us forward to fully funding this program and opposed the amendment.

Unfortunately, this House will not have an opportunity to repair this error because the rules of the House require that we must rob from school modernization, Head Start, America's workers, and our seniors if we were to increase funding for IDEA today. The rules set in place by the Republican leadership would force us to rob from the poor to help the poor, and that is wrong.

These needs will go unaddressed in this bill because the Republican leadership refused to scale back the massive tax cut that benefits the wealthiest 1 percent of Americans. If we reduce that tax break by only 20 percent, we could add this funding for IDEA and still provide tax relief for working middle-class families, the families who need it the most.

I urge my colleagues to support this amendment. We will not sit quietly while IDEA receives only lip service while crumbling schools are ignored and while the health care needs of seniors and the uninsured are disregarded in exchange for a tax break for the wealthiest 1 percent of Americans in this country. Support this amendment and oppose the bill.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) seek to claim the time in opposition to the amendment?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Illinois (Mr. PORTER) for 15 minutes.

Mr. PORTER. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Florida (Mr. MILLER), a very valued member of our subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman from Illinois (Chairman PORTER) for yielding me this time; and, of course, I commend him for the great work he has been doing for these past 6 years chairing this committee.

This particular amendment by the gentlewoman from Connecticut (Ms. DELAURO) is a little different than the last amendment because it advocates increasing spending on a program that is, in reality, is a favorite for Republicans. We have done very well over the years in the past 6 years and the past 5 years in appropriations for this program because we really believe very strongly in special education.

However, this is another attempt to undermine the budget process that we have here in the House of Representatives. The Democratic Congress passed a budget process bill back in the 1970s that said we must pass a budget, and we must live within it.

Now that we have a surplus, and now that the budget process is working, let us spend money. It is kind of like kids in a candy store. Hey, we have got a surplus. Let us spend more money.

Well, there are good spending programs, and this is certainly one of the good spending programs in Congress. The Republican Congress in our control of the Congress in the past 5 years has certainly shown our favorable interest in special education.

For me personally, I have a niece who is a special ed teacher back in Manatee County, Florida. I have a sister who is a mother of a special ed student who wrote a book of a mother's perspective for special education. So I have a very personal, committed interest to special education.

That is one reason we continue to see the Republicans have done very well. Look at the chart. The Republicans were in control the 5 years prior to our control in 1995. The President proposed increases of 4 percent, .3 percent, .1 percent, 5.8 percent. We have given double digit increases every year.

For the previous 5 years prior to the Republican control, spending went from $1.5 billion to $2.3 billion. In that 5 years is an $800 million increase. When we took over, spending went from $2.3 billion to $5.4 billion. We have more than doubled the spending of special ed in the past 5 years.

So we have made some great strides, some great progress in funding a program. Look what it compares, again, to what happened when the Democrats were under control. In the 1993, 1994 years, they had total control of the White House and Congress and barely increased spending of special ed.

Now they want to undermine the entire budget process to try to score some political points when, in reality, they are kind of Johnny-come-lately. We are the ones who are doing such, I think, a good job. We can use more money. As the gentleman from Pennsylvania (Chairman GOODLING) has been advocating for years, we need to take up the full responsibility to 40 percent. And we are making great strides in that.

□ 1415

Because we have gone from pushing 7 percent now to 13 percent. Not as far as 40 percent, but we are moving in the right direction. If the Democrats had been in control and we followed the President's budget, we would have seen a decline in special education.

It is a very important program, one that we strongly support, but this is not fiscally responsible. It does not fit in with the budget agreement and so it does not fit in the emergency category, and I advocate the defeat of this amendment.

Ms. DELAURO. Mr. Chairman, may I inquire how much time is remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from Connecticut (Ms. DELAURO) has 9½ minutes remaining, and the gentleman from Illinois (Mr. PORTER) has 12 minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield myself 30 seconds.

Special education is not, nor should it be, a partisan issue or a partisan program. The fact of the matter is that the introduction of the tax proposal was by the Republican leadership. It seriously underfunds special education only because the Republicans want to provide a tax cut to the richest 1 percent of the people in this country.

It was also a Republican resolution to fully fund IDEA over the next several years, a 421 to 3 vote, one which, I might add, demonstrates a sham to the reality of what this budget is about.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY), who sits on the Committee on Education and the Workforce.

Ms. WOOLSEY. Mr. Chairman, I thank the gentlewoman from Connecticut (Ms. DELAURO) for yielding me this time and for this amendment.

In my district, like all districts around this country, parents of children with special needs are frantic. They are frantic about their children's education. They often feel that their schools are giving them the runaround, while the schools are worried about having the resources to do the job that is needed.

At the same time, the parents of students without special needs are fearful that special ed kids are taking precious resources from their children. Therefore, we are pitting family against family. This cannot continue.

Congress must step up to our responsibility, and we can do it this year while the economy is good and we have a surplus. The DeLauro amendment gets us on the road towards full funding for IDEA without taking one penny from other good programs. By scaling back the proposed cuts for the very wealthiest taxpayers, IDEA can be funded to the Federal commitment.

I urge my colleagues to put education for children with disabilities before tax cuts for the wealthiest Americans. Support the DeLauro amendment and help all of our children and all of our families.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

Mr. GOODLING. Mr. Chairman, my only regret, as I leave this institution, is that the first 20 years I sat there in the minority trying to make everybody understand that the thing that is driving local school districts up the wall

more than anything else is the fact that we are only sending them about 6 percent of the 40 percent we promised them in excess costs to educate special needs children.

Let me review, however, the last 5 years. I am very pleased with the leadership of the gentleman from Illinois (Mr. PORTER). The President asked, in 1997, for $2.6 billion; the final appropriation $3.1. The President asked, in 1998, for 3.2 level funding; he got 3.8. Level funding means that he cut in his budget special education, because the increased numbers that came in to special ed, as well as inflation, of course, meant it was a cut.

In 1999, again he sent a budget up here cutting IDEA. At a Christmas function, I asked him if he realized he was cutting IDEA. He said they were putting a lot of money in IDEA. I advised him that he was cutting it with the budget request that he was sending up. Fortunately, under the leadership of the gentleman from Illinois, not his 3.8 in 1999 but 4.3 billion.

He cut it again in his fiscal year 2000 budget, again asking for level funding, which is a cut because of the increased numbers that have come in to special education and the costs of living increases. But thanks to the leadership of the gentleman from Illinois, he did not get that cut down to 4.3. He got an increase to $4.9 billion.

Again, in this budget, he has requested $5.2, and under the leadership of the gentleman from Illinois it is $5.4.

These increases are dramatic. We have doubled the amount that we have been sending in the last 5 years. We do have a long way to go, but, oh, my, I am glad these born-agains have now understood that the greatest problem facing local school districts is our unfunded mandate in special education.

So I thank the gentleman from Illinois (Mr. PORTER) for the dramatic increase; a 92 percent increase over the President's 1997 budget request. Those are big bucks. I thank him, and all the school districts thank him as well.

Ms. DELAURO. Mr. Chairman, I yield myself 15 seconds to just say to my colleague who spoke, that the President of the United States is not offering this amendment. This is my amendment. This is our amendment.

It was just several weeks ago when the Republicans offered a resolution on this floor to fully fund IDEA, and we are just trying to get there from here. That is what this amendment is about.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I rise in strong support of this amendment to strengthen special education, and I thank the gentlewoman from Connecticut (Ms. DELAURO) for introducing it.

Special education students have particularly acute needs which begin early in childhood. We know that the right attention can make an enormous difference in children's lives and impact their future. Teachers' aides are needed to provide one-on-one support. Counselors can help disabled children follow often very difficult paths through childhood, adolescence and into adulthood.

Right now schools are forced to make terrible choices. They can put limited funds into special education and deny other basic needs, or they can neglect those children and try to meet the basic needs of other children. Those are choices our schools should not have to make.

Last month the House overwhelmingly passed the IDEA Full Funding Act, so why are we not appropriating the funds to meet the needs of some of our most vulnerable children? This is not right.

I support the DeLauro amendment to increase special education funding without denying other vital programs. Our children must be our national priority, not huge tax cuts for the wealthy.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE), a member of the authorizing committee.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, just for 2 seconds I wish to indicate to the gentlewoman that I know it is not the President offering the amendment, but she missed my point. For 20 years I sat here trying to get her side to do something about it and they did nothing.

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

Mr. Chairman, I alluded to this earlier, but I think it is very important to understand where we are with respect to spending on education in terms of both political parties.

Basically what this chart shows is a period of time starting with 1990 as a base year that shows the years of 1991 through 1995, in which there was a Republican President and there was a Democrat president. We also had a Democrat Congress during that period of time. It shows what all those expenditures are.

The important thing to understand in all this is that the average increase during that period of time was 6 percent in K through 12 spending. Six percent. What is K through 12? It includes Goals 2000, school to work, ESEA, and vocational education. For a total of a $32.9 percent increase.

In that year, in that particular election, Republicans took over control of the Congress of the United States. And the statistics since that time, with the same Democrat President who was President during a couple of those years before, has been average annual increases in K through 12 education of 8.2 percent. Six percent versus 8.2 percent, or an overall increase of 48.2 percent.

Now, I say all this because we had a whole evening last night, a whole discussion of the rule last week as well as discussion today in which the basic message has been that the Republicans are sacrificing education because, A, they do not want to spend or, B, they want to give tax cuts to whomever, the wealthy or whomever it may be. The bottom line is that the totals show that Republicans have done more for education in 5 years while in control of the House and Senate, in this Congress, than in any other 5-year period of time, probably in the history industry of the Congress of the United States of America.

Now, I will be the first to say that there is a presidential influence, and there are many other things which are out there, but this is not a Congress which has exactly shirked its responsibilities with respect to K through 12 education.

I am a total believer that that is, of all the programs that we have that could help people, K through 12 education is the one that could help the most. I also believe it is a State and local responsibility, but there is some Federal responsibility. We see it in IDEA, we see it in title I and in a variety of programs that we need to support here, and I believe that we are supporting them.

I am going to borrow the chart of the gentleman from Florida for just a moment, which also shows something else, and that is where we have gone with respect to the subject of this amendment in that special education funding. It shows a tremendous increase by dollars and by percentage since Republicans have taken over control of the Congress of the United States. The very subject matter of this amendment.

This amendment, by the way, is empty. This amendment will probably be stricken down on a point of order. The bottom line is that Republicans have come through on the funding for special education.

Ms. DELAURO. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore. The gentlewoman from Connecticut (Ms. DELAURO) has 6¼ minutes remaining, and the gentleman from Illinois (Mr. PORTER) has 6 minutes remaining, and has the right to close.

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds.

What is before the House this year is not what has been done in the past but, in fact, what it is we are going to do in this year. The majority party may have been on the right side of the issue in the past; this year they are on the wrong side. We need to deal with the surplus that we have and take care of children's needs today.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. OWENS), a champion of education.

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

Mr. OWENS. Mr. Chairman, the gentlewoman from Connecticut is to be

congratulated for speaking on behalf of the overwhelming majority of the Members of this House, the 421 Members who voted to follow the wisdom of the head of the Committee on Education and the Workforce and increase the funding for special education. She is only asking in this appropriations bill that we follow the authorizing move that we made a few weeks ago.

I accept the reasoning of the chairman of the Committee on Education and the Workforce. If we put money in to special education, we are allowing the local education agencies to move that money that they were spending on special education somewhere else. That is a back-door approach, but I will accept any approach to get additional funding for education. So let us do it. Let us not back away from the commitment of $1.5 billion that we made and only, instead, have a $500 million commitment.

Let us go all the way and let us realize that the big issue that has been repeated here over and over again is that there is more money for education if my Republican colleagues will yield on their tax cut. Instead of a tax cut commitment, let us have a smaller tax cut and let us dedicate 10 percent of the surplus to education. That is reasonable. Ten percent of the surplus this year and 10 percent of the surplus for the next 10 years will solve the funding problems for the Federal Government with respect to education.

We now only contribute 7 percent. Of the total education bill each year, the Federal Government takes responsibility for only 7 percent. Seven percent is too little. That is a Stone Age, a Neanderthal approach. We need more Federal assistance to education at the local level. The Federal Government is now where the money is. We have a $200 billion surplus this year, and we will have a $200 billion surplus for the next 10 years. Let us dedicate 10 percent of that. We can put part of it into school construction, 5 percent, and another 5 percent can be used for special education and more teachers. Ten percent of the surplus is our answer to all of these problems.

□ 1430

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

Mrs. LOWEY. Mr. Chairman, just this Monday, I met with the Superintendent of Schools in Lynbrook and the Chair of their school board, and they expressed to me the urgency of mainstreaming youngsters in their community. They have been so successful. But it costs money. They had a quadriplegic who cost them $100,000 a year. And because they have been so successful, they are attracting other youngsters.

It is because of the leadership of this administration that we are in a time of great prosperity. This is the time to respond to the urgent need in education.

I applaud the leadership of the gentleman from Pennsylvania (Mr. GOODLING). And that is why I am so puzzled. Frankly, I do not get it. On May 3, the House passed by an overwhelming bipartisan vote of 421–3 a bill calling for a $2 billion increase in 2001 and full funding by 2010.

Even with the additional $1.5 billion provided by the DeLauro amendment, we will still be providing only 17 percent of the national average per pupil.

Please, we should be supporting the DeLauro amendment on both sides of the aisle to move forward on our commitment.

Mr. PORTER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the committee.

Mr. TIAHRT. Mr. Chairman, I thank the chairman for yielding me the time.

Mr. Chairman, I think that we should commend the gentlewoman from Connecticut (Ms. DELAURO) for bringing up a very important issue. Special education funding is the top priority for the governor of Kansas. It is the top priority for the largest school district in Kansas, headed by Superintendent Winston Brooks. They have found themselves all over the State of Kansas trying to fund special ed by taking money for other programs that are very important. So I think that we should focus on special education.

I am disappointed that this amendment was not within the guidelines so that it will be struck on a point of order, as is my understanding. But I think that we should continue our efforts through the course of this bill and as we progress further in this session to try to focus our efforts by getting the appropriate funding for the Department of Education special education portion.

If we look at the amount of money that gets spent right here inside Washington out of the budget the Department of Education gets, about 35 percent of it does not even get outside the beltway, it is spent right here in Washington, D.C.

So if we can direct the money for special education specifically to the school districts, then it will free up some of their money, it will not be wasted here in Washington, D.C., and those students that truly need help are going to receive it.

At the local school district level, it gives them the opportunity to fully fund the programs that are helping the average student and the other students. But those with special needs are going to get the help from Washington if we can focus our resources here.

There are several amendments that will follow. The gentleman from Wisconsin (Mr. RYAN) and myself have one where we are going to have, under the appropriate guidelines, taking some money from a program that has grown dramatically, take a small portion of that and move it over toward special education to help us achieve our goal. I hope that Members of the House will take that into consideration in the future, because it is very important that we meet the needs of these special students.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, the gentleman from Florida has said that we are trying to break the budget process. The majority party has already obliterated the budget process.

Last year alone, the majority provided $40 billion worth of budget gimmicks to hide $40 billion worth of spending in the budget.

With respect to special education numbers that have been cited on the floor, let me simply state the facts. Under the Reagan and Bush presidencies, in nine of the 12 years, the Congress provided more money for special education than President Reagan and President Bush asked for.

When the Republicans took over in 1996, they tried to provide $400 million less than the President provided in special education. And it has only been in the last 2 or 3 years that they have had a road-to-Damascus conversion.

With respect to the overall education numbers cited by the gentleman from Delaware (Mr. CASTLE), the fact is all that chart shows is that he is bragging about the fact that his own party lost the budget fights with President Clinton the last 5 years. Because if you take a look at what you tried to do before the President forced you to change your mind, you tried to cut in fiscal 1996, 1997, 1998, 1999, 2000; and now this year, you have tried to cut a total of over $14 billion from the President's education budgets.

And then you have the gall to come to the floor and show what you have provided. You provided it after the President dragged it through the room. I know; I was in the room for the last 5 years. I was the Democratic negotiator. And each year he had to drag it to the table to drag those numbers up for education so you could finally do right by America's children.

So let us not hear any more hurrah about either budget responsibility on your side or about how dedicated you are to education. You are the party that started out your stewardship here by trying to wipe out the Department of Education.

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

Mr. Chairman, we mentioned Nate from Minnesota. When he entered the first grade, his parents told him he had severe mental retardation. School officials, using testing funded by IDEA, found Nate actually had an extremely high IQ but had serious learning disabilities. They made accommodations for his needs. He graduated from high school and went on to college. With support from his family and school and services through IDEA, he has a very bright future.

All we are asking our colleagues to do is to scale back the tax cuts for those in the top 1 percent of all earners. All they need to do to pay for this

$1.5 billion is to cut back the size of that tax cut for the wealthy by 20 percent. In that case, we can in fact meet the needs of youngsters with serious disabilities.

We are in an era of surplus. It is one thing if we are in an era of deficit, but we have no excuse not to move to fully funding the IDEA program, as we said on the floor of this House on May 3, 2000.

Let us put our money and our resolve where our mouths are.

Mr. PORTER. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, the gentlewoman from Connecticut (Ms. DELAURO) and others on her side of the aisle would have us believe that this amendment and the other amendments that they have offered would have something to do with tax cuts versus spending, that in these amendments there contains a transfer of money from the tax side to the spending side.

Let me say that those are not contained in these amendments. In fact, they controlled this House for 40 years. There was never a time ever when we could transfer money under a procedure in the House from tax cuts to spending under their control.

Now, that may be quite understandable, Mr. Chairman, because I do not think anytime during that 40 years they ever proposed to cut taxes, ever, once.

But there is no element in any of these amendments, including this one, of moving money from tax cuts to spending. It simply is a figment of their imaginations and does not exist under the rules and never did.

Now, Mr. Chairman, I am worried about misinformation. I am worried about people not committed to the truth. And I think at least three of their theme amendments, this being one of them, tried to get people to believe that the majority party is not supportive of special education or funding for biomedical research or providing young people the opportunity to get a higher education through Pell Grants.

Nothing could be further from the truth. We have been the champions in each of those areas. They have been the followers. And yet, each of these amendments wants to add more money irresponsibly outside the budget process to say that they are somehow the ones that have taken the leadership on this. They have not. We have.

We have plussed up Pell Grants higher than the President every time. We have plussed up special education much higher than the President every year. We have plussed up funding for biomedical research to the National Institutes of Health higher than the President every year. We are in the process, through our initiative, of doubling funding for NIH.

Do not believe these theme amendments. They simply are passing along misinformation. It is time that we looked at our whole society, our whole political process, what is on the Internet, what is happening to the truth in this process.

The truth is being lost. It is propaganda. It is false propaganda. These amendments, all of them, are false propaganda.

POINT OF ORDER

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. PORTER) insist on his point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of Budget Totals for fiscal year 2001 on June 8, 2000, House Report 106–660.

This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the act.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does any Member wish to be heard on the point of order?

Ms. DELAURO. Mr. Chairman, I concede the point of order because the House of Representatives rules dictate that, unfortunately, the budget priorities of the majority will shortchange our youngsters and, in fact, tax cuts ought to go to working middle-class families.

The CHAIRMAN pro tempore. The point of order is conceded and sustained.

Are there further amendments to this section?

AMENDMENT NO. 7 OFFERED BY MR. BASS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BASS:

Page 53, line 17, after each dollar amount, insert the following: ''(increased by $200,000,000)''.

Page 57, line 14, after the first dollar amount, insert the following: ''(reduced by $200,000,000)''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Hampshire (Mr. BASS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BASS).

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

Mr. Chairman, the amendment I have before my colleagues now is an amendment that they are going to be able to vote on, an amendment that will increase funding for special education by $200 million.

Now, we have heard plenty of arguments today and also last week about how important it is to fully fund special education. Well, here is our chance to up funding in this appropriation from $500 million to $700 million.

Where does the offset come from? It comes from a program called GEAR UP. Now, GEAR UP is a new program that was started in 1998, and its purpose is to encourage children at a young age to pursue a college education.

However, similar programs already exist. The Talent Search program in TRIO provides grants to schools and academic institutions and so forth to provide counseling for young people wanting to go on to college. The Upward Bound Program in TRIO provides similar services.

Let me read to my colleagues what the Oakland, California Chronicle had to say as recently as June 3 about GEAR UP: ''Consultants hired to provide college preparatory programs for thousands of Oakland middle school students paid themselves but spent only a fraction of the money meant for the children,'' the Chronicle has learned.

''Two of the consultants were fired, and the third resigned when Federal education officials overseeing the 5-year $14 million grant became suspicious. According to documents and sources familiar with the case, the beleaguered Oakland School District had $2.8 million to spend in the school year, the first year of the program, to help 3,500 seventh graders through their graduation in 2005. But by April, those in charge of the grant had budgeted just $439,000 mainly on their own salaries, benefits, and travel.

''The students who were supposed to benefit from the grant saw just $157,000 of that money in the form of a chess club, computer lab, and some math workshops, according to the records.''

Now, this is a new program. I point out that the TRIO programs in this budget are receiving a $35 million increase above the President's request, which is $115 million above last year.

My friends, let us add $200 million to special education. Let us do it by reducing funding for a program that has questionable results and is already funded, in essence; its functions are in the TRIO program. Let us, please, support my amendment.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment, and I yield myself 1 minute.

Mr. Chairman, let me simply say that, again, we are all in support of special education on this side of the aisle but not at the expense of taking away educational opportunity for kids who need it just as much.

The difference between TRIO and Talent Search is that the program the gentleman seeks to cut tries to identify children at a much younger age, sixth, seventh grade, and tries to put them on the right course so that they understand, number one, that there is such a thing as a college education.

□ 1445

And, number two, how to prepare for it at an early enough time to make a difference, and help build a support

structure between the child and the family so that they understand that financial aid will be available to them. There are a lot of families in this country who never dreamed that they could afford to send their kids to college. This is one of the few programs around that helps. It intervenes at an earlier age than the other programs mentioned by the gentleman. That is why the budget increases for programs such as TRIO are irrelevant. What we are trying to do is to intervene at an early enough time so that we reverse the trend of minority students getting less higher education than they were 5 years ago.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, we have heard a lot of speakers talk about tax cuts and perhaps using a little bit of their tax cut to pay for some of these initiatives. The gentleman from New Hampshire (Mr. BASS) is a good man, but for the life of me I cannot understand how he could be opposed to a program which takes entire groups of kids, classes of kids whom early in life many of us would suggest because of the dire economic conditions and social conditions they may face may have a more difficult time getting to college than perhaps some of their cohorts.

Study after study shows that high-achieving students from low-income families are five times as likely not to attend college as high-achieving students from middle- to higher-income families. I do not mean to discriminate against middle- and higher-income families by any means, but we know that kids who come from other circumstances often face different challenges.

It amazes me to hear the gentleman from New Hampshire and some of them suggest that we have another program that addresses this problem, because I do not think we can have enough programs to address this problem, Mr. Chairman. I say that understanding that the Federal Government cannot go out funding each and every program, but we offered tax cut after tax cut. I voted for the estate tax reduction. But it would be nonsensical of me to say, Well, we've given people an estate tax reduction so we don't need to give them a capital gains tax reduction. There are different issues and different challenges here.

In my State alone, the University of Tennessee at Chattanooga received over $200,000 to help identify entire groups of classes to bring them through high school and to help them go to college. The numbers show, as the gentleman from Pennsylvania (Mr. GOODLING) knows, that a young person's ability to earn over a lifetime increases by $600,000 with an opportunity to go to college, $300,000 at Dyersburg State Community and $650,000 at Memphis City schools.

I ask my colleague from New Hampshire, and perhaps we can engage in a colloquy, explain to me why not, if we can do it for wealthy Americans, we ought to be able to do it for poor children in this Nation.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Tennessee (Mr. FORD) has expired.

Mr. FORD. Mr. Chairman, I ask unanimous consent for 30 additional seconds.

The CHAIRMAN pro tempore. The time is controlled by the gentleman from New Hampshire (Mr. BASS) who has 2½ minutes remaining.

Mr. BASS. Mr. Chairman, I ask unanimous consent that the gentleman be given 30 additional seconds.

The CHAIRMAN pro tempore. The Chair can provide additional time to both sides. Is that the gentleman's request?

Mr. BASS. That is fine with me, Mr. Chairman.

The CHAIRMAN. Without objection, both sides are granted 30 additional seconds.

There was no objection.

Mr. BASS. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Pardon my passion on this issue, Mr. Chairman, and I ask the House's forgiveness for violating our rules, but it is just hard for many of us to comprehend, and the gentleman from Illinois (Mr. PORTER) is a good man as many on the other side of the aisle are, why we would argue taking precious dollars at a time in which we are moments away from increasing the quota on H1–B visas because we are unable not to find workers but to provide workers with the skills they need to fill the jobs that we are creating here at a record number in this Nation.

This program, like many others, seeks to do that. I would hope that the gentleman would rethink his amendment and even those on his side who may support it. I would hope they would reconsider their support of it.

Mr. BASS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I respect and admire my friend from Tennessee's passion about this issue. I also appreciate the fact that he has not dwelt with the phony theme issue of tax relief.

There is a difference here in priorities. I believe that funding of special education provides broader funding for more people. I certainly agree that it might be a good idea in some school districts for sixth, seventh, and eighth graders to receive counseling preparatory to college. But I also feel that providing services for developmentally disabled students is a higher priority for me.

That is essentially a difference that we have between the two of us. The fact of the matter is by providing more funding for special education, we free up local funds so that local school boards in his district or mine can provide counseling if they want to for sixth, seventh, and eighth graders to prepare themselves for college.

Mr. Chairman, I support my amendment. I think, as the gentleman from Tennessee has pointed out, it is a question of priorities. I think this GEAR UP program is a troubled program. It is a new program. The TRIO program already funds it. I urge support of my amendment.

Mr. OBEY. 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 opposition to the Bass amendment. Many people learn about how to get on the college track at home at the kitchen table from their mother and their father. But there are a lot of children, a lot of young people in this country who do not have someone sitting at the kitchen table who has been to college. GEAR UP is about giving that young man or that woman someone to talk to about that issue. It works. It should be given a chance to work. The TRIO argument, frankly, is irrelevant. This is a different program with a different set of parameters.

I agree with my friend from New Hampshire that wants to fund more special education. I would support a $200 million increase in special education. We could pay for it by eliminating less than 2 percent of the tax cut that his budget resolution put forward in this House. That is the way to pay for it, not choosing between education programs. That is the right way to do this and it would be paid for in that way. We should all join together and oppose this amendment.

Mr. BASS. Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I rise in support of the gentleman's amendment because this amendment, unlike the previous amendment that was offered, has a real offset. We debated earlier about the importance of special education and how it is critical and both sides support special education. Now we have an opportunity to actually increase it by cutting a program that is of questionable merit and has not got a proven track record. Let us put the money where it is most important and flows directly to the school districts to help the most needy kids.

I commend the gentleman for having a real amendment, not a rhetorical one that is going to be kicked out because of a point of order.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

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

Mr. HINOJOSA. Mr. Chairman, I rise in strongest opposition to this amendment. I am astounded that we are even debating the elimination of funding for a program as critical as GEAR UP. Although it is a new program started

only last year, it has had phenomenal success in my congressional district. It offers a solution to raise the graduation rate of many of the Hispanics. As Members know, it is only 70 percent that graduate, compared to 92 percent for the Anglo-Saxon students. I am here to improve that and GEAR UP is one of the solutions. GEAR UP is designed to enable more young Americans to stay in school, study hard and take the right courses to go to college. Is that not what we are ultimately trying to do by funding school programs?

Look at this chart. Every single red dot on this map is a GEAR UP program like mine in my congressional district where there is excitement, there is hope because of GEAR UP. I ask my colleagues to all stand up and vote against this amendment.

Mr. BASS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I simply say that I believe the $200 million more for special education will have an impact in every school district in this country, every family in this country, every school board, every teacher, and most importantly every student who is coded and part of the IDEA program. Now, this is an opportunity for Republicans and Democrats, as the old saying says, to put their money where their mouth is and vote for a significant increase in special education funding.

I would only point out that the operations undertaken by the GEAR UP program are already done by the TRIO program, not at as young an age but already done by the TRIO program, already covered by the TRIO program, and the TRIO program is receiving a $115 million increase over last year's appropriation. So it is not as if we are ignoring this important priority of preparing students in disadvantaged areas for college so that they get an equal chance to go on to higher education.

This is a good amendment. It will increase funding for special education. I urge the Congress to adopt this amendment.

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

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) has the right to close and 30 seconds remaining.

Mr. OBEY. Mr. Chairman, I yield the balance of my time to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, with great respect to my colleagues, we had an opportunity to put $1.7 billion in IDEA and that is what we should have done. We should not be choosing between a program such as IDEA and a program that reaches out to those kids who do not understand what it is to prepare for college.

Our kids, probably your kids, had the opportunity from the time they went to the first grade to plan, to be taught, to be tutored. What this program does and the reason GEAR UP is so successful, it helps kids understand that they can have their dream, they can be what they want to be. It provides tutors and assistance to help them seek the American dream. I am opposed to this amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BASS).

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

Mr. BASS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. BASS) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, $2,776,803,000: *Provided*, That notwithstanding section 105(b)(1) of the Assistive Technology Act of 1998 (''the AT Act''), each State shall be provided $50,000 for activities under section 102 of the AT Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $11,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $54,000,000, of which $6,000,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $89,400,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act and the Adult Education and Family Literacy Act, $1,718,600,000, of which $1,000,000 shall remain available until expended, and of which $923,000,000 shall become available on July 1, 2001 and shall remain available through September 30, 2002 and of which $791,000,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002: *Provided*, That of the amounts made available for the Carl D. Perkins Vocational and Technical Education Act, $4,600,000 shall be for tribally controlled vocational institutions under section 117: *Provided further*, That of the amount provided for Adult Education State Grants, $25,500,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: *Provided further*, That of the amount reserved for integrated English literacy and civics education, half shall be allocated to the States with the largest absolute need for such services and half shall be allocated to the States with the largest recent growth in need for such services, based on the best available data, notwithstanding section 211 of the Adult Education and Family Literacy Act: *Provided further*, That of the amounts made available for the Adult Education and Family Literacy Act, $14,000,000 shall be for national leadership activities under section 243 and $6,500,000 shall be for the National Institute for Literacy under section 242.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1 and 3 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, $10,198,000,000 (reduced by $48,000,000), which shall remain available through September 30, 2002.

The maximum Pell Grant for which a student shall be eligible during award year 2001–2002 shall be $3,500: *Provided*, That notwithstanding section 401(g) of the Act, if the Secretary determines, prior to publication of the payment schedule for such award year, that the amount included within this appropriation for Pell Grant awards in such award year, and any funds available from the fiscal year 2000 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

AMENDMENT NO. 17 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, as the designee of the gentleman from Wisconsin (Mr. OBEY), I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mrs. LOWEY:

Page 56, line 13, after the dollar amount, insert the following: ''(increased by $938,000,000)''.

Page 56, line 16, after the dollar amount, insert the following: ''(increased by $300)''.

The CHAIRMAN pro tempore. On this amendment, all points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from New York (Mrs. LOWEY) and a Member opposed each will control 15 minutes.

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

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume. My amendment would add $300 to the maximum Pell grant for a total maximum award of $3,800. As we are all aware, the cost of a college education has been increasing faster than the rate of inflation, putting college out of reach for many Americans.

The Federal Government has had a role in helping students gain access to college since the GI bill in 1944. Financial aid has evolved over time into a safety net of programs that have made college possible for generations of

Americans, including many of the staffers who work in this House, and perhaps some of the Members, too. The Pell grant program is the cornerstone of that safety net, providing grant aid to nearly 4 million needy students. It is one of the few sources of grant aid still available to help cut down on the crushing college debt burden assumed by so many students and their families today.

When President Clinton took office in 1993, the Pell grant maximum award was $2,300, the same as it was in 1989. The maximum Pell grant in this current fiscal year is $3,300, an increase of 43 percent since 1993. The bill before us today proposes an increase in the maximum to $3,500 as the President requested. This is good news but it is still not enough. A $200 increase in Pell equals less than the cost of one semester's required books for a full-time student. The Pell funding in this bill is simply inadequate to meet the costs of higher education today.

The authorized ceiling for these grants is now $4,800, a full $1,500 above this year's appropriated level. The real dollar value of a maximum Pell award has declined 18 percent since 1975.

□ 1500

To get to the level we were in 1975, the Pell Grant award would have to be merely $4,300. My amendment will get us closer to that, setting the maximum award at $3,800; but leaving us room for improvement.

Over the next 10 years, my colleagues, more than 16 million students will be enrolled in our Nation's colleges and universities, preparing for the challenges of a high-tech economy and a highly educated and productive workforce.

We must do better to demonstrate our commitment to Federal student aid, and we can do that by increasing the maximum grant to $3,800.

We can also do better by improving the allocation for this subcommittee. Once again, our subcommittee was not provided adequate resources to meet the significant human needs addressed by programs under our jurisdiction.

In this time of surplus, in this time of prosperity, the failure to provide sufficient resources puts this committee at risk of failing a course in logic, because we know that education is a lifelong investment in our people and our future; yet this bill does not live up to our responsibility to make that investment.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Illinois (Mr. PORTER) for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida, (Mr. MILLER), a valued member of our subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I thank my chairman, the gentleman from Illinois (Mr. PORTER), for yielding me the time.

Mr. Chairman, once again, we have one of these so-called theme amendments. It is an amendment that is not going anywhere, but it is to try to score some political points to try to show that Republicans are not really the big supporters of this programs, but they are. Well, once again, it is not going to work. It is just like with special ed.

Special ed, the Republicans have been the big supporters of the special ed over the years; and since Republicans took control, we have seen the increase for special ed go up much, much faster than when the Democrats controlled it.

And once again, under Pell Grants, Members will find Republicans have strongly supported Pell Grants for the past 5 years. Just as this chart shows, back in 1991 and 1992, the maximum Pell Grant was $2,400; then it dropped down to $2,300 for the first 2 years of the Clinton administration.

Look what happened since the Republicans took over, we are going up to $3,500 now, Johnny come lately. The Democrats say, hey, we want to even increase it more. They always use this argument, oh, my gosh, tax cuts.

Last week we did pass tax cuts and one-third of the Democrats, and I congratulate them, one-third of the Democrats supported it. So I guess they are one-third of the Democrats that was bad. Someone mentioned capital gains. Oh, my gosh, capital gains helps the rich. Capital gains is one reason we have a surplus.

When we cut capital gains, we increased the revenue to the Federal Government. We talk about tax cuts on the Spanish American War, tax on telephones. Luckily the Democrats support that one. Marriage penalty, they talk like they support getting rid of the marriage penalty, and we should take care of that.

So the thing is let us talk about specifics. The Committee on Ways and Means handles tax cuts. We are in an appropriations, this is spending. Appropriations follow-up with a budget resolution. The budget resolution, of which a majority of Members of this House and a majority of the Members of the Senate passed earlier this year, tells us we have to live within our means, and that is exactly what we are doing right now.

Now, we talk about this issue of Pell Grants. I am a former college professor. I taught college at Louisiana State University, Georgia State, University of South Florida. I worked with lots of students. I know the importance of financial assistance to students.

It is very important that we provide the most opportunity for every kid to get the highest education they can, so that is the reason Members find Republicans have continued to provide an increase every year more than the President has requested.

Now, all of a sudden, they say oh, my gosh, the Republicans do not like this program. Let us live within our means. Let us do the right thing. This is important for our youth in this country.

One of the most important things we can do for the youth of our country is to get rid of this national debt that we have that has been accumulated over the past several decades and provide the most educational opportunities every student can get.

We have increased Pell Grants by over 50 percent in the past 5 years. I am proud of that accomplishment. I am proud of the leadership that the gentleman from Illinois (Chairman PORTER) has provided and the gentleman from Pennsylvania (Chairman GOODLING) has on these issues. And I do not take any second seat to anybody in support for higher education.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS), a member and leader of the Committee on Education and the Workforce.

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

Mr. ANDREWS. Mr. Chairman, I rise in very strong support of the Lowey amendment. For a lot of people, the difference between succeeding in higher education and not succeeding in higher education is the Pell Grant. The amount that is proposed in this increase is modest, a few hundred dollars. But it can be the difference between being able to pay for your books or not pay for your books or have your computer access or perhaps take another course that gets us that much closer to your ultimate educational goal.

Mr. Chairman, I really believe that the choice that we should have made about this would not have been made today on the floor. It should have been made several months ago when an unrealistic budget resolution was passed by a majority of this House.

The costs of this proposal by the gentlewoman from New York (Mrs. LOWEY) is under $1 billion this year. It is important to understand how that fits into the scheme of things.

The costs of the majority's tax scheme is about $13 billion this year. So for 7 percent of the costs of the majority's tax scheme, we would be in a position to make this substantial investment in better education for more Americans. So the majority could still give 93 cents on the dollar of tax relief that they want to give and approve the Lowey amendment. That is a good deal for this economy. That is a good deal for this country.

I understand that she does not follow the technical rules, but I think the majority's ignoring the more important rules, which say that we ought to be investing in the future of the economic growth of this country.

In the future, the difference between success and failure will be the difference between an educated and prepared workforce and an under-educated and unprepared workforce.

The Lowey amendment is a step in the right direction for the future, and I urge its adoption.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a very valued member of our subcommittee.

Mr. CUNNINGHAM. Mr. Chairman, I was a teacher and a coach both in high school and in college. I can talk articulation agreements. I also know the value of assisted education. The gentlewoman and I have worked together before on education matters, Pell Grants and the support; but unfortunately, this is just another exercise. No matter what we do, the Democrats try to oneupsman by saying we want just a little bit more and that we, the Republicans, do not care.

I think that is wrong. I think this exercise in politics is wrong. I think it disdains the House and what we really stand for. I would tell the gentlewoman Pell Grants are very, very important; but when Members talk about tax breaks for the rich, which is your mantra on this whole bill and probably will be throughout, then I think Members do a disservice. Because in the case of the death tax, it was not for the rich.

If we take a look at marriage penalty for people, that was not for the rich. Taking away the Social Security increase tax that Democrats put on in 1993 when in control of the White House, the House and the Senate; that is for senior citizens. I think that that itself is a disservice.

If Members take a look at some other areas where we may have cut, take a look at the 149 deployments that the White House has had us all over the world. We had decent debates on the floor. Look at Somalia, Haiti. Haiti we put $2.4 billion, and it is still one of the worst places in the world. Most of the monies in Aristide's pocket, they just caught Russia laundering $7 billion in a New York bank. So when Members go log for funds, most of the people supported on that side all of these deployments. Like we said we should not stay in Somalia. We should not go into Haiti and Kosovo and Bosnia. We should not hit an aspirin factory in the Sudan, $200 billion.

And when I tell the gentlewoman there would be a lot of money, that money comes out of the general fund. It comes out of the Defense. So there is money, and we can have increased Pell Grants.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK), a leader in education.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentlewoman from New York (Mrs. LOWEY) for yielding me time.

Mr. Chairman, I think the important message that I want to leave is to echo the words of the chairman of the Committee on Education and Workforce who spoke about the authorization language that we had for the Teacher Empowerment Act. It is very important when we talk about Pell Grants to understand that the authorization level is $4,800 as a maximum.

We are far below achieving what the Committee on Education and the Workforce has established as an appropriate grant for those who qualify. We are not handing money out to students who come into the office and say they would like to have assistance in going to college. There is a very complicated formula, a process in which an analysis is made about the need of each specific student.

The monies that we are talking about to add on to the $300 is based upon a very, very strict analysis of the need of that particular student. And the Congress has already said in its authorization that that maximum ought to be $4,800. And we are only talking about $3,800 today. We have to meet this challenge.

Look at what we are doing. We are bringing in 200,000 foreigners to come in and beef up our high-tech industry. High-tech industry is supposed to be the future of this country, the future of the world; and we are not meeting the challenges of higher education.

We talk about our young people needing to be encouraged to go to high school, not to be a dropout, to go on further to achieve their college aspirations. Many of them are too poor to be able to go; many of them come from families where not a single child has gone to college. So to steal from them this small amount of money, $300, which could lift them up, give them the opportunity to go to college, to me, is an obligation of this country, as wealthy as it is, as prosperous as it is. I strongly support the Lowey amendment.

The CHAIRMAN pro tempore. Does the gentleman from California (Mr. CUNNINGHAM) claim the time of the gentleman from Illinois (Mr. PORTER)?

Mr. CUNNINGHAM. Yes, Mr. Chairman.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), a great supporter of education.

Mr. TIAHRT. Mr. Chairman, it has been good for education to have Republicans in control. Under the direction of the gentleman from Illinois (Chairman PORTER), we have improved the important programs; and education has done very well, and Pell Grants is one of those programs.

Under the Democrats' control, prior to the gentleman from Illinois (Mr. PORTER) taking over, Pell Grants were stagnant in their funding levels. It actually shrank a little when the Clinton administration took over. But under the leadership of the gentleman of Illinois (Chairman PORTER), in the last 5 years, we have increased the funding for Pell Grants by 50 percent. It is a very good program, so I want to commend the gentlewoman from New York (Mrs. LOWEY) for bringing to our attention the importance of Pell Grants so that we can talk about how, under Republican control, Pell Grants have done very well.

There has been some confusion on the floor about the relationship between this education funding bill, appropriations bill, and tax relief. There is no tax provisions in this bill, but there is an increase to education. In the last 5 years under Republican control, education has grown faster than the rate of inflation.

The important programs have been highlighted and have also grown. So let us not be confused by this talk about tax relief and education, because Republicans have emphasized the need for good programs, like Pell Grants, like special education, and have increased the funding dramatically.

So when we consider this bill and this amendment, I think that we should remember that it has been very good for education in America, especially for in the classrooms, those people trying to get into college; it has been good to have Republicans under control. And I am very pleased with the gentleman from Pennsylvania (Chairman GOODLING) and his Committee on Education and the Workforce and the gentleman from Illinois (Chairman PORTER) and the Appropriations Subcommittee on Labor, Health and Human Services and Education, because they have emphasized programs that have been efficient and that worked well and more fully funded those.

So let us not be confused by the arguments about tax provisions, and let us focus on the needs of our children and the improvements that the Republicans have made.

□ 1515

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I rise in support of the Lowey amendment. Slowly, but surely, we are shifting the higher educational financial aid system away from low-income working families who need it the most. We all know that college costs are skyrocketing and that these costs are particularly burdensome for working class and minority families trying to send their first child to college.

Pell Grants are the one program specifically designed to help these low-income students get their foot in the door of a college or university. Since 1980, adjusted for inflation, tuition has more than doubled, while the value of the maximum Pell award has dropped by 25 percent.

So I do not buy the Republican argument that we have done enough financial aid for needy kids. None of us should buy the argument put forth by some, including Governor Bush, that says, well, if they cannot afford school, let them just take out loans. For a low-income family, particularly one that

has never sent a child to college, the prospect of taking out $15,000, $30,000, or $50,000 of loans is often unthinkable. That option is simply not in the cards. In many cases, if the family cannot afford the tuition bill, these kids simply do not enroll at all.

So I support the modest Lowey amendment to raise the Pell Grant by $300 to $3,800 a year. A yes vote on this amendment sends a message that Congress is willing to give the neediest, hard working kids an extra boost into college. It is not a handout, but a helping hand, to those students who need it the most.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, appropriations for Pell Grants have increased by 24 percent under the leadership of the gentleman from Illinois (Mr. PORTER). The maximum Pell Grant has gone from $2,340 to $3,500, again an increase of almost 50 percent under the leadership of the gentleman from Illinois (Mr. PORTER). 237,000 more students receive Pell Grants. For fiscal years 1987 to 1995, when the appropriations were written by the other side, the maximum Pell Grant increased by an average annual rate of 1.4 percent. Under the leadership of the gentleman from Illinois (Mr. PORTER), that annual average rate is 7.1 percent.

In addition to funding, the funding for work study has increased by 52 percent under the leadership of the gentleman from Illinois (Mr. PORTER) and would increase much more if we had not gotten into this community service business and set up all those bureaucracies. All of that money could have gone into work study, and the college students would have done the public service work.

Funding for Supplemental Education Opportunity Grants has increased by $70 million. Funding for TRIO programs has increased $115 million, for a total of $760 million. The Perkins capital contributions are level funded at $100 million, but the cancellation fund has been increased to $40 million. Aid for institutional development has increased by $95 million, for a total of $388 million, and that will assist hundreds of institutions with their efforts to improve academic instruction, in technology upgrades and institutional management.

Yes, Mr. Chairman, the students at the colleges and the universities today and the proprietary schools say, Thank you, Mr. PORTER, for making higher education a priority during your reign, and the students who wish to be college and university students and proprietary school students also say, Thank you, Mr. PORTER. I will be able to realize my dream, thanks to your making higher education one of the priorities in your leadership.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from New York to increase the maximum Pell Grant level to $3,800. This is a reasonable and modest amendment; and I would like to see the increase, quite frankly, be even greater. I have even introduced a bill that would fully fund Pell and restore its original purchasing power. To do that, the maximum Pell level should be at $6,900.

Everyone in this Congress talks about increasing funding for Pell Grants, but somehow there is never enough money to fully fund this program. Somehow our students always get shortchanged.

This is a debate over national priorities. The majority in this Congress believes we can spend hundreds of billions of dollars on tax breaks for the wealthiest 2 percent of Americans. Certainly then, Mr. Chairman, we can afford $938 million for the working families of this country, so that we can move closer toward that day when every single child in America will be able to get the higher education that they need.

With an increasingly global economy, our students must be prepared to face the challenges of the future. A college education is key to that success. We will not continue to be the world's economic superpower if we do not have a well-educated workforce.

All young people, regardless of income, deserve the opportunity to go to college. Mr. Chairman, to do that, we must increase the funding for Pell Grants.

Mr. Chairman, I want to thank the gentlewoman from New York (Mrs. LOWEY) for her leadership and courage in bringing this issue up for debate, and I urge my colleagues on both sides of the aisle to put students first and to support the Lowey amendment.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of our committee.

Mr. OBEY. Mr. Chairman, I think we ought to call a spade a spade here today and recognize what is happening. The majority party in 1995 tried to shut down the government in order to force President Clinton to cut $270 billion out of Medicare and to make deep cuts in education and health care and a number of other domestic programs just to finance huge tax cuts which were primarily aimed at the highest income Americans. You got burned. Since then, you have been a little shy about attacking education.

We have seen charts today that brag about what the Republican Party has done to raise Pell Grants. This chart shows in the blue graphs what the President has asked for in Pell Grants since 1985. The red chart shows what the Republicans have provided, or what the Congress has provided. As you can see, it has been the presidential demand that has driven the number up each year, except for 2 years when the President asked for more money and the majority party one-upped him by a tiny amount of money. So it has been the President driving this upward increase in Pell Grants.

The question is not so much what you did yesterday; it is what you are going to do today and tomorrow. In 1976, Pell Grants paid for over 70 percent of the cost of sending a working family's kid to college. Today it pays for less than 40 percent.

We think now that we have surpluses instead of deficits we ought to do something about that. We are afraid that you are not going to make higher education a priority because your standard bearer, George Bush, said on March 22: ''Higher education is not my priority.'' He also said when he came to my State, when he was asked by a student, what are you going to do about the huge debt overhang that kids have when they leave college, he said, and this is an exact quote: ''Too bad. That is what loans are; they are to be paid back. There is a lot of money out there, if you just go looking for it. Some of you are just going to have to pay it back, and that is just the way it is.''

That is a ''let them eat cake'' attitude, and we do not subscribe to it. I urge that the House recognize the wisdom of the amendment.

Mrs. LOWEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to urge my colleagues on both sides of the aisle to do the right thing, to support this amendment. I have heard my good friends say live within our means, do the right thing. I heard other good friends on the other side of the aisle saying this is just an exercise. This is just politics.

I just wish my good friends were with me at Westchester Community College just a few weeks ago talking to the students who are benefiting from student aid. One of them was in tears. She desperately wanted to be a teacher. Now, maybe it is hard for people on the other side of the aisle to understand that this young woman could not put together the $2,500 she needed to pay her tuition. She just could not do it, and we were there just trying to figure out how we could respond to these problems.

It seems to me that we have to get beyond the politics, get beyond the partisan politics and focus on what are the real needs. You cannot say that a tax cut is irrelevant. You are saying there is a limited pot of money. Well, in my judgment, at this time of such prosperity in this country, at a time when people are in need and they are struggling to pay their tuition, not only should we be funding GEAR UP to motivate young people, to help them understand that getting an education, working hard, will provide them with

the opportunities of a good life in the United States, not only must we support IDEA, which helped those disadvantaged kids, to give them the opportunity to reap the rewards of this society; but it seems to me that we have a responsibility to do what we can to get as close as we can to the authorized level.

That is why I offer this amendment. These youngsters work two and three jobs. They are not just depending on public assistance. Let us support this amendment. Let us support our youngsters. Let us invest in education. Let us get real.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, one of the matters that the other side has conveniently failed to address, and both the gentleman from Massachusetts and my colleague from Wisconsin failed to address it as well, is the fact that what we are attempting to do by increasing funding for Pell Grants is to get more access for more young people of modest means to get a higher education. One of the difficulties is that every time we raise the Pell Grants, the colleges and universities across this country raise their tuition and expenses, and we buy no new access. So simply raising the money, unfortunately, does not get us greater access. In fact, as one of the speakers said earlier, education inflation has outstripped the increases that all of us have strongly supported in Pell Grants. We really ought to all be concerned about this trend.

Now, I would say to the gentlewoman offering the amendment, our bill increases student financial aid by $763 million, an increase of 8.1 percent. That is about what we have been trying to do every year. That is a 6 percent real increase: a large increase. We are, obviously, concerned, as you do not have to be, with the bottom line.

Now, budgets are meant to give limits. Limits are something that my colleagues in the minority paid no attention to for years and they are not paying any attention to those limits today. For the 30 years that they controlled the House, they spent as if there were no limits. They spent the Social Security reserve, all of it. They spent us into huge deficits, some years nearly $300 billion, until finally the American people said, ''We don't think you ought to be in control any longer. You are not responsible.''

So here we are again. You are offering no limits, no restraint with the budget. You will not even recognize it, even though it is adopted by both sides of the House. Unfortunately, somebody has to be responsible. We are trying to be responsible.

We have met the President's goal in raising funding for Pell Grants. In some years we have exceeded the President's suggested funding level for the maximum grant. We put this at an extremely high priority. We believe that young people across this country who want to go on to a higher education ought to have that opportunity. Kids of modest means need that kind of support.

All of us ought to be concerned about the fact that this money is just absorbed in our education system. There seems to be no restraint on education inflation, and the access we are trying to get for more kids often is lost in higher costs and higher tuition.

□ 1530

Mr. Chairman, I would say to my colleague that we have made this a high priority. I would say that we have made it a higher priority than the President year after year. This amendment does not have the responsibility of an offset and simply raises the spending in the bill. It is not in order, as all the rest of these amendments are not in order. It shows no responsibility for limits on spending that all of us must observe.

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

POINT OF ORDER

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. PORTER) insist on a point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 8, 2000, House Report 106–660.

This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b), and is not permitted under section 302(f) of the Act.

I ask for a ruling of the Chair.

The CHAIRMAN pro tempore. Does any Member wish to be heard on the motion?

The Chair is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentlewoman from New York (Mrs. LOWEY) proposing to strike a provision scored as negative budget authority on its face proposes to increase the level of new discretionary budget authority in the bill. As such, the amendment would violate section 302(f) of the Budget Act.

The point of order is sustained. The amendment is not in order.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of title III of the bill through page 63, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of title III of the bill from page 57, line 4, through page 63, line 19, is as follows:

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act of 1965, as amended, $48,000,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, VII, and VIII of the Higher Education Act of 1965, as amended, and the Mutual Educational and Cultural Exchange Act of 1961; $1,688,081,000, of which $10,000,000 for interest subsidies authorized by section 121 of the Higher Education Act of 1965, shall remain available until expended: *Provided*, That $10,000,000, to remain available through September 30, 2002, shall be available to fund fellowships for academic year 2002–2003 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: *Provided further*, That $3,000,000 is for data collection and evaluation activities for programs under the Higher Education Act of 1965, including such activities needed to comply with the Government Performance and Results Act of 1993.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $226,474,000, of which not less than $3,600,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $737,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965 shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, $207,000.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994, including part E; the National Education Statistics Act of 1994, including sections 411 and 412; section 2102 of title II, and parts A, B, and K and sections 10105 and 10601 of title X, and part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and title VI of Public Law 103–227, $494,367,000: *Provided*, That $50,000,000 shall be available to demonstrate effective approaches to comprehensive school reform, to be allocated and expended in accordance with the instructions relating to this activity in the statement of managers on the conference report accompanying Public Law 105–78 and in the statement of the managers on the conference report accompanying Public Law 105–277: *Provided further*, That the funds made available for comprehensive school reform shall become available on July 1, 2001, and remain available through September 30, 2002, and in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children to meet challenging State

content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement: *Provided further,* That $30,000,000 of the funds provided for the national education research institutes shall be allocated notwithstanding section 912(m)(1)(B–F) and subparagraphs (B) and (C) of section 931(c)(2) of Public Law 103–227: *Provided further,* That $45,000,000 shall be available to support activities under section 10105 of part A of title X of the Elementary and Secondary Education Act of 1965, of which up to $2,250,000 may be available for evaluation, technical assistance, and school networking activities: *Provided further,* That funds made available to local educational agencies under this section shall be used only for activities related to establishing smaller learning communities in high schools: *Provided further,* That funds made available for section 10105 of part A of title X of the Elementary and Secondary Education Act of 1965 shall become available on July 1, 2001, and remain available through September 30, 2002.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, $382,934,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $71,200,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, $34,000,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. (a) INTERNET FILTERING.—No funds made available under title III of the Elementary and Secondary Education Act of 1965 to a local educational agency or elementary or secondary school may be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet, unless such agency or school has in place, on computers that are accessible to minors, and during use by such minors, technology which filters or blocks—

(1) material that is obscene;

(2) child pornography; and

(3) material harmful to minors.

(b) DISABLING DURING ADULT USE.—An administrator, supervisor, or other authority may disable the technology described in subsection (a) during use by an adult, to enable unfiltered access for bona fide research or other lawful purposes.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a local educational agency or elementary or secondary school from filtering or blocking materials other than those referred to in paragraph (1), (2), or (3) of subsection (a).

(d) DEFINITIONS.—

(1) MATERIAL HARMFUL TO MINORS.—The term ''material harmful to minors'' has the meaning given such term in section 231(e)(6) of the Communications Act of 1934.

(2) CHILD PORNOGRAPHY.—The term ''child pornography'' has the meaning given such term in section 2256(8) of title 18, United States Code.

(3) MINOR.—The term ''minor'' has the meaning given such term in section 2256(1) of title 18, United States Code.

(e) SEVERABILITY.—If any provision of this section is held invalid, the remainder of such section and this Act shall not be affected thereby.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 305. None of the funds made available in this Act may be used to carry out any activities related to any federally sponsored national test in reading, mathematics, or any other subject that is not specifically and explicitly provided for in authorizing legislation enacted into law, except that such limitation shall not apply to the Third International Mathematics and Science Study or other international comparative assessments developed under the authority of section 404(a)(6) of the National Education Statistics Act of 1994 (20 U.S.C. 9003(a)(6) et seq.) and administered to only a representative sample of pupils in the United States and in foreign nations.

AMENDMENT NO. 186 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 186 offered by Mr. RYAN of Wisconsin:

Page 64, after line 6, insert the following:

SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—EDUCATION REFORM'' for the 21st Century Community Learning Centers, and by increasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $300,000,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. RYAN)

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in short, my amendment that I bring forward is an amendment to make special education a priority by increasing the funding for IDEA by $300 million and by reducing the 21st Century Learning Centers by the same amount, an appropriation which is $600 million at this time.

My reason for offering this amendment really comes down to the promise made to special education students and their parents and teachers by the Federal government. When Congress passed the IDEA law in 1975, we did so with the stipulation that the Federal government would fund 40 percent of special education and the State governments would fund 60 percent of special education.

Sadly, that is not the case today. This new law from 1975 on amounts to an unfunded mandate being placed upon our local school districts. It is a law where every single dollar in local school districts being chased to fund this unfunded mandate comes at the expense of every other local resource decision allocation made in our local school districts.

This funding formula right now stands at 12.6 percent, meaning the Federal government is funding 12.6 percent of IDEA, where it promised in 1975 to fund 40 percent. It is a huge funding shortfall, which is a large unfunded mandate being placed on our local schools.

Last month the House passed legislation authorizing the IDEA Grants to States program, which is where the bulk of the IDEA funding comes from. It is $7 billion. Many voted in favor of this legislation. However, the underlying appropriations bill being debated here provides $5.49 billion for IDEA.

As I mentioned earlier, the increase for special education will be offset by a $300 million decrease in 21st Century Learning Centers. This is a program that was created by a Wisconsonite, Steve Gunderson, in 1994. The purpose of this program at that time was to allow local communities in rural areas like western Wisconsin to have the chance of using the facilities, the libraries, the computer systems in high schools and other areas where those kinds of facilities do not exist.

Well, this program has gone well beyond its original intent to the point where, Mr. Gunderson has said, if we examine both the Department's publicity for this program and its allocations of funds, we discover little of the legislative intent.

This program has grown in function and in funding beyond the scope of why it was created in the first place. Beyond that, Mr. Chairman, this program has grown 800 times in 5 years, from $750,000 to $600 million in this budget year's budget, an 80,000 percent increase in just 5 years. Yet, this program is unauthorized. This program has had no IG reports, no GAO reports, no reports discovering whether or not this program is using its money wisely.

There is another very important point which the authorizers have pointed out. That is that it vastly mirrors and duplicates other existing programs in the Federal government; namely, the Safe and Drug-Free Schools Act.

That bill that has been passed through the authorizing committee, H.R. 4141, would add these two programs together, would put 21st Century Learning Centers in the Safe and Drug-Free Schools Act. Even with this amendment passing, it would provide a 50 percent increase in Safe and Drug-Free Schools Act with the authorizing language.

My point is this, Mr. Chairman. Almost every Member of Congress, on a vote of 413 to 2, voted for House Concurrent Resolution 84 earlier this year, stipulating that the highest priority of Federal spending in education would be IDEA, would be special education. All this amendment does is seek to go down the road of trying to cover that unfunded mandate Washington is placing on our local schools.

It says to other Members, ''Be consistent. If you voted for House Concurrent Resolution 84, as 413 Members did, then be consistent and vote for this amendment putting $300 million into IDEA and leaving the growth of the 21st Century Learning Centers to be a 50 percent growth for fiscal year 1999.''

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

The CHAIRMAN pro tempore. Does any Member wish to claim time in opposition?

Mr. PORTER. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 5 minutes.

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

Mr. Chairman, I am opposed to this amendment. We have done more to increase IDEA than any other governmental account. It has been placed at the highest priority. It has the highest dollar increase of any other educational account. There is half a billion dollars in this bill of increase. We bring up the account to $5.5 billion.

Over the last 5 years we have doubled the funding for IDEA. It is a high, high priority for us, Mr. Chairman. But there are other programs that are important, as well. The 21st Century After-School Learning Centers provide kids who are in high-risk neighborhoods with an opportunity to be off the streets. It places them in an educational environment where they are not going to get into trouble. They are not going to end up in prison. They are not going to be able to lose their chance for an education. They will get an opportunity to get ahead in our society.

This is where the money is going. It is providing them safe havens at a time when crime is often being committed by young people. We want to get them off the streets.

While I respect the gentleman and his amendment, I believe that we have done everything we possibly can do for IDEA. I think this is a very important and effective program, and I think the amendment therefore is misguided.

Mr. RYAN of Wisconsin. Mr. Chairman, I ask unanimous consent to reclaim the balance of my time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. RYAN) has 1 minute remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 30 seconds to the gentleman from Kansas (Mr. TIAHRT), a cosponsor of this amendment.

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

Mr. TIAHRT. Mr. Chairman, I think this amendment is important because we are taking a program that is going to increase. We are not taking away the large portion of the increase. We are still leaving $100 million as an increase in the 21st century learning program. We are simply redirecting the remaining money to a higher priority. That is the special education program.

I think it is a good amendment. I think it meets the priorities of this House as was voted on just last May. I would ask the Members to support the Ryan-Tiahrt amendment.

Mr. Chairman, I rise today in strong support of this amendment. Forty days ago this very body stood up and by an overwhelming vote of 421–3 passed H.R. 4055, the IDEA Full Fund Act stating this Congress' commitment to fully funding the Individuals with Disabilities Education Act. Many of my fellow colleagues joined me at this podium and asserted our responsibility to live up to our promise to our school districts. Additionally, last May we passed H. Con. Res. 84, again by an overwhelming vote of 413–2, which urged Congress and the President to give programs under the Individuals with Disabilities Education Act the highest priority among Federal elementary and secondary education programs. The highest priority.

The legislation increases IDEA funding by $500 million from FY2000 funds, continuing the Republican Congress' record of consistently adding money to the IDEA program. I commend Chairman PORTER for his drastic increase in IDEA funding from 13 percent to 25 percent. It is under his and Chairman GOODLING's guidance that we have stepped up our efforts to help local school districts comply with IDEA mandates. However, even this great increase is still about $1.5 billion short of the 40 percent funding we promised to our school districts. This is a good bill that will improve our nation's schools. I just believe that we have an opportunity to do even more to ease the burden IDEA has placed on school districts.

My home state of Kansas can expect to see about a quarter of the promised $69 million this year for IDEA mandates. Anyone who has spoken with school officials in their districts know that this is inadequate. While school districts are forced to rob Peter in order to pay Paul to meet IDEA mandates, at the expense of both children with and without disabilities, Congress has increased funding for Department of Education programs that are not vital to our children's education. One such program, the 21st Century Learning Centers program, has ballooned 800 percent in the last 4 years. This program was originally funded at $750,000 to help rural areas maximize their resources. I am not looking to eliminate the 21st Century Learning program. I am only looking to cut the increase in funding by $300 million, about half of the $600 million it was funded, and still a 400 percent increase from FY1996 funding.

I don't know how many Members have toured special education facilities in their home districts. I have. I have toured Levy Special Education Center in Wichita and seen these special children. I have met with special education teachers and listened to their frustration about the lack of funding combined with the burden of increased paperwork.

Twenty-five years ago with the passage of IDEA the Federal Government mandated that our local school systems educate all children, even those with severe mental and physical disabilities. IDEA has placed an extreme financial burden on our public schools which could be partially alleviated by keeping our commitment to fully fund 40 percent of the program. To not do so, and instead increase funding for programs like the 21st Century Learning Centers, we are completely ignoring the needs of our local school districts. I challenge my fellow colleagues to live up to their vote last month and support our effort today to put more money into IDEA.

Mr. PORTER. Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin (Mr. OBEY) for purposes of control.

The CHAIRMAN pro tempore. Without objection, the gentleman from Wisconsin (Mr. OBEY) will control 2 minutes.

There was no objection.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I rise in strong opposition to the Ryan amendment, and support the chairman's opposition.

Mr. Chairman, this is a measure which would cut the 21st Century Community Learning Centers program by $300 million. This amendment is a wolf in sheep's clothing. This wolf is ready to attack our students.

By drastically cutting this program, the gentleman from Wisconsin (Mr. RYAN) and other Members of this House would be responsible for pulling our children out of safe educational settings and sending them to empty homes and to unsafe streets.

The gentleman's State, Wisconsin, has 19 programs. Our State, New Jersey, has seven. We have been planning for this for over 6 months. Now the gentleman is going to pull the rug out from what we believe is going to be a very successful program because it has brought together many segments of the community for something that is worthwhile, something very tangible, and something very educational.

Mr. Chairman, this would dismantle new programs. It would stop us looking

to other places where these programs should be implemented. This amendment would cut over $260,000 in one system alone. That is Passaic, New Jersey. I ask for the defeat of this amendment.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the reason this bill is here is because 15 million kids go home every day to an empty house because so many of them have two parents working outside of the home. That is why we are providing after-school centers.

If this amendment passes, we will be ignoring the fact that most of the juvenile crime in this country occurs between the hours of 3 o'clock in the afternoon and 7 in the evening. We will be ignoring the fact that this amendment would cut back by 27 percent each and every one of the grants that now serves some 3,000 centers in the United States.

If we take a look at the way this program works that the gentleman is trying to cut, 28 percent of the kids who are participating in these after-school activities have been identified as kids with disabilities.

In terms of need, if we want to measure it, just recognize the fact that there are 2,200 communities which have requested that we provide a total of $1.3 billion in assistance for after-school centers. The agency has been able to fund only 310 new grants. That is not enough to meet the problem.

I would suggest to the gentleman, I appreciate where he wants to put the money, but where he wants to take the money from is a tremendously bad idea. If Members care about youth discipline, if Members care about crime, I urge rejection of the amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

A few brief points. This program goes vastly beyond its original intent, even stated by the author of the program.

Two, even with this amendment, after-school programs will be vastly increased. Even with this amendment, in fiscal year 1999 there is a $100 million increase.

Number three, it really comes down to an issue of local control. If we vote to fully fund IDEA and get as close to that goal as possible, we are voting for any program that helps local school districts, because we are voting to put those dollars in the hands of local education decision-makers. It is a vote for after-school programs. It is a vote for local control.

Mr. PORTER. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. CUNNINGHAM), a member of the subcommittee.

Mr. CUNNINGHAM. Mr. Chairman, Members do not know how good it is to work on a bipartisan basis on an amendment with the other side.

Both sides, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Illinois (Mr. PORTER) and my colleagues, have worked for after-school programs, not just babysitting, but to make sure there is education going on. I laud that from both sides.

Alan Bersin is the Superintendent of Schools in San Diego. I support him 100 percent. He is one of my champions. He is a Clinton appointee on the board, and before now he was superintendent.

If we really want to help special education, we are losing thousands of good teachers that just want to teach in special education. But there are trial lawyers that are using and abusing the schools and forcing many of these teachers out.

This is an area where we can come together and work to actually enhance special education, instead of having trial lawyers take all the money that we are trying to help with that.

I laud my colleagues on the other side for supporting the after-school programs. I thank the gentleman from Illinois (Mr. PORTER) and the gentleman from Pennsylvania (Mr. GOODLING).

The CHAIRMAN pro tempore. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

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

Mr. RYAN of Wisconsin. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. RYAN) will be postponed.

□ 1545

The CHAIRMAN pro tempore (Mr. PEASE). Are there further amendments?

AMENDMENT NO. 2 OFFERED BY MR. GARY MILLER OF CALIFORNIA

Mr. GARY MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. GARY MILLER of California:

Page 64, after line 6, insert the following:

SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—EDUCATION REFORM'' for ready to learn television, and by increasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $16,000,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from California (Mr. GARY MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. GARY MILLER).

Mr. GARY MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Ready-to-Learn television program was created by the Improving America's School Act of 1994. It was intended to support the first national educational goal of Goals 2000, that by the year 2000 all American children begin ready to learn for school.

The Ready-to-Learn television program authorizes the Secretary of Education to award grants to enter into contracts or cooperative agreements with nonprofit entities to develop, produce, and distribute educational instructional television programming and support materials.

The target age group is pre-school and elementary age children. In the past, it has gone to a collaboration between the U.S. Department of Education and the Corporation of Public Broadcasting.

We are transferring money from one Federal agency to another.

We are not against funding quality educational television programs. This vote is not a referendum on the validity of spending $16 million on the Ready-to-Learn television program. This vote is about prioritizing our limited educational dollars as we go. Meeting the direct needs of our local districts should be our first priority.

Labor HHS also increases the Corporation for Public Broadcasting's budget by an additional $15 million, as requested, for a total of $365 million. That does not include the $16 million.

Special education has been chronically underfunded. In 1975, Congress passed the Individuals with Disabilities Education Act.

The Ready-to-Learn television program basically supports two shows, Dragon Tales and Between the Lions. Cutting the Ready-to-Learn television program does not cut Sesame Street, Mr. Rogers' Neighborhood, Teletubbies, Barney, Arthur, Theodore Tugboat, Noddy, Zoom, or any of the programs children watch.

We need to prioritize our dollars. We need to vote for special education. I ask for support for this amendment.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) seek to claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 5 minutes.

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

Mr. Chairman, I rise in opposition to the amendment. The amendment would eliminate all funding for the Ready-to-Learn TV program and puts the money into IDEA State grants.

Now I just indicated on the last amendment that we have made IDEA State grants a high priority in our bill. We increased it up by half a billion dollars this year. I am at a loss to understand why the gentleman would target the Ready-to-Learn service that serves 132 public television stations in 46 different States, including his own.

Ready-to-Learn TV currently provides a minimum of 6.5 hours of nonviolent educational programming each day. The number of participating stations across the country has grown from 10 stations in 1994 to 132 in the year 2000, reaching 90 percent of American homes.

In addition, two new daily children's educational programs, Dragon Tales and Between the Lions, and two parenting initiatives, have been developed as a result of this project.

The program was recently reauthorized as part of both the House and the Senate ESEA bills.

I believe that while the gentleman has a very wise intention to continue to increase IDEA funding, we have certainly done a far better job in this area than the President has suggested in his budgets, which are after all political documents. Nevertheless to zero out this effective program that is subscribed in almost every State in the Union and by so many of our public television stations, seems to me to be unwise. I would oppose the amendment.

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

Mr. GARY MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I commend the chairman for his work on IDEA. He has done a commendable job, and this is in no way to impugn his efforts in that direction, but we have a limited amount of funds. We have to say when a child spends a little over 4,000 hours in front of a television before they start school, does the Federal Government need to fund an additional $16 million each year for Dragon Tales and Between the Lions when we need to prioritize our funds?

The money should go to the classroom. This is reasonable. It is established by offsets. We are not trying to drag monies in that do not exist and we are just saying we have made a promise to fund special education. We have not complied with that promise. We have left local districts underfunded. This is a small amount of money, $16 million, but when we are dealing with monies that are not available it can be a large amount of money, and I ask for support of this amendment.

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

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin (Mr. OBEY) control 2 minutes of my time, for the purpose of yielding time.

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

There was no objection.

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I will simply say this is the kind of amendment that should be supported if you believe that our young children are being exposed to too much quality television. If you think that they are not, then I think it is an amendment that one ought to oppose.

Mr. Chairman, I yield the rest of my time to the gentleman from New Jersey (Mr. ANDREWS).

The CHAIRMAN pro tempore. The gentleman from New Jersey (Mr. ANDREWS) is recognized for 1½ minutes.

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding me time.

Mr. Chairman, I rise in opposition to the amendment and in support of the position expressed by the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY).

I think one of the most effective ways to reduce the need for special education is to improve reading skills for very young children. $16 million for a program that reaches every corner of the country is a very modest, and I believe very wise investment.

Many of the special education problems in our public schools are actually misidentified because they are reading problems. They are children that are struggling in school because they never built the building blocks of reading skills in the early ages.

Now getting children to a quality pre-K program is a noble goal. It is something I believe we ought to do, but for many families it is an impossible goal. It is much more possible for the family and the children to gather at the appropriate time in front of a television set and begin to pick up some of those skills in the privacy of the home.

This is a very small investment in a very great need, and I believe that the amendment is misguided. It is certainly wise in trying to add to special education but reducing the need for special education is what we get when we invest in reading.

I oppose the amendment.

Mr. GARY MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is interesting the concept that government must provide quality television. It is the first time I have heard an argument maybe children should come home at night and watch TV instead of do homework. I think dollars belong in the classroom. When we have a shortage of dollars and we have made a commitment and a promise to special education classes that we are going to fund them, and we have yet to do that, to make an argument that we need to provide more television time for children at home rather than an opportunity for them to learn in the school is a different argument, an argument I am unaccustomed to hearing.

It is interesting that the House budget in 1997, 1998, 1999 and 2000 allocated zero dollars for this program. It came back from the Senate with a final appropriation bill in 1997, 1998, allocating $7 million.

There are a lot of sponsors in this country looking for an opportunity to sponsor good television shows. We argue against tobacco companies for advertising and encouraging young people to smoke. Obviously, advertising works. Sponsors will put their money where it works. If money works in good television shows for young people, they will sponsor those shows. But when we are dealing with the government having to fund television and when we have special education fundings that should be provided for and we are not providing for them, that is not a very good argument. I think we need to put our money in the classroom, put our money where our mouth is and support this amendment.

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

Mr. PORTER. Mr. Chairman, I yield the balance of our time to the gentleman from California (Mr. CUNNINGHAM).

The CHAIRMAN pro tempore. The gentleman from California is recognized for 1 minute.

Mr. CUNNINGHAM. Mr. Chairman, once again I find myself up here in support, and I would say to my colleague, the ranking minority member on the committee, in the regards to Archie the Cockroach, which I have right here, in this bipartisan support against this amendment, children do watch too much television. They are going to watch television. If we look at the violence and the things that are out there, I want my children watching something that is going to improve their literacy, that is going to improve their knowledge on education, especially for those who are going to enter kindergarten. This has been proven the case.

If we were talking about some of the other programs, yes, I would support this, but in this particular case I reluctantly oppose the gentleman's amendment. In the spirit of Archie the Cockroach, I support the gentleman's position.

Ms. BROWN of Florida. Mr. Chairman, I rise in opposition to this amendment.

This amendment robs Peter to pay Paul, and will gut the Ready to Learn program that serves as an educational tool for millions of school age children.

The sole PBS station in my home city of Jacksonville provides quality educational, cultural, and information programming services that directly affect the quality of life of my constituents. They have been doing a tremendous job of providing top notch outreach and pro-children programming with the limited Ready to Learn funds they receive. They are partnering with the local public library and children's commission to provide outreach and training to underserved communities, and have been recognized by the county school systems Teen Parent Program for providing outstanding service to young mothers. All of this with a meager $12,000.

It's unbelievable to me that we can stand here on the House floor and talk about tax cuts while we strip funds from our PBS stations. I agree that we need more funding for special education programs, but not at the expense of a program that serves millions of young children.

I ask my colleagues to do the right thing. Oppose this amendment and save these valuable funds.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. GARY MILLER).

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

Mr. GARY MILLER of California. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from California (Mr. GARY MILLER) will be postponed.

The point of no quorum is considered withdrawn.

Mr. OBEY. Mr. Chairman, I move to strike the last word and yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, the gentleman from Illinois (Mr. PORTER) said before that Democrats are operating without limits, and that is why the deficits got out of control. I was really puzzled by those comments.

Mr. Chairman, I would like the gentleman from Wisconsin (Mr. OBEY), our ranking member, to clarify for the record that statement.

Mr. OBEY. Mr. Chairman, I would not do this but because we have repeatedly heard the statements that it is the uncontrolled spending of the Democrats that have caused the deficits, I want to repeat a little history lesson.

This graph shows that at the end of World War II our national debt, as a percentage of our total national income, was more than 100 percent because we fought World War II first and thought about paying for it afterwards. If we had not done that, Hitler flags would be flying all over the world.

That dropped under a succession of Presidents, Republican and Democrat, until the debt was down to about 23 percent of our total national income. Then it stalled out between, say, 1973 and 1979 with the two energy crises under President Ford and President Carter.

President Reagan got elected. The Congress passed his budgets which doubled the defense spending on borrowed money and which cut taxes by very large amounts at the same time. As a result, as the gentleman from Maryland (Mr. HOYER) pointed out last night, the debt exploded as a percentage of our national income and in all other ways. We added over $4 trillion to the debt, and it was pushed back up to about 50 percent of our annual national income.

Since that time, the President has recommended budget changes and the economy has resurrected itself at a remarkable rate, and at this point we are rapidly on our way to eating into that debt both as a percentage of our national income and in terms of its overall dollar amount.

What we have been doing the last 18 years, we have been spending the last 18 years trying to eliminate this debt bubble that was caused by the irresponsible spending of the President and the Congress under the Reagan administration.

President Bush signed a budget agreement that began the downturn and President Clinton got his budget package through the Congress by one vote in both houses, which substantially reduced that debt.

So all I would say, in response to the gentlewoman, is that I will never again listen to any lectures on the other side of the aisle about being responsible in terms of spending and debt, because we have spent the last 18 years trying to get back to a budget which is reasonably in balance, and thankfully we now are. So the issue is not what happened yesterday but what we ought to do tomorrow. We think that since we have moved from an era of deficits to an era of surpluses that not all of those surpluses should be used for tax cuts; that some of them should be reserved to deal with Medicare, with education, with health care, with child care, and that is what we are trying to do in these amendments.

Mr. Chairman, I thank the gentlewoman for her question.

□ 1600

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I am not going to bring Archie out this time. Mr. Chairman, in the spirit of Archie, I have got to oppose the statements of the gentleman from Wisconsin (Mr. OBEY).

First of all, the proof is in the pudding right here today. The Democrats controlled this House and Senate almost exclusively for 40 years. Spending is controlled within Congress, not the President of the United States. We sent him the bills.

The President in every one of his budgets, not many Democrats ever supported it, nor Republicans. We brought it up to show how ridiculous it was. It was a political document. I would say in the spirit of Archie, Republican Presidents have done similar things.

But the proof is in the pudding right here today. No matter what we put as a mark within the balanced budget, within a budget frame, they want more. They want more and more and more. Just like they have in every single one of their appropriations bills, every single time, which drives up the debt.

For 40 years, did they have a balanced budget? Absolutely not. They had $200 billion deficits as far as one can see. Welfare reform, which limited their spending, welfare, they spent trillions of dollars in just dumping more money into it. Sixteen years is the average. Now, we have people working, bringing home a paycheck instead of letting the children see them bring home a welfare check. Billions of dollars of revenue in, and not the Democrats when we talk about policies that increased.

President Kennedy, along with Ronald Reagan, recognized that tax refunds to the American people, they are going to go out and buy a double egg, double cheese, or double fry burger, or a car or buy real estate; and that money is going to turn over. That revenue is going to provide tax money to the general fund. That has always been the case.

But, yet, my colleagues on the other side, tax increases, look at 1993 in the tax increase. Then we have eliminated many of those tax increases on the American people. Look what has happened to the economy. But they cannot help themselves increasing taxes, and then every dime out of the Social Security Trust Fund they spent and put in IOUs, which drove up the debt over $5 trillion.

We said no more. Let us put it into a lockbox. Guess what, we are paying off the debt by the year 2012. Forty years they had to do that. We have been in leadership for 5 years. Look at the difference.

The chart of the gentleman from Wisconsin (Mr. OBEY) is almost laughable, because in every single appropriations bill we bring up, except for defense, watch my colleagues try and increase spending above a balanced budget.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. PORTER. How much time is remaining, Mr. Chairman?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Illinois (Mr. PORTER) has 2 minutes remaining.

Mr. PORTER. I yield to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, I would just say to the gentleman from California (Mr. CUNNINGHAM), I appreciate the talk. I was elected in 1996. But in 1993, the tax bill that was passed by the Congress, there were those on the other side of the aisle who suggested it would cause unemployment to rise, interest rates to rise, and the economy to move in the wrong direction.

But if I am not mistaken, 8 years ago, the DOW was at 3,500; it is now three times that amount. We had a $390 billion projected deficit for last fiscal year. We are now running $180 billion plus surplus. According to the front pages of newspapers around the country, those projections are conservative.

I appreciate the gentleman from California trying to take credit. I think there is a lot of credit to be given here, as entrepreneurs and innovators deserve a lot of it as well. But to suggest that we are at fault here, I think, is somewhat of a misnomer.

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman from Illinois (Mr. PORTER) will further yield, the fact is that one can spend it any way one wants. The gentleman from Tennessee (Mr. FORD) is my friend, and he knows that. One can spend this any way one wants.

But increasing the taxes on the American people does not stimulate the economy. Not operating under a balanced budget does not.

Those taxes that Democrats supported without a single Republican vote, we have repealed the Social Security tax. We have balanced the budget. We brought revenue in with welfare reform. We saved Medicare. We put Social Security in the trust fund. Those are the economic stimulus that I think have stimulated the economy, not a tax increase.

Mr. FORD. Mr. Chairman, if the gentleman from Illinois (Mr. PORTER) will further yield, I would just contend that we all deserve a little credit for that.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT NO. 203 OFFERED BY MR. SCHAFFER

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 203 offered by Mr. SCHAFFER:

Page 64, after line 6, insert the following:

SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT'' for the research activities, and by increasing the amount made available under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $10,356,700.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Colorado (Mr. SCHAFFER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. SCHAFFER).

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

Mr. Chairman, I ask for favorable consideration of the amendment I have offered. What that amendment does is shifts approximately $10.3 million toward the Individuals with Disabilities in Education Act funds, special education as we know it.

Mr. Chairman, this House has acted three times in recent months on establishing for ourselves and for the country a priority of fully funding the Individuals with Disabilities in Education Act. This first was initiated in the first session, about a year, a little over a year ago, where 413 of us said that this is the highest priority in the Department of Education.

Let me reemphasize that, because the funds I am shifting come from the Office of Education Research and Improvement and some research expenditures; I might also add, the same funds that the gentleman from Indiana (Mr. ROEMER) proposed to move $25 million from earlier.

That is a priority for some clearly, but I would submit and defy anyone to challenge my statement that IDEA is the highest priority established by this Congress. I say that because 413 of us voted for those exact words, that the fund I am proposing to increase by $10 million is the highest priority that we have.

So I do not want to get into the debate of whether the funds we are moving are coming from a priority, only whether it is true that we are shifting funds from a lesser priority to a higher priority. I think when viewed within that context, I hope that the numbers will be similar on this amendment that they were when we established that priority a little over a year ago.

Now, just a month ago, we passed a similar resolution where we suggested that we would fund this year's IDEA to the tune of $7 billion. Well, we have not really done that. We have added, I think, a half a billion dollars, which is a billion and a half short of where we promised the American people we were headed. In fact, in that resolution, the schedule is lined out right in the bill itself. My colleagues can take a look at it. It was H.R. 4055. It says right here, in 2001, we will authorize for appropriations $7 billion. We are a billion and a half short of that, despite the heroic efforts, I might add, of the chairman and others who believe that IDEA is a high priority.

I am here to make a case that it is, in fact, the highest priority. When we make the promise to the American people, not once, not twice, but in fact three times, then we ought to fulfill that promise and make a stronger effort. I am suggesting at least to the tune of $10 million how we might be able to do that.

Then, finally, in the budget resolution, which just passed days ago, we assumed at least a $2 billion increase in fiscal year 2001 over the current fiscal year as part of our commitment to get us to 40 percent of full funding, the congressional promise to the Individuals with Disabilities in Education Act.

Mr. Chairman, I urge favorable adoption of my amendment.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. Mr. Chairman, I claim the time in opposition, and I yield 1 minute of that time to the gentleman from Wisconsin (Mr. OBEY), and ask unanimous consent that he be permitted to control that time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois (Mr. PORTER)?

There was no objection.

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

I appreciate that the gentleman from Colorado (Mr. SCHAFFER) is a very strong supporter of IDEA. All of us are. We put it at the very highest priority. Other programs are a priority also. We cannot know whether educational programs, including IDEA, work unless somebody evaluates how they work.

The Federal Government is the primary source of funds for long-term investment in national education research and development. Much of what we know about how to improve schools, much of what we know about how kids learn has come from investments made over the past 30 years.

The education industry is a $584 billion industry. It absorbs 7.2 percent of our gross domestic product. But we spend only three-hundredths of 1 percent of that money on R&D, education research and development, learning what works and what does not work and how to improve the learning of our children. Most of that spending is cut by this amendment.

The President's 1997 Technology Advisory Report and Senator FRIST's 1998 Budget Committee Education Report and this year's Republican Main Street Partnership paper all call for more spending, not less, on education R&D.

Cutting education statistics will eliminate the retesting of students who took the TIMS exam, which found our students lacking in math and science knowledge. This will prevent our Nation from knowing whether our students are getting better or worse in those very, very important areas.

Mr. Chairman, the desire to increase IDEA is one we certainly share with the gentleman from Colorado (Mr. SCHAFFER). But taking money from this account is not wise. We need to know what works and what does not work. This is very, very important spending. I urge Members to oppose the amendment.

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

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, we spend billions of dollars of taxpayers' money on education. We spend it on programs with various groups in the education community promoted as being good ideas.

We spent a fraction of that amount to actually determine what works and what does not. Each Member brings to this floor his ideology, his biases, his prejudices. Once in a while, maybe a few facts. But the fact is that, without education research, we are flying blind. We are spending the taxpayers' money blindly, and we are more likely rather than less likely to put it in the wrong places.

That is why I think the amendment is wrong and should be defeated.

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. SCHAFFER) has 1½ minutes remaining. The gentleman from Illinois (Mr. PORTER) has 2 minutes remaining and has the right to close.

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

Mr. Chairman, I would like to address a couple of points. One, it was said that this amendment cuts most of

the funds where research is concerned. The reality is this cuts a fraction of the funds from our research efforts, about 10 percent to be exact. In fact, much less than what was proposed by the gentleman from Indiana (Mr. ROEMER) earlier today.

Secondly, the notion that this is a reliable use of funds today is also errant in my estimation. I would point to the testimony given by a witness that was called before the Committee on Education and the Workforce by the Democrats. This is Dr. Robert Slavin, who was the co-director of the Center for Research on Education of students placed at risk. He says, ''OERI does have a good deal of money, but very little of it is for anything like research. This must change. We can talk all we want about standards or assessment or governance or charters or vouchers or other policy initiatives. But until every teacher is using better methods and materials with every child every day, fundamental change is unlikely.''

I guess, Mr. Chairman, this really is the focus of the decision I am asking us to make now. We have established for the country the high priority of getting funds to those children who have various disabilities where education is concerned.

The Supreme Court has ordered the Congress to make sure that those children have equal access to an equal education. Do not steal funds from those children for programs of questionable merit and value. Again, research funds may have some merit to some, but they do not achieve the high priority of disabled children. Please fund them first.

Mr. PORTER. Mr. Chairman, I yield myself the balance of the time. The gentleman from Colorado (Mr. SCHAFFER) is correct. What I meant to say was that most of the money involved in the gentleman's amendment comes from the spending cut by this amendment.

I would say to the gentleman, he quoted Dr. Slavin of Johns-Hopkins. If one looks at the models contained as suggestions in the Porter-Obey comprehensive school reform legislation, half the model cited in the legislation were Federally funded including Dr. Slavin's own model itself.

Another example, the Nation's only nonbiased paper on class size reduction and one that is cited by Republican and Democratic Senators alike during last month's ESEA debate over in the Senate was done through education research and development.

□ 1615

Studies making exit exams more accurate, ensuring that States attempt to use standard-based exit exams and actually test what students know, are developed through education R&D.

This is a very important account. We need to evaluate the programs that we have in existence and those that are proposed. It would be a serious mistake to undercut the funding in this account; and, in fact, most observers on both sides of the aisle believe that this funding ought to be increased.

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

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER) will be postponed.

The Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Education Appropriations Act, 2001''.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $69,832,000, of which $9,832,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: *Provided*, That, notwithstanding any other provision of law, a single contract or related contracts for development and construction, to include construction of a long-term care facility at the United States Naval Home, may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18 and 252.232–7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $294,527,000: *Provided*, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2003, $365,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

AMENDMENT NO. 182 OFFERED BY MR. OXLEY

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 182 offered by Mr. OXLEY: Page 65, line 22, strike ''$365,000,000'' and insert ''$361,350,000''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thursday, June 8, the gentleman from Ohio (Mr. OXLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

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

I want to begin first, Mr. Chairman, by thanking my good friend, the gentleman from Chicago, Illinois (Mr. PORTER), for his service to this institution for so many years. We will all miss his great leadership on the Committee on Appropriations. It has been a pleasure to work with him on a number of issues.

Mr. Chairman, I have an amendment that reduces the funding for the Corporation for Public Broadcasting by 1 percent. Let me begin by saying that it is unfortunate that the last authorization for the CPB expired in 1996 and, as a result, in the failure of the authorization process, the Committee on Appropriations has basically been appropriating funds for CPB during that time, including today's bill.

The CPB funding makes up approximately 14 percent of public broadcasting's budget. Last year's appropriations bill increased CPB spending by some $10 million and this year the bill that my friend from Illinois brought forward has another $15 million increase. With this kind of increase each year that appropriators have provided for CPB, I would argue that it leaves little room or any incentive for reform by CPB. And, indeed, they need reform.

All of us are familiar with last year's fiasco, when it became obvious that PBS had swapped donor names with Democrats for a number of years and affected thousands and thousands of members of public broadcasting stations all over the country. And while the stations ultimately apologized, it turned out it was a far more widespread scandal than anyone could have anticipated. But the fact is that this Congress, nor anybody else, has really reacted to provide some kind of incentive for CPB to look at some real reforms and some accountability for what went on.

These were illegally shared lists of donors with Democratic campaigns. Many of my colleagues will recall that when we had the hearing in the Committee on Commerce, CPB came in and initially said that this was also shared with Republican groups. Those Republican groups turned out to be nonexistent and, in fact, this was clearly an effort by CPB to work with the

Democrat campaigns and Democrat donors. I wrote language in last year's satellite bill to protect the privacy of contributions to PBS and NPR stations but there was never any sanction for the violation of this public trust.

In 1997, it was discovered that senior executives at NPR and PBS had evaded a statutory cap on their pay by granting themselves bonuses of up to $45,000 a year, which gave them more pay than the Secretary of State, other cabinet officials, and Members of Congress. Rather than complying with the law, they hired expensive lobbyists to get the cap lifted. Public records show that PBS alone payed Covington & Burling $60,000 to get the cap removed.

Last year, it was revealed that PBS headquarters in Old Town Alexandria employs a professional masseuse as part of its ''preventive health'' program. So much for providing cultural content as part of public broadcasting.

Now, many of these NPR stations and public stations have, I think, started to understand that maybe some time in the future the Federal largess will end. And as they expand into Internet ventures, satellite, radio, and digital cable, I think, frankly, this provides the opportunity that we have all been looking for to wean public broadcasting away from the Federal Treasury and the taxpayers' money. And, indeed, the digital conversion that is mandated in the Telecommunications Act sets up the possibility for public broadcasting to go digital and to have the capability, at least in part of their digital programming, to provide the necessary funding that can wean them away from this dependency on taxpayers' dollars.

So, for that, I applaud them. I think it makes a lot of sense, if they will continue to follow through, make those kind of changes necessary. And, in fact, as I told our worthy chairman, I support the concept of digital transition for public broadcasting. I support the money necessary, the $10 million. I wish we had authorized a program in the Committee on Commerce so we could have done exactly that, and I would have been the first to support it. Because I think it provides the magic key to separating the tax dollars from the members.

Mr. Chairman, I would ask that the 1 percent cut that we have proposed, the gentleman from Arizona (Mr. SHADEGG) and myself, be accepted.

The CHAIRMAN pro tempore. Does any Member claim time in opposition?

Mr. PORTER. I claim time in opposition, Mr. Chairman.

Do I understand the gentleman's time has expired?

The CHAIRMAN pro tempore. That is correct.

Mr. PORTER. Mr. Chairman, I yield myself 2½ minutes.

If I may say so, Mr. Chairman, I have the highest regard for the gentleman from Ohio. He is an expert in this area as a member of the Subcommittee on Telecommunications, Trade, and Consumer Protection. But I think I am correct in saying that the scandal, and that is a proper designation for what happened, involved 53 public television and public radio stations. Twenty-nine were TVs and 24 were radio grantees who exchanged or rented donor lists with political entities. Clearly, this activity should not have taken place. But it was 53 out of over 1,000 stations, and it certainly was not as widespread as the news reports first indicated.

In July of 1999, the Corporation for Public Broadcasting adopted a policy to ban such practices and worked cooperatively with Congress on a statutory prohibition, which we passed in November 1999 as part of the Satellite Home Viewers Act. A thorough investigation determined that the motives of the minority of stations who were involved in this activity were not political but financial.

Now, clearly, there was wrongdoing involved. But cutting the appropriation, it seems to me, will undoubtedly hurt a lot of the very small stations that serve rural communities in the most isolated areas in our country. It will not provide the kind of sanction that I am sure the gentleman intends, to those larger stations that undoubtedly were part of this process.

We have a lot of large stations and large metropolitan areas that are not dependent at all on the Federal funding. They have a small amount of Federal funding and they can leverage funds. We also have a number of smaller stations in smaller markets that depend very heavily upon the grants from CPB through its affiliates, and those are the ones that an amendment like this can most likely hurt. They really need the money.

So while I certainly agree that the gentleman has put his finger on something that I deplore and all Members, I would hope, deplore, the misuse of political donor lists by certain stations. I would urge Members to oppose the amendment.

Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin (Mr. OBEY).

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

Mr. Chairman, I think the gentleman from Ohio (Mr. OXLEY) is absolutely right. I think that we should require of every other program administrator in government the same pristine perfection that we demonstrate in the Congress every day.

I am being sarcastic. I assume people understand that. I mean, the gentleman is suggesting that because a tiny handful of stations allowed somebody to exchange fund-raising lists, that somehow they ought to pay a penalty for that by cutting back on funds which will assist them to deliver programming to every American.

Now, if Members are satisfied with what they get on the private TV networks, then, fine, be my guest and vote for this amendment. But all I would say is that I think, in general, the quality provided on public television is considerably less violent, considerably less ridden with sexuality than the programs that we see on any of the major networks.

I would simply say that if Members of Congress had 1 percent deducted from their office budgets every time we did something stupid, we would be operating on budgets of zero. So I think that public broadcasting has already paid a very large penalty for what happened. They lost the momentum of their reauthorization bill that they had been working on for the last three sessions. They lost $15 million for DTV conversion in 1999 that was appropriated contingent upon that authorization.

So it seems to me that, while the gentleman is perfectly within his rights to offer the amendment, I think it is ill-advised, and I will urge its rejection.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. OXLEY).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Ohio (Mr. OXLEY) will be postponed.

Are there further amendments to this section of the bill?

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 84, line 17, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 66, line 6 through page 84, line 17 is as follows:

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171–180, 182–183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. ch. 71), $37,500,000, including $1,500,000, to remain available through September 30, 2002, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): *Provided,* That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further,* That fees for arbitration

services shall be available only for education, training, and professional development of the agency workforce: *Provided further,* That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $6,200,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out subtitle B of the Museum and Library Services Act, $170,000,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $8,000,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $1,400,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $2,450,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws, $205,717,000: *Provided,* That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $9,800,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $8,600,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $160,000,000, which shall include amounts becoming available in fiscal year 2001 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $160,000,000: *Provided,* That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2002, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $95,000,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $5,380,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided,* That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,400,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, $365,748,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2002, $114,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $22,791,000,000 (increased by $85,000,000), to remain available until expended: *Provided,* That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

In addition, $245,000,000 (reduced by $35,000,000), to remain available until September 30, 2002, for payment to the Social Security trust funds for administrative expenses for continuing disability reviews as authorized by section 103 of Public Law 104–121 and section 10203 of Public Law 105–33. The term ''continuing disability reviews'' means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2002, $10,470,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $10,000 for official reception and representation expenses, not more than $6,367,036,000 (increased by $70,000,000) may be expended, as authorized by section 201(g)(1) of the Soc ial Security Act, from any one or all of the trust funds referred to therein: *Provided,* That not less than $1,800,000 shall be for the Social Security Advisory Board: *Provided further,* That unobligated balances at the end of fiscal year 2001 not needed for fiscal year 2001 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further,* That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the first paragraph, not less than $130,000,000 (increased by $70,000,000) shall be available for conducting continuing disability reviews.

In addition to funding already available under this heading, and subject to the same terms and conditions, $520,000,000 (reduced by $70,000,000), to remain available until September 30, 2002, for continuing disability reviews as authorized by section 103 of Public Law 104–121 and section 10203 of Public Law 105–33. The term ''continuing disability reviews'' means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

In addition, $91,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2001 exceed $91,000,000, the amounts

shall be available in fiscal year 2002 only to the extent provided in advance in appropriations Acts.

From funds previously appropriated for this purpose, any unobligated balances at the end of fiscal year 2000 shall be available to continue Federal-State partnerships which will evaluate means to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $14,944,000, together with not to exceed $50,808,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the ''Limitation on Administrative Expenses'', Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: *Provided,* That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $15,000,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided,* That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. 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. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $20,000 and $15,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $2,500 from the funds available for ''Salaries and expenses, Federal Mediation and Conciliation Service''; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $2,500 from funds available for ''Salaries and expenses, National Mediation Board''.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. (a) Purchase of American-Made Equipment and Products.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term ''health benefits coverage'' means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term ''human embryo or embryos'' includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) LIMITATION ON USE OF FUNDS FOR PROMOTION OF LEGALIZATION OF CONTROLLED SUBSTANCES.—None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of fiscal year 2000 from appropriations made available for salaries and expenses for fiscal year 2000 in this Act, shall remain available through December 31, 2000, for each such account for the purposes authorized: *Provided,* That the House and Senate Committees on Appropriations shall be notified at least 15 days prior to the obligation of such funds: *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. 514. Section 5527 of Public Law 105–33, The Balanced Budget Act of 1997, is repealed.

SEC. 515. (a) DATES FOR EVALUATION.—Section 403(a)(5)(H)(iii) of the Social Security Act (42 U.S.C. 603(a)(5)(H)(iii)) is amended by striking ''2001'' and inserting ''2005''.

(b) INTERIM REPORT REQUIRED.—Section 403(a)(5)(H) of such Act (42 U.S.C. 603(a)(5)(G)) is amended by adding at the end the following:

''(iv) INTERIM REPORT.—Not later than January 1, 2002, the Secretary shall submit to the Congress an interim report on the evaluations referred to in clause (i).''.

SEC. 516. Section 403(a)(3)(A) (42 U.S.C. 603(a)(3)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii)—

(A) by striking ''1999, 2000, and 2001'' and inserting ''1999 and 2000''; and

(B) by striking the period at the end and inserting ''; and''; and

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

''(iii) for fiscal year 2001, a grant in an amount equal to the amount of the grant to the State under clause (i) for fiscal year 1998.''.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 517. Section 410(b) of The Ticket to Work and Work Incentives Improvement Act of 1999 (Public Law 106–170) is amended by striking ''2009'' each place it appears and inserting ''2001''.

□ 1630

AMENDMENT NO. 205 OFFERED BY MR. SCHAFFER

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

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 205 offered by Mr. SCHAFFER:

Page 84, after line 21, insert the following:

SEC. 518. The amounts otherwise provided by this Act are revised by decreasing the amount made available in title I under the heading ''DEPARTMENT OF LABOR—EMPLOYMENT AND TRAINING ADMINISTRATION—TRAINING AND EMPLOYMENT SERVICES'' for the Job Corps program under the Workforce Investment Act of 1998, and by increasing the amount made available in title III under the heading ''DEPARTMENT OF EDUCATION—SPECIAL EDUCATION'' for grants to States, by $42,224,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Colorado (Mr. SCHAFFER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, is it in order to request the rest of the amendment be read by the Clerk?

The CHAIRMAN pro tempore. Is there objection to the reading of the amendment?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will read the amendment.

The Clerk read the amendment.

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

Mr. Chairman, I would ask favorable adoption of this amendment. This is an amendment that moves approximately $42 million to the Individuals with Disabilities Education Act.

I have spoken on this topic before and proposed to increase the funding for IDEA in a previous amendment, and the philosophy here is quite the same. The Individuals with Disabilities Education Act is, quite frankly, a well-established priority, not only a priority, but the highest priority of the United States Congress. We have established that as the highest priority three times.

My colleagues, what we have accomplished, basically, is, if we fail to fulfill our obligation to fully fund the Individuals with Disabilities Education Act to the extent that we have promised previously, we have done the following:

In May of 1999, we promised about $2 billion this year in increases for IDEA. We held the cash out to the American people for special education and we said, we are going to give this money to them.

About a month ago we came to the floor here and passed a similar resolution and said, we are going to fully fund the IDEA program; we are going to give this cash to them.

Just days ago we passed the budget resolution, where we suggested an authorization of a $2 billion increase; and, for the third time, we said to the American public, those who are concerned about IDEA, we are going to give this money to them.

And today, the point at which it is time to actually give the money to those who care about special education, we are not going to do it because there are other priorities.

I will agree with those who say there are other priorities. But the fact is we have voted three times to say that there is no higher priority than fully funding IDEA.

Now, this is a long-term goal; but the first installment on that payment occurs right now. We promised $2 billion this year in additional funding for special education. And by the end of the day, I suspect that this amendment fails, as others who are proposing the same that we keep our pledge, we will only increase funding by about half a billion dollars, a substantial amount, a good gesture, to be sure.

But the reality is that principals, superintendents, State legislators, and parents are asking us to fully fund the Individuals with Disabilities Education Act. It is the largest Federal mandate that every school administrator has to deal with. By our failure to fully fund these children who need our help and assistance and who have been promised three times and where we have been obligated by the Supreme Court, they are being left high and dry.

I would ask our colleagues to find it in their hearts to reach out and just fulfill the promises that we have made and support this amendment. It is one that I think is reasonable and modest. In fact, it does not go nearly far enough to fulfill the promises that we have made. But these are the children who need the dollars most, who have every right to an equal access to a quality education, and they are denied that because this government has foisted a mandate upon the States and upon the people in it, and it has refused to pay for its share of the cost.

This amendment moves us in that direction. I urge its adoption.

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

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

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, again, I understand why the gentleman from Colorado (Mr. SCHAFFER) wants to increase IDEA, as we did in the bill and we have in prior bills. I do not understand why he would want to cut a very, very successful program that the majority has strongly supported over the last 6 years and has become the centerpiece of our work on job training.

There are many young people who in their home neighborhoods generally have little or no hope of participation in the prosperity of this economy. They lack the opportunity to get work experience and get ahead.

Job Corps has taken young people out of such neighborhoods and put them into a situation where they can learn skills, get a work ethic, get an opportunity to get a job, get a job, hold a job, have a family, participate in the American dream.

To cut funding in this area seems to me to be very misguided. The young people that have been served by this program have done amazingly well. It is a program that we have consistently increased more than the President has included in his budgets. We increased funding because we believe there is a real chance for young people who otherwise are so much at risk to get an opportunity to get ahead in our society. I believe that it would be extremely unfortunate if this program were cut and this money were transferred.

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

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

Mr. Chairman, first of all, I reject the characterization of this amendment as one that cuts Job Corps. The reality is this amendment shifts the new funding in Job Corps that the program does not have today, essentially leaving the funding at the current level without any change. That is not a cut. That is an amendment that holds the program harmless.

Secondly, as to the value and the merit of the Job Corps program, let us keep in mind that, even with my amendment, we will still spend $1.4 billion on the Job Corps program. And that is not to mention several other job-seeking types of programs that the Federal Government maintains.

I would love to offer for consideration of our colleagues and perhaps submit for the RECORD a report by Mark Wilson of the Job Corps program; and in it it finds that Job Corps is government's most expensive job-training program and continues to receive increases despite serious questions raised about the program by the U.S. General Accounting Office.

There are several other findings that Job Corps has a spotty record in. In some parts of the country, it seems to work well. In other spots, it is hemorrhaging cash without providing results.

All of that being put aside, Job Corps may be a persuasive priority for some. I merely maintain that the highest priority should be those children who are in classrooms today suffering from various disabilities that impair their ability to receive a first-rate, quality education.

The reason it becomes so challenging for these children is because this Congress has mandated rule after rule after rule and regulation and failed to put the cash forward. That is what this amendment accomplishes. I urge its adoption.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I would simply say that when we talk about the Job Corps, we are talking about young people who up to that moment in their lives are 100-percent failures and the Job Corps manages to salvage about 50 percent of those young people. That is a better batting average than Babe Ruth had.

I must say, I am amused by the fact that just 3 days ago we saw on the floor a chart by one of the Members of the majority side and that chart was used to brag about how much the Job Corps was being increased by the majority party; and now this amendment seeks, I guess, to rip up that chart. And I guess maybe those speeches on behalf of the Job Corps that were given on the other side would have to be ripped up, as well.

This just is not something we ought to do. It goes at people who have no hope without help, and I think we ought to turn the amendment down.

Mr. PORTER. Mr. Chairman, I would say, in closing, as the chairman of the authorizing committee just said to me, this is an expensive program. But the alternative is much, much more expensive both to the individual and to our society.

I believe in this program. I think it has made a difference in so many young people's lives in this country. It is the model, I believe, for overcoming poverty and gang neighborhoods and violence and getting young people an opportunity and a chance. And God knows what this country stands for is people getting an opportunity and a chance to reach their level of achievement. If we do not provide that opportunity, we are short changing the very things we believe most deeply in.

I oppose the amendment and urge Members to vote against it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 7 offered by the gentleman from New Hampshire (Mr. BASS), amendment No. 186 offered by the gentleman from Wisconsin (Mr. RYAN), amendment No. 2 offered by the gentleman from California (Mr. GARY MILLER), amendment No. 203 offered by the gentleman from Colorado (Mr. SCHAFFER), amendment No. 182 offered by the gentleman from Ohio (Mr. OXLEY), and amendment No. 205 offered by the gentleman from Colorado (Mr. SCHAFFER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. BASS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 7 offered by the gentleman from New Hampshire (Mr. BASS) 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 98, noes 319, not voting 17, as follows:

[Roll No. 259]

AYES—98

Aderholt
Barr
Bass
Bereuter
Blunt
Boehner
Brady (TX)
Bryant
Burton
Cannon
Chabot
Chenoweth-Hage
Coble
Coburn
Cooksey
Crane
Cubin
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Fowler
Frelinghuysen
Gibbons
Goode
Green (WI)
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Hilleary
Hoekstra
Hostettler
Hunter
Inslee
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kolbe
Kuykendall
Largent
Latham
Maloney (CT)
Manzullo
McInnis
McIntosh
Metcalf
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Oxley
Paul
Pitts
Pombo
Pryce (OH)
Ramstad
Reynolds
Riley
Rivers
Rogan
Rohrabacher
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Smith (MI)
Stump
Sununu
Talent
Tancredo
Taylor (MS)
Terry
Thornberry
Tiahrt
Toomey
Vitter
Walden
Wamp
Weldon (FL)

NOES—319

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Buyer
Callahan
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodling
Goss
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise

Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Campbell
Cook
Cox
Danner
DeMint
Fletcher
Franks (NJ)
Gillmor
Goodlatte
Gordon
Markey
McCollum
Pallone
Thune
Vento
Watts (OK)
Weldon (PA)

□ 1705

Messrs. HUTCHINSON, LUTHER, COLLINS, SCARBOROUGH, SPENCE, PETRI, EDWARDS and Mrs. BONO changed their vote from ''aye'' to ''no.''

Messrs. ADERHOLT, STUMP, HUNTER, BURTON of Indiana, and DICKEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FLETCHER. Mr. Chairman, on rollcall No. 259 I was inadvertently detained. Had I been present, I would have voted ''no''.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to House Resolution 518, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 186 OFFERED BY MR. RYAN OF WISCONSIN

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 186 offered by the gentleman from Wisconsin (Mr. RYAN) 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 CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 293, not voting 17, as follows:

[Roll No. 260]

AYES—124

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Blunt
Boehner
Bono
Brady (TX)
Burr
Burton
Buyer
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cubin
DeLay
Doolittle
Dreier
Duncan
Ehrlich
Everett
Ewing
Ganske
Gibbons
Goode
Goodling
Graham
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kuykendall
Largent
Latham
Leach
Maloney (CT)
Manzullo
McHugh
McInnis
McIntosh
Metcalf
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Oxley
Paul
Pease
Petri
Pickering
Pitts
Portman
Radanovich
Ramstad
Riley
Rivers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Toomey
Upton
Vitter
Walden
Wamp
Watkins
Weldon (FL)

NOES—293

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Callahan
Calvert
Camp
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Campbell
Cook
Cox
Danner
DeMint
Franks (NJ)
Gekas
Gillmor
Goodlatte
Gordon
John
Markey
McCollum
Pallone
Vento
Watts (OK)
Weldon (PA)

□ 1714

Mr. SPENCE changed his vote from ''aye'' to ''no.''

Mr. ROYCE and Mr. HULSHOF changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1715

AMENDMENT NO. 2 OFFERED BY MR. GARY MILLER OF CALIFORNIA

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on Amendment No. 2 offered by the gentleman from California (Mr. GARY MILLER) 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 CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 267, not voting 17, as follows:

[Roll No. 261]

AYES—150

Aderholt
Archer
Armey
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bilirakis
Blunt
Boehner
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cubin
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Everett
Foley
Fossella
Ganske
Gibbons
Goode
Graham
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Inslee
Istook

Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Kuykendall
Largent
Latham
Leach
Lewis (KY)
Linder
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McIntosh
Metcalf
Mica
Miller (FL)
Miller, Gary
Moore
Myrick
Norwood
Nussle
Oxley
Pastor
Paul
Pease
Petri
Pickering
Pitts
Pombo
Portman
Quinn
Radanovich
Ramstad
Reynolds
Riley
Rivers
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Simpson
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tierney
Toomey
Udall (NM)
Upton
Vitter
Walden
Wamp
Watkins
Weldon (FL)
Wilson

NOES—267

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Callahan
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodling
Goss
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Hyde
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Oberstar
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Payne
Pelosi
Peterson (PA)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reyes
Rodriguez
Rogers
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thurman
Towns
Traficant
Turner
Udall (CO)
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Campbell
Cook
Cox
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
Gordon
Markey
McCollum
Obey
Pallone
Peterson (MN)
Vento
Watts (OK)
Weldon (PA)

☐ 1722

Mr. MOORE of Kansas changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 203 OFFERED BY MR. SCHAFFER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 203 offered by the gentleman from Colorado (Mr. SCHAFFER) 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 CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 132, noes 287, not voting 15, as follows:

[Roll No 262]

AYES—132

Aderholt
Archer
Armey
Bachus
Baker
Barr
Bartlett
Bass
Blunt
Boehner
Bono
Brady (TX)
Burton
Buyer
Camp
Cannon
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cunningham
Davis (VA)
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Fossella
Fowler
Gekas
Gibbons
Goss
Graham
Green (TX)
Green (WI)
Gutknecht
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Inslee
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Kuykendall
LaHood
Largent
Latham
Leach
Lewis (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McIntosh
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Oxley
Paul
Pickering
Pitts
Pombo
Portman
Quinn
Radanovich
Ramstad
Reynolds
Riley
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Wamp
Weldon (FL)

NOES—287

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Granger
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton

Slaughter
Smith (MI)
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Stupak
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Campbell
Cook
Cox
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
Gordon
Markey
McCollum
Pallone
Vento
Watts (OK)
Weldon (PA)

□ 1729

Mr. MCHUGH changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded:

AMENDMENT NO. 182 OFFERED BY MR. OXLEY

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on amendment No. 182 offered by the gentleman from Ohio (Mr. OXLEY) 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 CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 110, noes 305, not voting 19, as follows:

[Roll No. 263]

AYES—110

Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bilirakis
Bliley
Boehner
Bonior
Brady (TX)
Bryant
Burr
Burton
Buyer
Camp
Canady
Cannon
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cubin
Cunningham
DeLay
Dickey
Doolittle
Dreier
Duncan
Ehrlich
Everett
Goss
Graham
Green (WI)
Gutknecht
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Istook
Johnson, Sam
Jones (NC)
Kingston
Kuykendall
Largent
Latham
Linder
LoBiondo
Manzullo
McCrery
McInnis
McIntosh
Mica
Miller (FL)
Miller, Gary
Myrick
Norwood
Oxley
Paul
Pease
Petri
Pitts
Pombo
Portman
Radanovich
Riley
Rogan
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Talent
Tancredo
Taylor (NC)
Terry
Thornberry
Toomey
Upton
Wamp
Weldon (FL)

NOES—305

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Callahan
Calvert
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—19

Campbell
Cook
Cox
Danner
DeMint
Ewing
Franks (NJ)
Gillmor
Goodlatte
Gordon
Kanjorski
Kasich
Markey
McCollum
Pallone
Vento
Watts (OK)
Weldon (PA)
Weller

□ 1736

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 205 OFFERED BY MR. SCHAFFER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 205 offered by the gentleman from Colorado (Mr. SCHAFFER) 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 CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 103, noes 315, not voting 16, as follows:

[Roll No. 264]

AYES—103

Aderholt
Archer
Armey
Baird
Barr
Bartlett
Barton
Bass
Bereuter
Blunt
Boehner
Bono
Brady (TX)
Bryant
Burr
Burton
Camp
Cannon
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Everett
Ewing
Foley
Goss
Graham
Green (WI)
Gutknecht
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hunter
Istook
Johnson, Sam
Jones (NC)
Kasich
Kelly
Largent
Lewis (KY)
Linder
Maloney (CT)
Manzullo
Mica
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Norwood
Nussle
Oxley
Paul
Pease
Petri
Pitts
Pombo
Portman
Radanovich
Ramstad
Riley
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (MI)
Smith (TX)
Spence
Stump
Sununu
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Toomey
Vitter
Wamp
Weldon (FL)
Weller

NOES—315

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich

Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—16

Campbell
Cook
Cox
Danner
DeMint
Ford
Franks (NJ)
Gillmor
Goodlatte
Gordon
Markey
McCollum
Pallone
Vento
Watts (OK)
Weldon (PA)

□ 1744

Mr. PICKERING and Mr. SHAYS changed their vote from ''aye'' to ''no.''

□ 1745

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. KAPTUR:

Page 84, after line 21, insert the following:

SEC. 518. (a) Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following:

''Subchapter E—Normal Trade Relations For China Transitional Adjustment Assistance Program

''SEC. 250A. ESTABLISHMENT OF TRANSITIONAL PROGRAM.

''(a) GROUP ELIGIBILITY REQUIREMENTS.——

''(1) CRITERIA.—A group of workers (including workers in any agricultural firm or subdivision of an agricultural firm) shall be certified as eligible to apply for adjustment assistance under this subchapter pursuant to a petition filed under subsection (b) if the Secretary determines that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated, and either——

''(A) that——

''(i) the sales or production, or both, of such firm or subdivision have decreased absolutely,

''(ii) imports from the People's Republic of China of articles like or directly competitive with articles produced by such firm or subdivision have increased by reason of the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of China, and

''(iii) the increase in imports under clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm or subdivision; or

''(B) that there has been a shift in production by such workers' firm or subdivision to the People's Republic of China of articles like or directly competitive with articles which are produced by the firm or subdivision by reason of the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of China.

''(2) DEFINITION OF CONTRIBUTED IMPORTANTLY.—The term 'contributed importantly', as used in paragraph (1)(A)(iii), means a cause which is important but not necessarily more important than any other cause.

''(3) REGULATIONS.—The Secretary shall issue regulations relating to the application of the criteria described in paragraph (1) in making preliminary findings under subsection (b) and determinations under subsection (c).

''(b) ADDITIONAL REQUIREMENTS.—The provisions of subsections (b) through (e) of section 250 shall apply to the administration of the program under this subchapter in the same manner and to the same extent as such provisions apply to the administration of the program under subchapter D.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 (19 U.S.C. 2101) is amended by inserting after the item relating to section 250 the following:

''SUBCHAPTER E—NORMAL TRADE RELATIONS FOR CHINA TRANSITIONAL ADJUSTMENT ASSISTANCE PROGRAM

''Sec. 250A. Establishment of transitional program.''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment of the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN pro tempore. The gentleman from Illinois reserves a point of order.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN pro tempore. The gentlewoman from Ohio will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, as I understand the point of order, if at the end of our brief period of discussion the point of order is called, then that means our amendment cannot be offered; is that correct, will not be voted on?

The CHAIRMAN pro tempore. If the point of order has been reserved, the gentlewoman can proceed with her 5 minutes. If the gentleman insists on his point of order, at that time the Chair will make a ruling on whether the point of order is well taken.

Ms. KAPTUR. Just so I understand it, if the point of order is upheld, then our amendment could not be offered; is that correct?

The CHAIRMAN pro tempore. The gentlewoman is correct.

Ms. KAPTUR. I just wanted to make that very clear in the beginning.

The CHAIRMAN pro tempore. The gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

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

Mr. Chairman, just a few days ago on May 24, this House voted to extend permanent normal trade relations to the People's Republic of China without restriction. Yet based on projections by our own government, the U.S. International Trade Commission, the approval of that agreement threatens to eliminate more than 870,000 jobs in this country, predominantly in the manufacturing area.

They estimate over 742,000 jobs will be lost to China. In my own State of Ohio, over 34,500 jobs are projected to be lost. America has an obligation to assist working people and their families who will suffer from the devastating consequences of job loss due to this deal with China.

What this amendment does is it would help meet our obligations by establishing the China PNTR transitional adjustment assistance program, or China TAA, modeled after the trade adjustment assistance that locked into place when NAFTA was passed.

We have all seen how important that program has been with the hundreds of thousands of jobs that have been moved to Mexico.

Under our proposal, workers could petition for critical reemployment services such as job training, job search, training for important employment in other jobs or careers, and certainly in many cases direct income support.

The very least this Congress should do, and I cannot understand why it was omitted from the base bill that came out of the Committee on Ways and Means, we ought to respond to the basic needs of people who want to work when their jobs disappear. If advocates for PNTR truly believe that America's workers will only benefit from PNTR for China, then they have nothing to fear from this amendment.

We should have a vote on this amendment. However, it is my understanding that this amendment may be struck by a point of order; and therefore, I want to ask my colleagues to join me in establishing a formal China TAA assistance program in a bill that I will drop into the hopper right after this debate today. And I urge Members to join me, along with a growing list of original cosponsors, in making a stand for the workers of this country by cosponsoring this important bill and supporting this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), who has been such a strong voice for working Americans from coast to coast.

Mr. PASCRELL. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) for yielding me this time.

Congress has made its bed and now we want some accountability as we begin to sleep with the enemy. I rise today to voice my strong support, Mr. Chairman, for the amendment offered by my friend, the gentlewoman from Ohio (Ms. KAPTUR).

When the House passed PNTR, American job loss was an issue that was merely pushed aside by those who voted for business as usual and for business interests in the low-wage Chinese workforce. Now workers are coming to me and asking what we will do in the aftermath.

With this amendment, we have an answer for those who will lose their jobs. The administration admits there will be a loss, net loss of 872,000 jobs, in America. Twenty-two thousand of those jobs will be in New Jersey. We have no program set up in that interim period when those people lose their jobs.

What are we going to tell these workers, that they have lost their job to the low-production jobs in China? That is no answer. We need to train people to move on to other jobs.

I ask that we support this amendment, Mr. Chairman.

Ms. KAPTUR. Mr. Chairman, I reserve the balance of our time.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. I do not claim the time in opposition. I would reserve my point of order and ask if the gentlewoman would like to make a summation.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to a very distinguished colleague, the gentleman from Lorain, Ohio (Mr. BROWN), who has worked with us so much on this issue and whose district has suffered directly from job losses to both Mexico and China.

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) for yielding me this time, and also thank her for her amendment on the Trade Adjustment Act, monies in support for the China PNTR bill.

Everyone knows that our trade deficit, $70 billion and counting, with China will grow after the passage of PNTR. Ten years ago, it was $100 million. Three years ago, it passed $40 billion. Today it is $70 billion. We know it will continue to grow. Everyone also knows that the China PNTR vote will cost American jobs. It is only right when we see a plant close, we see a Huffy Bicycle plant close, jobs move to China. Phillips TV job plant closes in Ohio, jobs move to Mexico; one after another after another.

We know we must do something for those workers. Passing these trade bills, this Congress has done. It passed NAFTA in a close vote. It passed PNTR in a close vote. At least with NAFTA we had some trade adjustment assistance. We should do the same thing with PNTR.

This amendment makes great sense, the amendment of the gentlewoman from Ohio (Ms. KAPTUR).

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

Mr. Chairman, I thank the gentleman from Ohio (Mr. BROWN) for coming to the floor, and the gentleman from New Jersey (Mr. PASCRELL), and I would say that I have a sinking feeling that the Republican leadership of this House is about to call a point of order against our amendment and not permit us to pass a program to help American workers who are going to lose their jobs to China.

I think that is unconscionable. I have the greatest respect for the gentleman who chairs this particular subcommittee, but I know that the leadership of his party approached me prior to this vote and asked if I was really going to offer that amendment. I said, yes, we are.

I would ask the American people to know what is about to happen here. We need to help America's workers who are going to lose their jobs to China.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) insist on his point of order?

Mr. PORTER. Mr. Chairman, 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 directly amends existing law, and I would ask for a ruling from the Chair.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, the net effect of that then is not to allow our amendment to assist America's workers who will be displaced because their jobs move to China from being able to have a vote on this today; is that correct?

The CHAIRMAN pro tempore. The Chair is prepared to rule. The effect of the Chair's ruling will be, if the Chair sustains the point of order, that the amendment will not be considered at this time.

Does the gentlewoman wish to be heard on the point of order?

Ms. KAPTUR. Mr. Chairman, is the Chair saying that it is going to rule on that now?

The CHAIRMAN pro tempore. Yes.

Ms. KAPTUR. I would like to hear the ruling of the Chair.

The CHAIRMAN pro tempore. The amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) directly amends existing law. The amendment 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. 196 OFFERED BY MR. BOEHNER

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 196 offered by Mr. BOEHNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for any program under part B of title IX of the Elementary and Secondary Education Act of 1965.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Ohio (Mr. BOEHNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

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

Mr. Chairman, I rise today and offer an amendment to protect the interests of taxpayers, as well as thousands of native students in the State of Hawaii.

Like all States, Hawaii currently receives funds under the Elementary and Secondary Education Act for struggling schools and students, but unlike other States Hawaii also receives an additional $20 million each year in addition to its allocation for the native Hawaiian education programs.

The name is misleading, I think, to say the least. The recipients of these funds are not Hawaii's native students but much of this money goes to an entity known as the Bishop Estate Trust.

It was created over a century ago to carry out the legacy of a beloved Hawaiian princess who died in 1884 and left her fortune for the education of Hawaii's native children. That was a noble mission. Unfortunately, the princess would not recognize the Bishop Trust if she were alive to see it today.

The Bishop Estate is now the richest charitable trust in the United States and the largest landowner in Hawaii. The Bishop Estate's holdings include a pair of Hawaiian resort hotels, the Royal Hawaiian Shopping Center, several assets in Las Vegas, two of the largest shopping centers in Wisconsin, large expanses of timberland in Michigan and, until last year, owned 5 percent of Goldman Sachs.

In 1999, its annual revenues were $460 million, with assets that totaled an estimated $10 billion. Incredibly, this vast empire spends only a tiny share of its resources on its purpose, its only mission as given by the princess, to educate native Hawaiian children. Last year, it spent just $100 million for that purpose.

As the program 60 Minutes reported this spring, and I will quote, ''What was supposed to be a tax-exempt charitable trust devoted to education was behaving very much like an international conglomerate. While it was raking in hundreds of millions of dollars every year, the Bishop Estate was spending less than half of that on the school and serving just 6 percent of eligible children in Hawaii,'' end quote.

□ 1800

Until recently, the estate's trustees received compensation of nearly $1 million per year. In recent years, the estate has been rocked by everything from an IRS investigation of its tax exempt status to reported accusations of theft, kickbacks, and other crimes.

Yet the Federal Government is subsidizing this empire to the tune of more than $20 million per year. Let me remind my colleagues their only mission with this $10 billion trust is to educate Hawaii's native children.

Mr. Chairman, one does not have to be from Hawaii to wonder why a $10 billion private trust needs another $20 million subsidy from American taxpayers. One does not have to be from Hawaii to wonder why the Bishop Estate is spending only a fraction of its resources on the education of Hawaii's native students.

As long as the taxpayers continue to provide this $20 billion subsidy, the estate will never reform itself. The longer Washington continues to provide the subsidy, the longer Hawaiian students, Native Hawaiians students, will have to wait for the Bishop Trust to stop skimping on their future.

In 1995, President Clinton proposed in his budget to eliminate these programs. Vice-President Gore called for the elimination of these programs as part of his reinventing-government initiative. Last October, the House repealed the authorization for this expenditure overwhelmingly.

My amendment will allow us to keep this bipartisan commitment. Instead of pouring another $20 million into the account of this $10 billion private trust, the $20 million could be used to help all of America's children.

The longer we wait to take the step, the longer the Bishop Estate will continue to shortchange the native children of Hawaii. For the sake of taxpayers and Hawaii's children, I urge the adoption of this amendment.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentlewoman from Hawaii (Mrs. MINK) claim the time in opposition.

Mrs. MINK of Hawaii. Mr. Chairman, I rise to claim the 5 minutes assigned to the side in opposition.

The CHAIRMAN pro tempore. The gentlewoman from Hawaii (Mrs. MINK) is recognized 5 minutes.

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I listened very carefully to the words of the gentleman from Ohio (Mr. BOEHNER). He made his whole case on the fact that his belief, an assumption, the Bishop Estate, who is the enemy as far as he is concerned, is being identified as the recipient of 20-plus million dollars under this appropriation act.

Nothing could be further from the truth. There is absolutely nothing in the ESEA appropriations or authorization bill or whatever that lays any assignment of the money to the Bishop Estate or the Kamehameha schools. If we are talking about the bill that came out of the full committee, the gentleman from Pennsylvania (Chairman GOODLING), in offering the native Hawaiian reauthorization, there is absolutely nothing in this legislation either that identifies one penny to the Bishop Estate. In fact, the money goes to many nonprofit organizations, the University of Hawaii, other public entities.

To assume responsibility for the education of these children who are the most deprived children in the State of Hawaii, perhaps they could be taken care of under title I or other appropriations, but this unique legislation comes forth and has been enacted by the Congress because the Congress has recognized this certain responsibility that the Federal Government has to these native children.

We passed in 1996 an apology resolution for the Federal Government going into Hawaii, overriding the monarchy at that time, taking millions of acres of land, and appropriating it to its own use.

In order to rectify that injustice, in 1920, the Congress said we are terribly sorry about what happened in 1893. We are going to give back some of these lands to the native Hawaiian peoples. We returned land, but we did not appropriate one single dime so that the native Hawaiian people could go on these lands.

So gradually, as we looked at this deplorable situation, recognizing the moral responsibility that the Federal Government had to these children, we began to put together special legislation to take care of the most impoverished, most deserving needy children in the midst of our State.

The reason why they are in such a desperate situation is because, when the lands were returned to Hawaii, they were in the remotest part of the territory where nobody lived, where there were no jobs, no educational opportunities. So the lands were given to them, and the children were really relegated to a permanency of poverty.

Congress has now said in its wisdom we want to make right this situation, and we are going to provide special funds to these native Hawaiians. They are no different than Native Americans. No one would repeal the Native American Act.

Mr. BOEHNER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. BOEHNER) has 1 minute remaining. The gentlewoman from Hawaii (Mrs. MINK) has 2½ minutes remaining.

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

PARLIAMENTARY INQUIRY

Mr. OBEY. Parliamentary inquiry, Mr. Chairman. Who has the right to close?

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. BOEHNER) has the right to close. The gentleman from Ohio is the proponent of the amendment, and no manager controls the time in opposition.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Chairman, the gentleman from Florida (Mr. YOUNG), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from Illinois (Mr. PORTER), all the members of the committees that have looked at this issue have decided that justice and equity resides with this appropriation.

The gentleman from Ohio (Mr. BOEHNER) has been at odds with the

trustees of the Bishop Estate for some 6 years now. Those trustees are no longer in place. The argument that he has had with the Bishop Estate no longer applies. Not one single penny, as he well knows, goes to the Bishop Estate.

Why the gentleman from Ohio has this obsession to come to Hawaii, why he has the time to leave his district in Ohio and try to come to the floor of this House to act on behalf of Hawaiian children, I do not know. But I do know that his characterization to my colleagues is something that I take great offense at, because not one penny for these children is going to either those trustees or into that estate.

The people who are handling the funds that my colleagues have put forward in this bill are the University of Hawaii at Hilo, the Leeward Community College, the Maui Community College, the Kauai Community College, the Hawaii Community College, and four Hawaiian nonprofit organizations, none of whom have anything to do with the Bishop Estate.

Now, if my colleagues want to make this into a Republican versus Democratic issue, I most emphatically plead with them, do not do this. This is an educational issue that everyone in every district here can relate to on the basis of what is good for the children of one's district.

This is not a partisan issue unless the gentleman from Ohio (Mr. BOEHNER) is able to make it that and unless he is able to convince my colleagues against the evidence that this has something to do with the estate with which he has had an argument in the past.

Every issue raised by the gentleman from Ohio (Mr. BOEHNER) with respect to the estate has been addressed. Every single issue now is moot.

So I plead with all the Members, Democrat or Republican here, to trust the judgment in this instance of Democrats and Republicans alike, leaders on both sides, and a plea from me and the gentlewoman from Hawaii (Mrs. MINK) that my colleagues allow us, as we do for any Member in this House, to trust us as we trust them to address the particular circumstances in their districts that require congressional attention.

I ask the gentleman from Ohio (Mr. BOEHNER) not to make this an issue that would divide this House along partisan lines and to recognize that his arguments have been met, his arguments have been addressed.

NATIVE HAWAIIAN EDUCATION ASSESSMENT PROJECT

Kamehameha Schools assists with the development of the needs assessment and targets programming to these needs. From the 1999 report, the most severe needs continue to be school readiness, basic skills, high school completion, and college enrollment and completion. Efforts to address these needs must begin with the very young, and it must integrate the language, culture, and values of the Native Hawaiian people.

STATUS OF KAMEHAMEHA SCHOOLS

In May 1999, the courts appointed a new Board of Trustees for the Bishop Estate. The interim trustees have moved swiftly to approve new policies and initiatives which have already changed the direction of Kam Schools in very constructive ways. The Board has held many town meetings to undertake strategic planning with all stakeholders.

The direction of Kam Schools for the next 10 or 15 years will spend more on education and try to reach more Hawaiians and form more community partnerships. Another major change—giving the Hawaiian community more of a say in how the trust is run—has already begun with the strategic planning process. The draft was formed from more than 3,000 comments and suggestions the estate has solicited from the public since August. Kam Schools currently serves 961 preschool age children, 1,000 elementary school students on three islands, and 2,482 students attending high school on Oahu. They plan to increase the education spending from $100 million annually to $159 million in the next budget.

Since May 1999, the following changes have occurred:

Reorganized the Education Group, so all instructional and support programs report directly to the President;

Began leveraging of Kamehameha's resources through partnerships to expand programs;

Developed a K–3 reading program with DOE for DOE classrooms;

Expanded Pre-schools for three-year olds

Approved parenting program focusing on infants and toddlers.

NATIVE HAWAIIAN EDUCATION ACT OBJECTIVES

The NHEA was enacted in 1988. Its objective is to raise the educational status of Native Hawaiians (whose needs are documented below) through the provision of supplemental programs and services for curriculum development, pre-school education, gifted and talented programs, special education initiatives, and the provision of higher education. The Act was amended in 1994 and expanded to include the establishment of community-based learning center, a curriculum development and teacher training component, and the establishment of a statewide Native Hawaiian Education Council and individual island councils.

NATIVE HAWAIIAN EDUCATION ACT—SEVEN SECTIONS

(Sec. 9204) Native Hawaiian Education Council and Island Councils

(Sec. 9205) Native Hawaiian Family-Based Education Centers

(Sec. 9206) Native Hawaiian Higher Education Program

(Sec. 9207) Native Hawaiian Gifted and Talented Program

(Sec. 9208) Native Hawaiian Special Education Program

(Sec. 9209) Native Hawaiian Curriculum Development, Teacher Training, and Recruitment Program

(Sec. 9210) Native Hawaiian Community-Based Education Learning Centers

NHEA PROGRAMS ADMINISTERED BY KAMEHAMEHA SCHOOLS

(Other grantees include the University of Hawaii at Hilo, Leeward Community College, Maui Community College, Kauai Community College, Hawaii Community College, Pihana Na Mamo, Alu Like, Inc., Pulama I Na Keiki, Aha Punana Leo)

(1) Native Hawaiian Higher Education Program

$1.036 million program funding—last year served 91 students.

provide financial assistance and direction to Native Hawaiian students seeking postsecondary education—also requires a community service commitment

(2) Kamehameha Talent Search

$303,201 program funding—competitively granted—last year served 800 public schools students

assist students who may be first in family to graduate from a secondary school to enroll in postsecondary educational programs

SAFE AND DRUG FREE SCHOOLS NATIVE HAWAIIAN SET ASIDE ADMINISTERED BY KAM SCHOOLS

$882,000 program funding—last year served 12,369 individuals

establish Safe and Drug Free Schools to reduce violence and substance abuse

REP. BOEHNER PREVIOUS ARGUMENTS

During the October 1999 markup of a section of the Elementary and Secondary Education Act reauthorization, Representative BOEHNER offered his amendment to repeal the program. He stated:

His comments would focus on Bishop Estate, its mission, its history of scandal, its budget, and potential for success with the recent reforms

He said there are 15,000 Native Hawaiian children in Hawaii—Patsy corrected him with Census data in her testimony, stating that there are actually 47,282.

He said Bishop Estate was worth $10 billion and they own 10% of Goldman Sachs, numerous Hawaii hotels, Las Vegas casinos, and shopping centers. Kamehameha Schools budget data reflects a net worth closer to $5 billion.

He said that the former trustees were involved in kickback schemes, mail fraud, drug use, and improper credit card use, but their biggest fault was their $1 million annual compensation. He also mentioned the continuing probe of the estate's activities by the IRS and the State courts.

He said that there are 3,200 students in Kamehameha Schools and that only one-eighth of those that apply are accepted. Patsy corrected him that there are actually 5,000 children attending Kam Schools—my statistics show that the number is 4,444 kids.

He also made a point that the Estate should try using their interest income on educating Native Hawaiian children. That would raise the amount they spend by $400 million annually.

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

Mr. Chairman, I have great respect for my two colleagues from Hawaii. We have been involved in this fight for some 6 years. The fact is that the largest charitable trust in the United States is the Bishop Estate. Their only mission in the trust document is to provide for the education of the native Hawaiian children. The fact is that, last year, they bring from $460 million, and they only spent $100 million for the benefit of those children.

As a matter of fact, the IRS has gone in to investigate them, almost took away their tax exempt status because of the corruption in the estate. The fact is that why should taxpayers in Washington, D.C., provide an additional $20 billion to one State that other States do not get when, in fact, they have got a $10 billion trust that has no other mission, there is no other

use for this money than to help these children that they seek to help.

Mr. Chairman, I think it is time that we end this, and I urge my colleagues to vote yes on the amendment.

The CHAIRMAN pro tempore. All time for debate has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. BOEHNER).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. ANDREWS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ANDREWS:

Page 84, after line 21, insert the following:

SEC. 518. None of the funds appropriated or otherwise made available by title III of this Act may be used to prohibit a State vocational rehabilitation agency from counting a blind or visually-impaired person as successfully rehabilitated under the Rehabilitation Act of 1973 if the person is placed in a noncompetitive or nonintegrated employment setting at the Federal minimum wage or higher.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS) for 5 minutes.

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

Mr. Chairman, this amendment is about preserving all of the best options for the job training and job placement of blind or visually impaired citizens.

The state of the law today I believe is correct. It says to State vocational rehabilitation agencies that, when they embark on the important work of preparing the blind or visually impaired for the work force, they have essentially two choices. They can direct their efforts toward a sheltered environment where individuals are placed and trained in an environment where there is public subsidy of the economic activity that ensues and where products are given certain market preferences; or they can attempt to train and place the blind or visually impaired citizen in the regular private sector marketplace.

In February of this year, the Department of Education embarked upon a rulemaking process that I believe would upset that delicate balance. This proposed rule would not permit State vocational rehabilitation agencies to count as a success a placement of a blind or visually impaired citizen in a sheltered work environment.

Now, I believe that some individuals should not be placed in a sheltered work environment. They are in fact prepared and ready for the regular private marketplace. I certainly believe that all individuals should not be placed in a sheltered work environment.

But I believe that we should leave the law as it stands today, that we should permit vocational rehabilitation decision-makers at the State and local levels to use their good discretion as to where the best placement for these citizens would be.

Mr. Chairman, the other body in report language that will accompany their version of this appropriations bill has taken a stand in accordance with mine and has taken a stand in that report language stating that the law should remain the same and that the Department of Education should not go forward with this rule. I believe that is the correct position, and that is the purpose of my offering this amendment.

Now, I understand, Mr. Chairman, that this amendment is subject to a point of order because it is authorizing in nature. I would like to engage the gentleman from Illinois (Mr. PORTER), the chairman of our subcommittee, in a colloquy. Following that, I plan to withdraw my amendment.

Mr. Chairman, I am happy to yield to the gentleman from Illinois (Mr. PORTER), chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I would certainly engage the gentleman in a colloquy at this point if that is his desire.

Mr. ANDREWS. Yes. Mr. Chairman, reclaiming my time, could the gentleman from Illinois assure me that the report language addressing this matter as I just outlined will stand in conference?

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, while I have not examined this particular issue in detail, I will tell the gentleman from New Jersey that each House's report language has independent standing with the agencies. The gentleman is correct that, unless the statements made in report language are specifically rejected by the conferees, the language included in the report of the other body will stand in conference.

Mr. ANDREWS. I thank the gentleman from Illinois (Mr. PORTER), the chairman, and his staff.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 198 OFFERED BY MR. STEARNS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 198 offered by Mr. STEARNS:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to prohibit military recruiting at secondary schools.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday June 12, 2000, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, I believe that it is fitting that we address a crisis that our military is facing tonight.

□ 1815

Each branch of the military is facing this same problem. It is having a very tough time attracting the number and quality of recruits needed to staff our military. The military, in fact, is suffering its worst personnel crisis since the draft ended in 1973.

My colleagues, sadly, over a thousand high schools nationwide restrict military recruiters access to their high schools. This barring keeps recruiters from its number one source of recruits, graduating high school students. The precedent has been set in the past that recruiters be given the same access to post secondary institutions as businesses or companies that are allowed to do so. For example, the jewelers that come to give the high school rings are allowed. There are lots of different companies that come in, but not our military.

This ban not only hurts our military but it also places students who may face difficulty financing college at a disadvantage from learning of the opportunities that the military could offer them in bonuses to help them with their education.

Service in the military is honorable, and we should encourage our young people to consider the possibility of serving in our Armed Services. My amendment establishes that none of the funds made available in this act may be used to prohibit military recruiting at our secondary schools. This amendment still allows for local control but permits Congress the opportunity to express the importance of allowing military recruiters access to our high school campuses. With all-time lows in recruiting for our military, Congress should make a statement tonight to encourage schools to honor military recruiters' requests for access.

For federally-funded schools to ban any access for military recruiters defies logic and, of course, patriotism.

Several school districts are banning military recruiters for social reasons. For some reason they just do not believe in the ideology of a military. So, therefore, they rob students of the privilege of hearing about the opportunities available in the Armed Services.

If school board members wish to oppose the military in their private lives, of course, in this Nation, they have the freedom to do so. Ironically, they have that freedom because men and women, of course, have served in the military and have sacrificed their lives for Americans to have this freedom. But to impose their personal ideology, their views, on a federally-funded public school is not right.

The Washington Times, on May 29 this year, reported about a resolution passed by the San Francisco Unified School District during the height, during the height of the Persian Gulf War, while our men and women were putting their lives at risk. It said, ''Unbridled military spending in the last 40 years has, in large part, been responsible for the growing national debt and for inadequate spending on education and other necessary social services.'' This resolution was coupled with the school board's determination to deny the military all access to their school campuses or student lists. School board members should take their views to the polls, not restrict access to public schools by our military recruiters.

The United States Navy missed its recruiting goal by nearly 7,000 sailors in 1998, forcing many ships to be deployed understaffed. In response, the Navy's leadership decided in 1999 to accept a higher percentage of recruits without high school diplomas. That same year, both the U.S. Army and the U.S. Air Force also missed their recruiting goals.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I agree with the policy expressed in the amendment, and we would accept the amendment.

Mr. STEARNS. I appreciate the Chairman's acceptance. If I could, Mr. Chairman, I just would like to finish my statement. How much time do I have remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman has 30 seconds remaining.

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

Mr. STEARNS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, we are informed by the Secretary of Education that they have no intention of trying to prevent this kind of activity. In fact, the Secretary indicates he sent a letter urging them to emphasize the value of military service as a post high school option.

So, since it does not really do anything that I know of, I have no problem with accepting it.

Mr. STEARNS. Reclaiming my time, Mr. Chairman, I thank my colleagues, and I conclude by saying that we should support our military tonight. My amendment helps them to gain access so that they have the opportunity to get future soldiers.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. PAUL

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. PAUL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b)).

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

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

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

Mr. PAUL. Mr. Chairman, this amendment says that none of the funds in this appropriation can be used for implementing a uniform medical identifier. It is a privacy amendment. It was in the bill in 1998 and 1999. I think it would be a good idea to have it in this year's bill.

This comes from authority granted in the Health Insurance Portability Act of 1996 and it was designed to establish a medical data bank. But because many, on both sides of the aisle, have objected to this invasion of privacy to set up a medical data bank, there has been some resistance to this. Although the removal of the authority would be the proper way to solve this problem once and for all, I think that it would be very appropriate to continue the policy of not permitting any Federal funding to be spent on developing this universal medical identifier, which by all indications would be our Social Security numbers.

Many people object to this invasion of privacy. They do not place full trust in the U.S. Congress and in the U.S. Government to protect our privacy. Many say that this would not be an invasion of privacy and there would be some strict rules and regulations about how this medical information would be used, but that is not enough reassurance.

As a physician, I can tell my colleagues that this form of invasion of our medical privacy will not serve us well in medical care. What it leads to is incomplete and inaccurate medical records, because it becomes known to the patient as well as the physician that once this information is accumulated that it might get in the hands of the politicians and used for reasons other than for medical care, I think, it could damage medical care endangered from having a medical data bank set up.

The American people have spoken out strongly in recent years about their invasion of privacy. There was a proposal to implement a know-your-customer bank regulations. These were soundly rejected by the people, and I think that this same sentiment applies to the medical data bank. Also, efforts to establish a national identification card for the American people has not met with a great deal of acceptance with the American people.

So my effort here in limiting this development of a universal medical identifier is to keep the Federal Government out of this business. It is too easy for abuse of this type of information to occur. We have heard that the various administrations over the years have abused records kept in the IRS as well as the FBI. This would just be another source of information that individuals could use in a negative fashion.

I believe it is a fallacy for those who promote the setting up of a universal medical identifier and a universal medical data bank that it is an effort to simplify the process, to streamline the system, to make government more efficient, to facilitate medical research. It has also been said this could be used in law enforcement. But just think about this. If these records can be turned over without the approval of the patient to law enforcement, it really, quite clearly, is a violation of the fifth amendment of self-incrimination. So this idea that this medical bank might be beneficial for law enforcement is rather scary and something that we should prevent.

Already, under authority that was given to Health and Human Services, they have started to draw up regulations which regulate privacy matters, not so much the medical data bank but in other areas. The other thing that concerns me a great deal is these medical regulations that have been proposed not only deal with the privacy of somebody that may be receiving medical care from Medicare but also in the private sector.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I agree with the policy of this amendment

also, and we would be happy to accept the amendment

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

Mr. PAUL. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to accept the amendment on this side of the aisle. I think the gentleman is correct.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The amendment was agreed to.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise today to engage in a colloquy with my colleague from Illinois.

Both the ranking member of the subcommittee, the gentleman from Wisconsin, and the gentleman from Illinois have been tremendous supporters of the asthma programs under the CDC Chronic and Environmental Disease Prevention program. Members on both sides of the aisle have agreed that this program is critical in addressing the increases in asthma amongst children. Under the subcommittee's leadership last year, we were able to provide an increase of $10 million to this program. This year the total CDC Chronic and Environmental Disease budget was approved for an increase of over $21 million, bringing its overall total to $317 million. While this commitment is a wonderful step in the right direction, it is my hope that the subcommittee will continue its work in conference to assure that increases for asthma control and prevention are continued.

Asthma rates are rising dramatically across this country in all populations. Tragically, our children, in fact, are affected the most. Between 1980 and 1994, the rate of asthma incidence rose by 160 percent for children under 4 years of age. Across the Nation, 17 million Americans, 5 million of them children, are afflicted with asthma. As an asthmatic myself, I can assure my colleagues that prevention programs are vital. They teach asthmatics as well as their families how to develop strategies within the home to reduce allergens, as well as to treat the disease of asthma.

Again, Mr. Chairman, I appreciate the commitment of the gentleman from Illinois to the CDC and its programs regarding asthma control, and it is my hope that the gentleman will continue to work throughout this legislative process to ensure that the issue is provided additional funding in the final bill.

In this regard, Mr. Chairman, I know it is the gentleman's last year in this body, and I want to thank him for all of his hard work. He has been critical to our Nation's health programs, and I know that all of our Members widely regard the gentleman as just having been a great champion for the NIH and for so many important areas. There are few Members who have worked so hard on areas of critical concern, like our health care system, and the gentleman has been terrific.

I also want to commend my colleague, the gentleman from Wisconsin (Mr. OBEY), for his efforts in his position as ranking member on the Committee on Appropriations. He has also attended to our national health programs with the utmost of integrity, and I want to thank the both of them for showing what it means to be both good appropriators as well as supporters of essential health programs.

Mr. PORTER. Reclaiming my time, Mr. Chairman, let me thank the gentleman from Rhode Island for his very kind words.

We have agreed in the subcommittee that the increased prevalence of asthma is of great concern. My sister is a sufferer from asthma. She is in the hospital right at this time.

As the gentleman mentioned, last year we increased the CDC Chronic and Environmental Disease program by $10 million. We have provided an additional $21 million this year for all programs in this account. The gentleman can be sure that we will do our best through the remainder of the process and within budget constraints of the bill to increase funding for asthma control programs.

I will be pleased to work with the gentleman from Rhode Island on this issue.

Mr. KENNEDY of Rhode Island. Mr. Chairman, if the gentleman will continue to yield, I want to thank him and wish his sister a speedy recovery.

□ 1830

PART B AMENDMENT OFFERED BY MRS. WILSON

Mrs. WILSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment printed in House Report 106–657 offered by Mrs. WILSON:

Page 84, after line 21, insert the following new section:

SEC. 518. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—SALARIES AND EXPENSES'', and increasing the amount made available for ''HIGHER EDUCATION'', by $25,000,000, to be used to carry out the 21st Century Teaching Scholarships Act, if such legislation is enacted.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, the gentlewoman from New Mexico (Mrs. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico (Mrs. WILSON).

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

Mr. Chairman, the amendment that I have at the desk and that I am offering today launches a G.I. bill for teachers.

I recognize that some may oppose this amendment today for procedural reasons and others for ideological reasons, but I believe it is very important for this country to lower our voices and to raise our sights with respect to public education and to embrace the greatest challenge that we face in the 21st century. And I believe that that is public education.

I want to commend the chairman and the ranking member for bringing forward a bill that does increase funds for education. While I realize that there are still disagreements on details and on programs, this bill does include an almost 10 percent increase in education in the bill, and I support additional increases as we go on.

But I do not think that we can do things the same old way and expect different results. We know that we are going to have a shortage in this country of 2 million teachers that we will need to hirer over the next decade. I believe we need to get the best and the brightest we possibly can and get them, train them, and put them in the classroom. I would like to start this year.

I introduced a bill earlier this year which I call the GI Bill for Teachers. It is much larger than the amendment that I am offering today, but I would like to get a start.

The amendment that I am offering today would take $25 million to start this GI Bill for Teachers. It would provide scholarships of $10,000 a year for full-time students, $5,000 a year for part-time students. Students who would be eligible include high school graduates, as well as certified teachers; and those scholarships would be available for up to 5 years for each student.

The idea is that teachers would give back 2 years in the classroom for every year that they are on full-time scholarship, or 1 year given back in service for every year that they are in a turnaround school, a school that has been identified by the State as one that needs to improve its performance for its students.

The scholarship program gives the money to the States based on student population, and it has the States set up selection boards and those selections would be based on merit.

It also allows States to set up up to 35 percent of the value of the scholarship to recruit teachers into critical-shortage areas so States like my own that are short of bilingual teachers or short of secondary school teachers in mathematics and science could set that as a special area of concern and try to recruit young people who are the best and the brightest to teach in those areas.

This is only a beginning. It would create 2,500 scholarships for young people who are committed to the profession of teaching or even for teaching assistants who want to go back to

school and get that degree to become a teacher in the classroom.

I believe we have much work to be done over the next decades to improve America's public schools, and I am very happy to be part of initiating a program like this to get started.

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

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is absolutely nothing wrong with the program that the gentlewoman from New Mexico (Mrs. WILSON) seeks to promote. The problem is that the bill itself to which you would offer this amendment eliminates the guarantee that we will continue on the road to produce 100,000 new teachers in the classroom, an initiative which the President began 3 years ago.

Under the bill before us, that program guarantee would be eliminated because that program is tossed into a block grant and those funds could be gobbled up for other purposes.

Under the President's proposal, which this committee walks away from, the gentlewoman's own State will receive over $14 million to assure the placement of additional teachers in the classroom.

In contrast, this proposal, laudable though it is, would, as I understand the impact of the bill, produce only about $175,000 in funding for the home State of the gentlewoman.

But a more serious problem is that, while the amendment itself in terms of what it would add would do no harm, what it would cut certainly would. There are a lot of people who work in a lot of places in this country who do not worry about fancy slogans like moving into 21st century learning and living in a 21st century modern world; they simply worry about getting through the day without getting hurt. And if you take a look at what this amendment does, it funds this laudable program by a whopping $25 million out of OSHA.

OSHA is the agency charged with the responsibility to protect workers' health and safety. Right now it has only one inspector for every 3,100 businesses. Of the 13,000 most dangerous non-construction workplaces in this country, OSHA was able to inspect less than 2,200 last year.

So it seems to me that the amendment of the gentlewoman, while laudable in terms of what it adds, is extremely troublesome in terms of where it gets the money; and I would say that, for that reason alone, the committee ought to turn it down.

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

Mr. Chairman, I would just add two things to my support of this amendment. The gentleman from Wisconsin (Mr. OBEY) is correct that this does have an offset, which is required in order for an amendment to be in order on the floor. But that offset only reduces the general accounts, salaries and benefits accounts, of the OSHA administration by about 5 percent.

I am one of those who believes in safety in the workplace. But I also do not believe that we can inspect Quality Inn. And I think there is a distinct approach that is possible with respect to occupational safety and health and that this really is a rather modest reduction with respect to OSHA.

But with respect to his other point about 100,000 teachers to the classroom, we may have differences about how to administer funds, but I think we need to be fair that we are not talking about whether to increase funds for education.

I actually fully expect to support additional increases in funds for education, and that is why I got into public life is because of a concern about public education. But I have to say I would rather that those decisions be made by somebody who knows my son's name, and I would rather that my local school district have the authority to decide whether we are going to go to full-day kindergarten or whether we are going to have smaller kindergarten classes and be able to make those decisions even school by school, classroom by classroom.

That is the distinction between the sides of the aisle here. I can support a lot greater increases in funds for education. I just want to make sure that the quality is there and that the accountability is there and that the decisions are made at a local level.

I ask for my colleagues' support for this critical teacher-training amendment.

Mr. OBEY. Mr. Chairman, I yield myself the remaining 2 minutes.

Mr. Chairman, again let me say that I am perfectly willing to work with the gentlewoman to try to find funding for the program that she is talking about. But when she describes this cutback in OSHA funding as a modest reduction, I would simply say, tell that to the families of the 48 workers in New Mexico who were killed last year in occupational fatalities, tell that to the 30,000 people in her State who were injured last year, tell that to the 65 workers in her State who suffered amputations last year.

And I would also note that in her home State, on average, it takes 76 years for OSHA to get around to being able to inspect all of the plants in that State. And nationally, that bleak picture is much the same. Over 6,000 occupational deaths last year; almost 5 million occupational injuries.

I do not think if you sweat 40 hours a week to earn a living for your family that you would regard a $25 million cut in the budget that protects your health, safety, and your very life as a modest reduction. For some individuals, it would literally be a life-or-death decision. I urge rejection of the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON).

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

Mrs. WILSON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. ANDREWS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. ANDREWS:

At the end of the bill, insert after the last section (preceding the short title), the following new section:

SEC. 518. None of the funds in this Act may be used to make payments to a Medicare+Choice organization offering a Medicare+Choice plan with respect to which the Secretary finds the organization to be out of compliance with requirements of part C of title XVIII of the Social Security Act pursuant to an audit conducted under section 1857(d) of such Act (42 U.S.C. 1395w–27(d)).

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. Chairman, in 1997, this House enacted the Medicare+Choice Program. The idea was to give some senior citizens the ability to get extended benefits under Medicare, including prescription drugs, by enrolling in managed care plans.

There were advertisements in newspapers and on televisions across the country advertising zero premiums and very cheap premiums, and millions of senior citizens across the country flocked into the program. In my area, it is estimated that 35,000 Medicare recipients flocked to the program.

The law provided for the first 2 years of the program a substantial Federal subsidy to the Medicare+Choice Program. That subsidy evaporated at the beginning of this calendar year. As a result of that, on January 1, 2000, senior citizen enrollees in this program across the country received significant increases in their premiums.

For example, in the part of New Jersey that I represent, people who were paying nothing or $10 a month saw their premiums skyrocket to $85 dollars or $100 or $120 a month. This is a serious problem.

The way to address it is for us to bring to the floor of this body legislation that would create for the first time a real and meaningful and comprehensive prescription drug benefit under Medicare.

While we await that hopeful action, there is some repair work that I believe needs to be done on Medicare+Choice.

In my region, we have the indefensible situation where constituents are paying $120 a month in premiums for the same benefit under the same program where people who are literally a mile away living across the river in Pennsylvania are paying $15 or $20 or $25.

Now, Mr. Chairman, they are living in the same regional economy. They pay the same hospital costs. They pay the same prescription drug costs. But the difference of ZIP code separates this price increase and imposes upon my constituents in southern New Jersey a price increase that is substantially higher than that of our neighbors.

Earlier this year, I spoke, Mr. Chairman, to the leadership of the Health Care Financing Administration and asked them, as they have under statutory authority, to conduct an audit to determine whether the managed care plans in southern New Jersey are charging the appropriate rates under this program. It has been represented to me by the leadership of the Health Care Financing Administration that this audit will be done in an expeditious fashion.

But I am concerned. The contracts for calendar year 2001 must be renewed this year by September 1, 2000. It is imperative that these audits be finished in a fashion so that adjustments can be made and contracts can be properly renegotiated so these premium increases can be rolled back in time for the September 1, 2000, contract deadline.

□ 1845

The purpose of my amendment, therefore, is to require that these audits be done in a timely fashion so that the results can have a bearing and a significance on the contracts for the new year in calendar 2001.

It is my intention, Mr. Chairman, in the interest of cooperation to withdraw the amendment, but I would like to yield to the gentleman from Illinois so that I can hear his comments on it.

Mr. PORTER. If I may claim the time in opposition, Mr. Chairman.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Illinois may claim the time in opposition.

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

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume. I would have to oppose the amendment of the gentleman from New Jersey. I know the gentleman is trying to make a point with this amendment and it is a valid point, but I do not think this is the right way to do it. If I understand the amendment correctly, it would shut down any Medicare+Choice health plan in the country for any reason a plan is not in compliance with an audit performed by the Department. This could be something as minor as using an incorrect calculation. I do not think the gentleman intends to start shutting down plans and leaving senior citizens without access to health care, so I would ask the gentleman if he would withdraw the amendment. I would work with him to make this a priority for HCFA and the Inspector General who is actually doing an audit of the plan the gentleman has concerns about right now.

Mr. ANDREWS. Mr. Chairman, if the gentleman will yield, it is certainly my intention to accede to his request. If I may just say, there is an audit ongoing by both HCFA and the IG at this time. My interest is in expediting the completion of that audit. I would ask for the chairman's, the ranking member's, and the committee's cooperation in impressing upon HCFA the importance of an expeditious completion of the audit.

Mr. PORTER. We will work with the gentleman in that regard.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent that my amendment be withdrawn.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 191 OFFERED BY MR. TANCREDO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 191 offered by Mr. TANCREDO:

Page 84, after line 21, insert the following new section:

SEC. 518. The amounts otherwise provided by this Act are revised by reducing the aggregate amount made available for ''OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—SALARIES AND EXPENSES'' , by reducing the aggregate amount made available for ''EDUCATION FOR THE DISADVANTAGED'', by reducing the amount made available under the penultimate proviso (relating to section 1002(g)(2) of the Elementary and Secondary Education Act of 1965) under the heading ''EDUCATION FOR THE DISADVANTAGED'', by reducing the amount made available under title III for ''DEPARTMENTAL MANAGEMENT—PROGRAM ADMINISTRATION'', and by increasing the aggregate amount made available for ''SPECIAL EDUCATION'', which increase shall be available for carrying out part B of the Individuals with Disabilities Education Act, by $5,000,000, $20,000,000, $20,000,000, $5,000,000, and $30,000,000, respectively.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Colorado (Mr. TANCREDO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

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

Today on the floor of the House we have had a number of amendments offered on the same issue. This issue, of course, is the transferring of funds from someplace in this bill to IDEA, or the Individuals With Disabilities Education Act. They have been uniformly turned down by our Members at the point in time on which they were voted, so I recognize full well that I am here in a way perhaps as a beau geste. I believe so strongly that we should be reorganizing our priorities in this particular bill that I feel it is worth the effort to once again bring it to the attention of my colleagues. However, I would also say, Mr. Chairman, that I intend to ask for unanimous consent to withdraw this amendment at the appropriate time.

While Congress over the last 5 years under the leadership of the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Illinois (Mr. PORTER) increased the Federal share of IDEA to 12.6 percent, we have much further to go to reach the promised 40 percent. That is why I was so disappointed to see the underlying bill, the bill which we are debating here, includes only a $5.5 billion appropriation for special education grants to State programs, only a $500 million increase over last year's level.

While I commend the House Committee on Appropriations for increasing the program, it is well short of the over $16 billion level needed to reach the full 40 percent promised to States and localities and less than the $2 billion increase promised in the budget resolution. The lack of adequate funding for special education in H.R. 4577 comes even as the bill increases funding for many education programs which are inefficient and have yet to produce reliable results.

It is for this reason that I and many of my colleagues come down to the floor today to offer the amendments to increase funding for special education which should be our first priority in the education part of this bill.

Today, I offer this amendment to increase IDEA funding by $30 million by reducing funding for the comprehensive school reform program by $20 million, for OSHA by $5 million, and for the Department of Education administration by $5 million. The amendment does not cut the comprehensive school reform program, it merely reduces the funding increase in the current bill and transfers that extra funding to special education.

In this case, Mr. Chairman, I must say that I am almost as concerned about this constant attempt, or not just attempt but accomplished fact of appropriating money to unauthorized programs where now we are up to over $200 billion a year. So it does call into question the need for authorizing committees in the first place, that is for sure, and once you recognize that this is another one of those programs, the comprehensive school reform program, it may be a wonderful program, we have never authorized this program, never from its inception. We have not the slightest idea how this program really is supposed to work against anything else. There are no rules and regulations that really the Department can operate on to determine whether or not it is doing well. It is now appropriated

at about $170 million. That is what it is going to be in this year. It is an extremely expensive program, again, never authorized. And so we do withdraw $20 million in funding just bringing it down to last year's level.

The program was authorized at $145 million per year to help low-performing schools raise student achievement by adopting research-based, schoolwide approaches. It is important to remember that under the schoolwide program approach of title I, schools with 50 percent or more poverty can use their regular title I funds to serve all students in the school and to change the whole school. But rather than debate all the different places from which this money is taken, I want to concentrate on the need for the Congress of the United States to live up to the commitment it made to the people of the United States when it enacted the first special education laws, because that is really where we should be focusing our attention.

That was the mandate. We tell every State in the Nation what they must do and how they must do it. And it is an extraordinarily expensive undertaking for them that drains money away from other very important programs. And so I suppose I will be here as often as I can to make the case for us to live up to the commitment in special education, even if it means reducing our commitment to these other programs which have in the past shown absolutely no improvement.

Mr. Chairman, I rise in opposition to the Tancredo amendment which would cost $20 million in funding in the bill for the Comprehensive School Reform Demonstration Program.

Funding for the Comprehensive School Reform Program is authorized under the title 1 demonstration program (section 1002) of the Elementary and Secondary Education Act. In addition, the program has been included in bills passed by the House and reported by the Senate Education Committees to reauthorize the Elementary and Secondary Education Act.

I would like to insert at this point in the RECORD some preliminary findings of the Department of Education—data on early CSRD implementation from the national longitudinal survey of schools—on the first year of implementation of the comprehensive school reform program. This program is beginning to accomplish significant results in schools in Wisconsin and in other States across the country.

[Memo]

To: Honorable David Obey.

From: Planning and Evaluation Service, U.S. Department of Education.

Re: Data on Early CSRD Implementation from the National Longitudinal Survey of Schools.

Date: June 12, 2000.

This memo provides information on the early implementation of the Comprehensive School Reform Demonstration (CSRD) program. The following is a compilation of preliminary results from the first year administration of the National Longitudinal Survey of Schools (NLSS). The NLSS was administered in Spring 1999 to a nationally representative sample of Title I schools as well as to a sample of approximately 300 Comprehensive School Reform Demonstration (CSRD) schools that received grants under this program between July 1998 and mid-February 1999. The Title I school sample serves as a useful comparison group to the CSRD schools.

The NLSS is collecting, for three years, information on school-level implementation of standards-based reform and Title I. Principals and up to six teachers in each school are surveyed. The surveys address topics such as awareness and understanding of standards, selection and implementation of externally-developed models, Title I services, parent involvement and professional development.

These data are taken from a draft report prepared by RAND, ''Comprehensive School Reform Demonstration (CSRD) Schools: Early Findings on Implementation,'' based on the first year of the NLSS. The draft report is currently circulating for review within the U.S. Department of Education and is expected to be formally released to Congress this summer. The data cited below highlight comparisons of CSRD and Title I schools:

SCHOOL AND STUDENT CHARACTERISTICS

Overall, CSRD schools are comparable to Title I schools as to the grade levels served and size. However, CSRD appears to be serving higher poverty schools with larger minority populations. CSRD serves a mix of urban (50 percent), suburban (15 percent) and rural (35 percent) schools, but are more likely than Title I schools to be located in urban areas.

CSRD is more focused on turning around low-performing schools. CSRD schools (42 percent) are more likely than Title I schools to be identified as in need of improvement (10 percent). In general, CSRD schools in the sample had been identified as in need of improvement longer than Title I schools identified for improvement in the sample.

CSRD is more targeted than Title I towards higher poverty schools. In about 96 percent of CSRD schools, at least half or more of students receive free/reduced price lunch. In contrast, about 53 percent of Title I schools have half or more students receiving free/reduced price lunch.

CSRD schools are serving schools with a higher concentration of minority students. Compared with 20 percent of Title I schools, in well over half of CSRD schools between 75–100% of students are minority.

CSRD schools are serving substantial numbers of special education students. Virtually all CSRD schools in the sample have special education students. In 68 percent of CSRD schools at least 10 percent of the student population have Individual Education Plan (IEPs).

ADOPTION OF EXTERNALLY-DEVELOPED MODELS

One of the goals of the CSRD program is to help facilitate the adoption and implementation of research-based models in Title I schools. According to the NLSS, in 1998–99, about 31 percent of Title I schools overall reported that they have adopted research-based models. This baseline figure will be tracked by the NLSS over the next three year to examine the extent that CSRD may be catalyst for reform in Title I schools overall.

CSRD schools are more focused than Title I schools on research evidence. CSRD schools are more likely than Title I schools to report that the research evidence (95 percent compared to 88 percent) and improved student performance in similar schools (95 percent compared to 85 percent) was an important factor that influenced their choice of models.

Faithful implementation to a model design is often cited as a key issue for model effectiveness. According to the NLSS, significantly fewer (8 percent) CSRD schools reporting adopting just parts of models compared with Title I schools (22 percent). Fewer Title I schools than CSRD schools reported implementing models strictly without adaptations.

CSRD schools are receiving more assistance from model developers. 96 percent of the CSRD principals, compared with 82 percent of principals in Title I schools implementing models reported that their staff received professional development or assistance implementing their chosen model. In 80 percent of the CSRD schools, compared with only 52 percent of Title I schools, assistance was provided by the model developer.

Teacher buy-in is also considered a key need in implementing reform. In 80 percent of CSRD schools compared with 53 percent of Title I schools implementing models, teachers voted on the adoption of the model.

LEVERAGING TITLE I SERVICES

The NLSS seems to indicate that CSRD may be helping to leverage Title I funds in ways that support the priorities of the Elementary and Secondary Education Act (ESEA). For example:

CSRD schools are more likely to support extended learning time. Nearly 70 percent of CSRD schools report having before and after school programs, compared with 52 percent of Title I schools and 53 percent of Title I schoolwides. CSRD schools are more likely than Title I schools to have summer school, extended year, and weekend programs.

Improving parent involvement is more of a focus in CSRD schools. CSRD schools in general were much more likely to report parent services programs supported with Title I than Title I schools. About 80 percent of CSRD principals reported parent training, 72 percent had a parent liaison, and 40 percent had a family literacy program. This was compared to 61, 54 and 29 percent respectively in Title I schools.

Minimizing pullouts. The percentage of Title I schoolwide elementary schools offering pull out services (57 percent) is higher than of CSRD elementary schools (45 percent).

Use of teacher aides. Overall, far fewer CSRD school principals reported using teacher aides to provide Title I instructional services in reading and math (66 percent) compared with schoolwide or all Title I principals (81 and 83 percent respectively).

Coordination of funds. In general, CSRD schoolwide principals were more like than Title I schoolwide principals to report greater integration of funds. Fewer CSRD schoolwides than Title I schoolwides reported challenges to coordinating federal resources with other funding sources. For example, in citing barriers, 55 percent of Title I schoolwide principals said they were unsure of what was allowed in combining funds compared to 38 percent of CSRD schoolwide principals.

PROFESSIONAL DEVELOPMENT

Professional development priorities. CSRD school principals were more likely to report that their school improvement plan and standards (70 percent) were important for determining professional development activities (55 percent in Title I schools).

Sustained professional development. CSRD teachers were more likely than Title I teachers to report that their professional development activities in the areas of instruction, strategies to help low-achieving students, and other professional development activities were sustained and ongoing.

PARENT INVOLVEMENT

Sharing information. CSRD schools are more likely than Title I schools to share documents, including school performance profiles with parents; provide homework hotlines to parents; and ask all parents to participate in a school-parent compact.

Support services. On the whole, CSRD schools resemble schoolwide Title I schools with respect to parent involvement strategies with one exception—a far higher number of CSRD schools provide social support services to parents.

Parent involvement strategies. CSRD teachers were more likely than Title I school teachers to report using certain parent involvement strategies such as home visits (20 percent to 15 percent), showing parents models of successful work (82 to 75 percent), and initiating phone calls to parents (74 to 69 percent).

CONCERNS

The comparative data between Title I and CSRD schools does raise some concerns, particularly in the area of expectations of students and use of technology. Some of these differences may be due to the significantly more targeted use of CSRD funds in high-poverty and low-performing schools. Recall that CSRD schools are more likely to be identified for improvement under Title I than Title I schools in general (42 percent compared with 10 percent) and significantly higher poverty (86 percent high-poverty CSRD schools compared to 53 percent high-poverty Title I schools).

CSRD school principals are more likely than Title I schoolwide or Title I principals in general to report that standards are too rigorous for most of their students (14 percent compared with 7 percent). Twenty-two percent of teachers in CSRD schools report that standards and assessments are too hard for most of their students.

The student to computer ratio in CSRD schools is 10:1 compared to 8:1 in Title I schoolwides. Sixteen percent of teachers in high-poverty Title I schools report that their students use computers daily, compared with 6 percent of teachers in CSRD schools.

CSRD principals were more likely to report barriers in using technology that principals in Title I schools. For example, 70 percent of CSRD principals reported lack of staff or inadequate training was a barrier to use of technology in their schools, compared to only 45 percent of Title I schoolwide school principals.

Additional findings will be available after completion of the internal review of the NLSS report on first year CSRD findings.

STATE EDUCATION ADMINISTRATORS VIEW CSRD AS HELPING STRENGTHEN THE QUALITY OF SCHOOLS' TITLE I SCHOOLWIDE PROGRAMS

COLORADO

The State of Colorado has been witness to the positive effects that CSRD has on student achievement. The response to this demonstration program has been enthusiastic from the local and state levels.''—Brooke Fitchett, Consultant, Colorado Department of Education.

MAINE

''The current eleven CSRD schools are making great strides and serving as important role models for Maine's secondary education reform initiative Promising Futures; A Call to Improve Learning for Maine's Secondary Students.''—Susan Johnson, CSRD Program Coordinator, Maine Department of Education.

MONTANA

''Montana is not the sort of place that usually comes to mind in connection with ''schoolwide restructuring.'' It has a lot of rural, one-school districts, a lot of places where there are more members on the school board than students. The state has low-performing schools most of them on or near Indian reservations. Many of these schools face not only the usual problems associated with poverty, but also those associated with isolation. They tend to have a lot of staff turnover; one district that obtained a CSRD grant had had seven superintendents in five years.

We saw [CSRD] as a wonderful chance to bring more resources to the schools with the highest rates of poverty. . . . Five of the six schools are elementary schools; one is a rural high school. Four are located on reservations, and all have high percentages of Native American children.

The awards, which ranged from $50,000 to $147,000, were made in July and October 1999, but the effects are already obvious. More administrators stayed put this fall, for one thing.

Bringing members of the community in to see what their school is doing had tremendous positive impact. It's developed school-based leadership; made people in the community feel they have a stake in the plan.

Schools have given teachers more planning time, and forged new relationships with tribal colleges, other higher education institutions and the state education agency. Within the state agency, there is more collaboration among program offices, and there is a greater understanding of school programs at the state level as a result of CSRD.''—Ron Lukenbill, Title I Specialist, Montana Department of Education.

OHIO

''In the past two years, the CSRD program has helped eighty-seven schools in thirty-nine Ohio school districts to improve the quality of their educational programming. This important resource has not only enabled school buildings to implement professional practices to address individual building needs, but also strengthened the connection between single buildings and districts in an effort to maximize the impact of their reform efforts. We hope to use future CSRD funds to strengthen the foundation we have built, and better serve even larger numbers of students and schools.''—Frank Schiraldi, Associate Director, Comprehensive School Improvement, Ohio Department of Education.

''. . .ODE anticipates that CSRD will become the centerpiece of comprehensive school reform in Ohio.''—from State of Ohio Revised Application for Comprehensive School Reform Demonstration Program.

OREGON

''CSRD has served as a model for an intensive, in-depth school improvement planning process. Oregon is electing to use this same model to strengthen the Title I Schoolwide Program planning process throughout the state, and to provide a vehicle for change in schools that are in Title I school improvement status. In order to effectively design a coherent, cohesive process for these schools that is closely aligned to CSRD, Oregon has submitted a Consolidated State Plan amendment for the FY2000 Appropriation for Title I School Improvement. Oregon proposes to combine these funds with FY2000 CSRD funds. In this way, more low-performing schools will be eligible to engage in a common school improvement effort with the same support system in place.''—Chris Rhines, Education Program Specialist, Office of Student Services, Title I, Oregon Department of Education.

UTAH

''The interest of Utah schools in the Comprehensive School Reform Demonstration program was high initially and has continued to grow in the last two years. . .each year the quality of the CSRD plans has improved and the grant competition has become more competitive.''—Sandra Johnson, Title I Coordinator, and Nancy Casillas, Title I and CSRD Specialist, Utah Department of Education.

WISCONSIN

''Wisconsin's [CSRD] program has sparked an incredible amount of interest and energy for improving Wisconsin's schools. The legislation aligns well with our school improvement framework. For example, the legislation allows schools the flexibility to identify their needs and goals, and then select a reform design based on research that addresses those needs and goals.

''Also, the legislation focuses on schools with the greatest needs, such as our Title I schools; encourages a balance between our rural and urban schools, as well as between elementary and secondary school levels; and promotes a focus on Wisconsin's Model Academic Standards.

''These reform efforts in Wisconsin are not top-down mandates, but rather have been effectively initiated as a collaborative effort between teachers, administrators, and parents. We have seen schools reenergize; students have begun to achieve in the core academic subjects; a common vision and purpose developed within schools; a restructuring of professional development for school staff; and parents and communities involved.''—Scott Jones, Director of School Improvement, Wisconsin Department of Public Instruction.

Excerpts from ECS Publication entitled Comprehensive School Reform: Five Lessons From the Field, December 1999

''Comprehensive school reform is not just another school improvement strategy—it is a significant leap forward in reforming today's public schools. Comprehensive school reform addresses all students, all academic subjects and all teachers. When done well, a school is overhauled from top to bottom. Adding one program on top of another is thrown out in favor of the much more difficult work of reorganizing schools, targeting professional development for teachers and principals, changing curriculum and making tough budget decisions.

''In short, comprehensive school reform transforms the way a school functions to accomplish one goal: improved student achievement for all students. Comprehensive school reform is a breakthrough that allows schools, districts and states to move beyond finger pointing and blame to real improvements in student learning. Implementing this reform strategy is not easy, however. There is nothing tougher than spending money differently, sticking with an approach long enough to see results, and overcoming turf battles along the way.''

Wisconsin CSRD Evaluation Findings

The Wisconsin Department of Public Instruction's evaluation of the first year of CSRD implementation concluded that students in CSRD schools made notable gains on the Wisconsin Student Assessment System (WSAS). At the fourth grade level, students in CSRD schools improved slightly in reading and made large improvements in language arts, math, science and social studies. The percentage increases of the CSRD schools exceeded those of Wisconsin schools as a whole in all of the subjects except language arts.

CSRD Schools and the AIR Study

Approximately 369 schools, or 21% of CSRD schools, are using a model rated strong by the AIR study of comprehensive school reform models.

Approximately 531 schools, or 30% of CSRD schools, are using a model rated either strong or promising by the AIR study of comprehensive school reform models.

States Are Using the CSRD Framework To Strengthen Their Work With Schoolwide Programs and Low-Performing Schools

Oregon plans to integrate CSRD funds, Title I Accountability funds and state improvement funds in a reform effort based on the CSRD framework.

Virginia is using the CSRD framework to support low-performing schools through the Governor's Best Practice Centers.

California has integrated the CSRD program into the state's new accountability initiative. Schools identified for immediate intervention are eligible to compete for a CSRD grant this year or receive a planning grant using state dollars.

In Idaho and Utah, private foundations are providing significant resources to schools to implement comprehensive reform efforts, using the basic criteria from CSRD.

APPENDIX A.—CSRD SCHOOLS SERVE SPECIAL EDUCATION STUDENTS AS A PART OF THEIR EFFORTS TO IMPROVE TEACHING AND LEARNING FOR ALL STUDENTS IN THE SCHOOL

BLACKSTONE PRIMARY SCHOOL, BLACKSTONE, VIRGINIA

Blackstone Primary is an elementary school located in Nottoway County, Virginia, a small rural school district. Blackstone, a Title I schoolwide program, serves approximately 500 students in grades Pre-K to 4. Sixty-three percent of students are eligible to receive free lunch. The school population tends to be stable. The school has recently undergone a major facility renovation.

Blackstone was among the highest achieving schools in the state on the 1999 Virginia Standards of Learning assessments. On the grade three test, over 70% of students passed all four tests (English, math, science and social studies). Based on this level of achievement, Blackstone was one of a small percentage of schools that qualified for full state accreditation. The leadership of the school, however, knows there is still room for improvement. ''We want them all'' to pass is the school's goal.

Identified as a school in need of improvement under Title I in the past, Blackstone has been instituting reforms for the last eight years. From the time that Mrs. Horn became principal, the staff became involved in finding new programs that would result in increased student achievement. Support has steadily grown. Data-driven decision making and a rigorous focus on literacy are the key themes at Blackstone Primary. The implementation of the Onward to Excellence II reform model, supported by a grant from the Comprehensive School Reform Demonstration program, is assisting the school in these efforts. The whole staff is involved in the data collection and analysis process. Data is collected on achievement, discipline, attendance and teaching experience and is disaggregated by student, teacher, gender, free lunch and race, Priorities and goals for the school, along with strategies to reach them, are based on this information. Individualized strategies are also planned for students not making adequate progress.

The literacy program at Blackstone is based on instilling in children a love of reading and a belief that they can succeed as readers. Students are constantly assessed on their reading level, and every child knows exactly what his or her reading level is. Parents understand and are involved in the leveling system. The school also has an incentive system to reward students based on the books they have read.

Fourteen percent of students at Blackstone have individualized education plans to receive special education services. The school operates under an inclusion model. With the exception of one kindergarten class, there are no self-contained special education classes. The philosophy of Blackstone is to have one set of expectations for all students, including special education, and the school is committed to including special education students in testing where appropriate. On the 1999 Standard of Learning test, 70% of third grade special education students were tested.

The educators, administrators, parents and students of Blackstone Primary have created a true learning community. Strong leadership and constant assessment of their program have already shown positive results. Blackstone Primary is committed to enabling all students to succeed.

Mr. TANCREDO. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

Page 84, after line 21, insert the following section:

SEC. 518. None of the funds made available in this Act for the Department of Health and Human Services may be used to grant an exclusive or partially exclusive license pursuant to chapter 18 of title 35, United States Code, except in accordance with section 209 of such title (relating to the availability to the public of an invention and its benefits on reasonable terms).

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

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

This is a very simple bipartisan amendment that is cosponsored by the gentleman from California (Mr. ROHRABACHER), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Wisconsin (Mr. BARRETT), and the gentleman from Maine (Mr. BALDACCI). When I last introduced a version of this amendment in 1996, it received 180 votes. I hope we can win tonight with strong bipartisan support. This amendment is supported by Families USA, the National Council of Senior Citizens, and the Committee to Preserve Social Security and Medicare.

Mr. Chairman, over the years, the taxpayers of this country have contributed billions of dollars to the National Institutes of Health for research into new and important drugs, and that research money has paid off. Between 1955 and 1992, 92 percent of drugs approved by the FDA to treat cancer were researched and developed by the NIH. Today, many of the most widely used drugs in this country dealing with a variety of illnesses were developed through NIH research, and that is very good news.

The bad news is that, by and large, these drugs which were developed at taxpayer expense were given over to the pharmaceutical industry with no assurance that American consumers would not be charged outrageously high prices.

Mr. Chairman, the pharmaceutical companies constitute the most profitable industry in this country. Yet while their profits soar, millions of Americans cannot afford the prescription drugs they desperately need because of the high prices they are forced to pay. In fact, Americans pay by far the highest prices for prescription drugs than the people of any other country on Earth, and many of these drugs are manufactured right here in the United States and their research was done through taxpayer dollars.

While there are many reasons for the crisis in prescription drug costs in this country today, in this amendment I want to focus on one small part of that problem, and, that is, that it is totally unacceptable for the taxpayers of this country to provide billions of dollars through the NIH in research money for the pharmaceutical industry and get nothing in return in terms of lower prices for the products that they help to develop.

Mr. Chairman, the reality is that taxpayers spend billions of dollars for research and development of prescription drugs and they deserve to get a return on that investment in terms of lower prices.

Let me cite some examples. Tamoxifen, a widely prescribed drug for breast cancer, received federally funded research, and NIH sponsored 140 clinical trials to test its efficacy. Yet today the pharmaceutical industry charges women in this country 10 times more than they charge women in Canada for a drug widely developed with U.S. taxpayer support. Many, many other drugs were developed with NIH support: Zovirax; AZT, the primary AIDS drug; Capoten; Platinol. And Prozac, the blockbuster antidepresant, was made possible by the basic NIH-funded research that discovered the brain chemical triggering depression. And on and on it goes.

The reality is, and The New York Times in a front page story made this point, that much of the drug research in this country comes from taxpayer support.

Our amendment requires that the NIH abide by current law and ensure that a company that receives federally owned research or a federally owned drug provide that product to the American public on reasonable terms. This is not a new issue. During the Bush administration, the NIH insisted that cooperative research agreements contain, quote, a reasonable pricing clause that would protect consumers from exorbitant prices of products developed from federally funded research. The NIH several years ago abandoned the clause

under heavy pressure from the pharmaceutical industry.

While a reasonable pricing clause is not the only device that will protect the investment that American taxpayers have made in numerous profitable drugs, this amendment makes clear that Congress will not stand by while NIH turns over valuable research without some evaluation that the price charged to consumers will be reasonable as is required by current law.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, I need to know what amendment he is offering because the amendment we have talks about licensing, and he has just talked about reasonable pricing. I do not know which one he is offering.

Mr. SANDERS. This amendment, Mr. Chairman, is very, very clear.

Mr. Chairman, am I on his time or my own?

Mr. PORTER. The gentleman is still on his at the moment.

Mr. SANDERS. Why does the gentleman not take his own time, if he would.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois is recognized for 5 minutes.

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

Let me first say a few things. First, this amendment has gone through about four different iterations, and we are not quite sure which one the gentleman is offering. I have the one in front of me dealing with licensing. That is the correct one.

Mr. SANDERS. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. PORTER. First, I understand the point the gentleman is trying to make. I think the amendment misses the mark. First of all, let me say that we have this wonderful synergy in our country where a great deal of the basic research which provides the foundation for applied research is done through NIH grants and we build this body of knowledge and then our pharmaceutical industry and our biotech industry build on that knowledge to develop products that they take to market. I think that that is a wonderful system that does more to develop the kinds of drugs that help eliminate disease or prevent it than any other place in the world. But what the gentleman's amendment attempts to do, and if I can read it, I would read it this way, it says, ''None of the funds made available in this Act for the National Institutes of Health may be used to grant an exclusive or partially exclusive license pursuant to,'' et cetera, dealing with the licensing of drugs.

The funds that NIH makes for grants are never involved in licensing operations. The licensing is done by the institution subsequent to the completion of the grant. So that while the gentleman, if this amendment passed, might think he is accomplishing something, I believe that the amendment as written would not hit the mark he is trying to hit. I think under those circumstances, and I know how hard it is to fashion an amendment that is in order on this subject under this bill, but this is really an authorizing matter that the gentleman really ought to address in an authorizing forum and not on an appropriations bill.

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Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank the gentleman from Illinois (Mr. PORTER) for his thoughts, but I respectfully disagree. And here is the bottom line: the bottom line is that as a result of taxpayer-funded support, very important and wonderful drugs are developed. But the problem, Mr. Chairman, is that millions of Americans who paid for the research to develop those drugs cannot afford the product.

I think it is totally responsible for the United States Government to say to the private companies we are giving you important research. But in return, we have to make some guarantees to the public that we are going to serve the public interests in terms of controlling the prices that are charged. I think that that is something that the taxpayers of this country deserve.

Mr. PORTER. Mr. Chairman, reclaiming my time, I understand what the gentleman is trying to do. My point is that this amendment does not do that; that it deals with the grant funds for licensing, and grant funds are not used for licensing. So the amendment will be ineffectual to achieve the ends that the gentleman is seeking to attain, in my judgment; and where this whole discussion belongs is not on an appropriations bill but on an authorizing bill where that subject is in order.

Mr. SANDERS. Reclaiming my time, Mr. Chairman.

Mr. PORTER. It is my time, but I yield to the gentleman.

Mr. SANDERS. I am sorry. I did not mean to interrupt the gentleman.

Mr. PORTER. I yield to the gentleman.

Mr. Chairman, does the gentleman have additional time?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Vermont (Mr. SANDERS) has 30 seconds remaining, the gentleman from Illinois (Mr. PORTER) has the right to close and has 1 minute remaining.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent for an additional minute and yield 1 minute to my friend, the gentleman from California (Mr. ROHRABACHER).

The CHAIRMAN pro tempore. The Chair will entertain a request to grant 1 minute to each side.

Is there objection?

There was no objection.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to my friend, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this amendment, and let me say that the gentleman from Vermont (Mr. SANDERS) has been trying to propose an amendment of this purpose for several years now. But it seems that every time he proposes it, there is just something wrong with it, that it just is not exactly right.

I do not know about these details about the little loopholes of intricacies of the writing of the bill, but I do know that the fundamental principle he is trying to advocate here is right, and, that is, if a pharmaceutical company takes money from the taxpayers to develop a new drug, they have taken on the taxpayers as a partner; and thus they cannot then turn around and exploit the taxpayers and soak them for all money that they can get out of them because the taxpayer has paid basically for their research and development.

Research and development is the risk that a company takes, and if we are going to pay for that risk, the taxpayers should get something back in return. And fairer prices that are affordable prices is certainly a reasonable assumption for companies that are taking that money.

By the way, let me note, many pharmaceutical companies do not take research and development money; and they should have every right to charge what they want for their product. But in this case, the principle is absolutely sound, whether you are conservative or a liberal or a capitalist or a socialist. The fact is that the people have paid a certain amount of money, they deserve some rights with that money and protecting the consumer at the same time.

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

Mr. Chairman, the gentleman from California (Mr. ROHRABACHER) hit it right on the head and, that is, at a time when millions of Americans cannot afford the outrageously high costs of prescription drugs, they need to know that when their tax dollars went to develop these drugs, that the United States Government is saying to the private drug company they cannot charge anything they want; that they are going to go through the NIH, going to negotiate with you for reasonable prices.

This is nothing more than asking for a fair return for the taxpayers of this country on their investment.

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

Mr. Chairman, I would say to the gentleman from Vermont (Mr. SANDERS), again, I understand what he is talking about, but I think that it misses the mark. If NIH is working on joint research with a pharmaceutical company in developing a drug, then clearly the NIH shares in the royalties or the profits from that drug.

What the gentleman is talking about is when basic research is done and then that body of knowledge, which is disseminated to everyone and available to all sciences, then picked up by the pharmaceutical industry from which they do research and develop a product that somehow we ought to somehow measure what that contribution is; and the fact is that there it is simply adding to a body of knowledge that is available to all science everywhere. That is the role of NIH research.

This amendment, even if the gentleman's premise was correct, this amendment will not accomplish what he is seeking to do, and it is the wrong place. It should be offered on the authorizing legislation dealing with the subject matter. So I would oppose the amendment and hope Members would not support it.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

Mr. PORTER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

The point of no quorum is considered withdrawn.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman from Illinois for yielding to me.

Mr. Chairman, I want to thank the gentleman from Illinois (Mr. PORTER), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. GOODLING) for having some excellent provisions for giving education a priority.

I understand that an amendment that was going to take money out of Even Start and put it into IDEA is now not going to be offered, and I just want to emphasize how important I think that we move ahead with the concept of Even Start. Even Start brings parents in to make sure that parents are part of that encouraging effort.

Just briefly, what happened in Michigan, I put in some appropriations for what we call the HIPY program in Michigan, it is Home Improvement for Preschool Youth, and that program helps teach parents how to react to their kids to help their kids do a better job before they went in school.

What was exciting, it increased the reading comprehension for those children by 80 percent; but even more significant, it increased the reading comprehension for the parents by an equal amount. And 60 percent of those parents went on to get their GED.

As we move ahead with Even Start, as we move ahead with Head Start, it is important that we continue to bring parents into the picture to be part of that coordinated effort to encourage better education for their kids.

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

AMENDMENT NO. 18 OFFERED BY MR. OBEY

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. OBEY:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. It is the sense of the House of Representatives that tax reductions for taxpayers in the top 1 percent of income levels should not be enacted until the Congress enacts a universal voluntary prescription drug benefit for all Americans under Medicare.

The CHAIRMAN pro tempore. On this amendment, points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

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

Mr. Chairman, I simply want to read this amendment: ''It is the sense of the House of Representatives that tax reductions for taxpayers in the top 1 percent of income levels should not be enacted until the Congress enacts a universal voluntary prescription drug benefit for all Americans under Medicare.''

The fact is, Mr. Chairman, that for the last 18 years we have been digging out from deficits created when Ronald Reagan pushed through a supine Congress legislation which doubled military spending on borrowed money and made very large reductions in tax cuts.

And over the past 18 years, we have been desperate to finally work down these deficits that were built up and this increase in the national debt that was built up.

And now finally after 18 years of deficits, which gave us an excuse, a collective institutional excuse to do diddly for millions of Americans who needed help, we finally have an opportunity to provide some help. This House passed a number of tax bills in the last 2 months.

First of all, we passed a minimum wage bill that gave $11 billion in benefits to minimum wage workers; but as a price for passing that, it included $90 billion in tax cuts for people who made over $300,000 a year.

They just passed an inheritance bill last week which gave $50 billion per year when fully operative to the wealthiest 2 percent of people in this country. I observed at the time if we did not do that, we instead could provide a universal prescription drug benefit for every single senior citizen in this country. In fact, we could do it for a lot less than that cost.

In fact, what we could do, if we did not spend that $50 billion on these folks, we could provide a universal health coverage for every single person in this country that does not have it.

Very simply, I would ask one thing. I have held a number of meetings in my congressional district. I run into senior citizens. I ran into a person just last Saturday, who spent $24,000 a year on prescription drugs fighting cancer. I talked to another woman who spent over $6,800 a year. I have talked to doctors who tell me that seniors have to choose between heating and eating, and that they have known many a patient who has decided they would cut their dosage in half because they could not afford to buy their medicine.

Now, this Congress is very good at saying, oh, you should offset your spending increases. What we are asking you to do today in an amendment that we can offer, but which we cannot get a vote on, what we are asking for is to recognize that there are two parts to a budget: what you recognize in revenue and what you spend in expenditures.

We are asking you for a change like the outside world would, where you live in reality to put those two pieces of the budget together, and recognize that what you do on one half has an impact on what you can or cannot do on the other half.

Now, we cannot under the rules of the House get at that action today; and so this is, in essence, a symbolic amendment, because we have no opportunity to offer any other kind. This is a symbolic amendment that says decide who we ought to put first.

Now that we finally have some surpluses and can start meeting some of the Nation's challenges again, decide whether the wealthiest 2 percent of people in this country need that money more than someone who is living on $16,000 a year on a fixed income. If you have a conscience, the answer is clear. That is why this amendment, though it will not be adopted by this House tonight, should be.

It would be a signal that at long last we are putting the needs of working people and retirees ahead of the economic establishment in this country. There are only 6 percent of the people in this country who contribute to political campaigns; that is why you get $50 billion a year put here instead of here. And that, I think, is the most disgraceful thing you can say about this session of Congress.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes.

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

Mr. Chairman, the gentleman from Wisconsin (Mr. OBEY) and everyone on his side of the aisle have stayed very much all the time that we debated this bill on their political point, which they have made over and over and over again. They do not like tax cuts for the wealthy; and if we would only not have put those in the bill, we could do all kinds of things that they would like to do with the money.

Let me say something that I know that they will not like to hear, but I personally do not believe that we should every hear in this Chamber the kind of language that divides us. It is wealthy against working people, over and over and over again in their vernacular; and I do not believe that is what this country stands for or what we believe in.

□ 1915

It is not a crime to work hard and become a wealthy person. In fact, I would say that universally Americans accept the principle that they value the opportunity to do exactly that. That is what they want to do. And I think this divisive language of setting class against class and saying over and over again that it is one group against another is really not what we ought to be engaged in in debate here, ever.

We ought to talk about the principles that we believe in, and the policies that advance those policies. I do not think we believe in class warfare, and I do not think we believe in dividing people by economic means.

We do believe, and I agree with the gentleman, that there are people in this country that are really put to the test as to whether they can afford the drugs that they need even to stay alive, and very clearly there are people that are having to make very difficult decisions in their lives in order to pay for those drugs that they should not have to make.

We ought to have a program to address the needs of those people. We ought not to have a program to provide universal coverage for prescription drugs, because there are lots of people in this country, about two-thirds of the people, the seniors in this country, that have a prescription drug benefit already under their own policies. They can afford it, they do not need the help. But there are certainly people that do.

I believe that this Congress will provide that kind of prescription drug benefit. We will make certain that we are taking care of those people who are put to that tough test and are deeply in need, and we ought to. But I think the language of divisiveness, the language of division, the language that divides people economically is not appropriate, has not been appropriate throughout this debate, and I would hope that we would reject that kind of class warfare.

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

Mr. OBEY. Mr. Chairman, I yield myself 20 seconds.

Mr. Chairman, as far as class warfare is concerned, the fact is that the working class has already lost and the wealthiest 2 percent have already won. The wealthiest 1 percent of people have made so much in additional money over the past 5 years that they now control more of the Nation's wealth than 90 percent of the American people combined. I do not call that class warfare, I call that telling the truth.

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

Mr. FRANK of Massachusetts. Mr. Chairman, we stand accused by the gentleman from Illinois of recognizing reality. The reality is there is a budget. It limits the amount of money we can spend. If you spend on one set of things, you cannot spend for another. That is reality. If in fact you give large tax cuts to people who are very wealthy, you will have less money that you can spend elsewhere.

The gentleman says, ''Oh, let's not have class warfare; let's just have the wealthy and the middle class and the working class all get along.'' It sounds like Woody Allen's statement, ''the lion shall lie down with the lamb, but the lamb won't get much sleep.'' The wealthy and the poor can work together, as long as the poor are prepared to be submissive.

The Republican plan says that you will get some help in paying for prescription drugs, up to 150 percent of poverty, $16,000 a year. If you are a retired individual making $20,000, $25,000, $28,000 a year and you get hit with a drug bill of four, five or six hundred dollars a month, the Republican position is we cannot afford it.

Now, we say you could afford it if you did not give large tax cuts, and the gentleman says, Oh, that is class warfare. That is not class warfare, that is reality. If you, in fact, decide that Bill Gates should be allowed to pass down to his children all of his money with no taxes, and deprive the revenue base of 20 or 30 billion dollars, and you then say, ''but we can't help you if you are making $20,000 a year,'' and that is the Republican's plan. We did not make it up. This is not class warfare, this is your plan. One hundred fifty percent of poverty is the level at which you get subsidized.

The gentleman said, We don't need universal coverage under prescription drugs. It is the same argument that said on the part of the Republicans that we did not need Medicare, we did not need universal health care. The fact is if you were making up a health care plan today, you would fully cover prescription drugs. Yes, there are some older people who have private insurance for prescription drugs. They pay unduly for it.

We have a very simple case, and the gentleman apparently objects to our pointing it out. The more you do for people at the upper end of the scale, given a limited amount of money, the less you can do for people at the other end. I am sorry that that makes the gentleman uncomfortable. It does him honor that it makes him uncomfortable, but we did not create this situation. It is the reality that you have brought to the floor with your overall program.

Mr. PORTER. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Arkansas (Mr. DICKEY), a very valued member of our subcommittee.

Mr. DICKEY. Mr. Chairman, in 1995, when I was fortunate enough to get on this committee, I asked what subcommittees I would be on and one was called the Subcommittee on Labor, Health and Human Services and Education. I asked people about that committee, and they said this is one time that you can go into deliberations and it will not be political; that there will be people like Louis Stokes on the other side who are just as concerned about poor people, just as concerned about medical needs of people, and just as concerned about all these programs that we have, NIH and all these programs that we have; that is, it is completely nonpartisan.

Well, I am afraid to say that is not true. I would like to point out why and how I can come to that conclusion right now.

We have had a subcommittee process going on here where we have laid out this whole plan, and I think the chairman has done an excellent job, and I believe that the opposition believes the same thing. In the subcommittee there was not one amendment that had a setoff to it, there was not one amendment mentioned. It was an ambush that was being planned, a political ambush, not an ambush in any other fashion or in a constructive way. They were sanitizing themselves and saying no, we are not going to have setoffs, we are not going to match these things. That could either be it was politically motivated, or they really and truly agreed this was a tremendous balance of all the interests in every respect.

Well, we come to the floor now, where we have all the bright lights, all the attention of our Nation on it, and we start talking about a very political issue called tax cuts, money that is not spent, but is withheld by the people who own it when there is a surplus.

These same people have been hollering against tax cuts in every way possible. They first of all said, back in the times when we were talking about trying to reduce the tax burden on the working people of America, they said we want to pay down the debt. Have they said one thing about paying down the debt here? No, they have not, because what they want to do is spend more and spend more and spend more. They want to keep this money in the government coffers so that they can have more control over it and so we can get right back in the same position that we were in when we started this business of balancing the budget and bringing ourselves into some reasonable economic sanity.

So it is very clear. Even the arguments about protecting Social Security, if we did not protect Social Security we could have all this money that they could spend on this part of their agenda. That has happened year after year after year after year, until the conservatives took control of Congress and took the hard hits and said no, we are not going to borrow money from Social Security to satisfy your spending addiction.

It is sad to me that we have this circumstance here and that this committee is being used for that purpose. It is a setup. The people of America should understand that, the people on both sides of the aisle should understand it, that when we have somebody like Jim Kelly, the Buffalo Bills quarterback, and his wife coming before our committee and telling about their small son, Hunter, and his disease, we should not be talking about politics. We should be talking about gigantic needs.

When we look at what we can do in curing diseases across the globe, we should not be talking about politics, we should be talking about doing what is right. When we are talking about education and helping the people who have missed their opportunities, who do not have a pattern, a generational pattern for them to follow, we should not be talking about politics, we should be talking about what is right.

So I would say we ought to reject this idea of these tax cuts being a factor in this discussion. Those discussions are nothing but political. We are not being constructive, and I agree with the chairman, we are not gaining anything, and we are doing a disservice to our country and to all of these causes that we are trying to serve in this committee by continuing this harangue time after time after time.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the other distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I strongly support the Obey amendment. The Republican leadership wants America to believe that adding a prescription drug benefit to Medicare is one of their top priorities. That simply is untrue. They have done nothing to seriously address prescription drug prices for citizens. Many of the 13 million senior citizens who have no insurance coverage for prescription drugs are forced to choose between food and medicine, yet the Republican leadership has just pushed a $200 billion tax giveaway for the super rich through the House.

More than half of their reckless tax giveaway is available to only a few thousand of the wealthiest families out of more than 60 million families in America. We should put an end to these giveaways until Congress enacts a universal voluntary prescription drug benefit for all Americans who are eligible for Medicare.

Senior citizens' lives are at risk when they cannot afford prescription drugs that they need, yet pharmaceutical companies and their lobbying machine have kept this Congress from enacting a prescription drug benefit.

But, Mr. Chairman, this debate does tell America what Republican priorities really are: Tax cuts for the super-rich, a few, before prescription drugs for the 13 million American senior citizens who cannot afford either the out-of-pocket costs or the insurance for drug coverage.

It is the Republican majority who have created the so-called class warfare that the gentleman from Illinois speaks about. They have put the comfort of the very wealthy over the needs of ordinary citizens. We must begin responding to the needs of all Americans, not just the super-rich.

Mr. Chairman, I urge a vote for this amendment and against this totally inadequate bill.

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

Mr. Chairman, do I understand the gentleman correctly that he wants a universal prescription drug benefit?

Mr. OLVER. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, a universal voluntary prescription drug benefit under Medicare.

Mr. PORTER. That would therefore provide a prescription drug benefit for these very wealthy people that the gentleman just described?

Mr. OLVER. Voluntary.

Mr. PORTER. Who do not need it.

Mr. OLVER. If they do not want it, they do not have to take it.

Mr. PORTER. It is always voluntary, of course.

Mr. OLVER. If they have a better plan, surely they will keep the plan they have, rather than take a plan which is inferior, if they have a better plan.

Mr. PORTER. We just want to get the government into this business directly and provide for all those people, even though they do not need it.

Mr. OLVER. It is voluntary, and it is one that anybody who has a better plan should keep their better plan.

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

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

Ms. DELAURO. Mr. Chairman, I want to thank our ranking member, the gentleman from Wisconsin (Mr. OBEY), for his tireless efforts on behalf of hard-working, middle-class families. He has been an important voice for common sense in this debate.

The Obey amendment is an attempt to bring some of his common sense to this legislation, to help it to be able to reflect the priorities of the American people. It says, very simply, let us provide a prescription drug benefit for all of America's seniors, before, in fact, we enact a tax cut for the wealthiest 1 percent of Americans.

Sixty percent of our seniors on Medicare lack good, affordable coverage. The nearly 12 million seniors who have no prescription drug coverage need our help. If all of senior citizens are covered, then we will see the prices drop on prescription drugs.

More than one in eight seniors are faced with an awful choice of paying for food and shelter or buying the prescription drugs that they simply cannot live without. In a time of unprecedented prosperity, the Republican leadership is telling these seniors that providing a tax cut to that wealthiest 1 percent of Americans is a higher priority than helping seniors afford prescription drugs.

They have given a lot of lip service to the need for a Medicare prescription drug benefit, but the fact is, Republicans still do not have a plan to provide a voluntary prescription drug benefit that covers all of America's seniors, no matter where they live.

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They want to do this through private insurance companies who quite frankly have said their plan is absurd.

This amendment says that the Republican leadership needs to get back in touch with the values of the American people and provide prescription drug coverage to all of America's seniors before we pass those tax breaks for that wealthiest 1 percent. Those are the priorities of the American people. They should be our priorities.

I urge my colleagues to support the Obey amendment.

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

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Wisconsin (Mr. OBEY) is recognized for 3½ minutes.

Mr. OBEY. Mr. Chairman, I am a practicing politician, just like everyone else in this institution, so I would plead fully guilty, I would like to vote for a lot of tax cuts for my constituents. But I think I have some differences from some of my friends on the Republican side of the aisle. I want tax cuts that are aimed, for instance, at small businessmen so they can help provide health insurance for their employees.

I know what it is like to run a small business on a 1 percent or 2 percent profit. I do not want tax cuts that provide 73 percent of their benefits to the wealthiest 1 or 2 percent of the people in this country. I have nothing against those folks, but when we give 73 percent of the tax benefits to the very wealthiest 1 or 2 percent, we do indeed precipitate class warfare, and Members cannot object when the average working family asks their representatives to fight back.

I also do not want tax cuts that are so large that they get in the way of our protecting Medicare and Social Security, and that require the kind of reductions from the President's budget

that this bill has in education, that it has in health care, that it has in the National Science Foundation, that it has in a range of other programs that help build this country.

Mr. Chairman, we are the strong country we are today because we have always tried to be in everything together. We have tried to sacrifice together in wars and prosper together in peace. The problem is that today, in many places in this country that is not happening.

What we are saying is very simple: Yes, we want a universal health insurance plan for prescription drugs, a voluntary plan. The reason they have never been able, on that side of the aisle, the reason they have never been able to put a dent in Social Security, the reason they have never been able to wipe out Medicare, as their earlier leadership said they wanted to do, is because they provide universal benefits, regardless of income, so all levels of this society recognize they are in it together when it comes to those programs, so people at all levels of income defend those programs.

I make no apology for wanting to apply the same logic to prescription drugs. There is nothing wrong with asking Members to delay the tax cuts Members are giving to the wealthiest 2 percent of people in this country until they provide a prescription drug benefit for people who need it.

There is nothing wrong with pointing out time and time again that all they have to do to be able to avoid all of the cuts from the President's budget that they have in education, in health care, and child care, and everything else, is to simply cut by 20 percent the size of the tax cut that they are providing in the five tax cut bills they have put through this House so far.

It is true, our procedures do not allow us to directly join this issue tonight by way of votes, so all we can do is join it rhetorically. If those are the only tools that we have, then pardon me for making the best use of them that we know how. I make no apologies for it.

This amendment is the right thing to do if Members believe in a just society.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would just say to the gentleman from Wisconsin that this entire debate has attempted to focus on tax cuts, and of course there are no tax cuts on the table here whatsoever.

In addition, I would say to the gentleman that he knows very well, and everybody on his side of the aisle knows very well, that there are no tax cuts of the type he describes on the table anywhere, because the President of the United States has said he would veto those tax cuts. That is not in play. It has not been in play at any time.

We on our side have to abide by the budget resolution. It is easy to talk about adding money for this program or that program, and to simply say, we are not going to take any responsibility for it. We can add whatever number we want, because we are not bound by the budget resolution.

I am sorry, we are bound by the budget resolution. We have to live within the allocation we are given. We have to act responsibly. We have to figure out the best priorities for our country.

I would say to the gentleman on the other side of the aisle, the gentlewoman, they have had ample opportunity to adjust those priorities if they do not agree with them by moving money from one account to another. They have not offered one single amendment to do that. All they want to do is add spending to the bill and breach the budget allocation that the subcommittee has been given.

That is why every one of these amendments are out of order and will not stand. They have simply used this as a political exercise to express the kind of statements that have been made over and over again about tax cuts. They are irrelevant to this process. They would be vetoed by the President anyway. The whole thing is simply a political exercise.

I would simply say that I think we have wasted a lot of time in this exercise that could be spent productively in legislating.

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

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Illinois insist on the point of order?

Mr. PORTER. Mr. Chairman, I make a point of order on this amendment because it proposes to change an 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 * * *.''

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin (Mr. OBEY) wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I do, for the reasons that I cited in my previous remarks.

I recognize that the rules of the House do not allow us to get a vote on this amendment. That does not mean the amendment is not correct.

Obviously, under the rules we are operating under it is not in order, so I concede the point of order.

The CHAIRMAN pro tempore. The gentleman from Wisconsin concedes the point of order. The point of order is sustained.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before we move to the final amendments on this bill, I know the gentleman from Pennsylvania (Mr. TRAFICANT) has one and I know the gentlewoman from Connecticut (Ms. DELAURO) has one and the chairman of the committee has one, but I simply want to take this time, in spite of the heat of the debate that we sometimes had, to take a moment to do honor to the man who is chairing this subcommittee as we consider this legislation for the last time under his stewardship.

Mr. Chairman, I have known the gentleman from Illinois (Mr. PORTER) for a long time now. I have never seen a day when I have thought that he did not act out of absolute patriotism and out of an absolute dedication to what he believes is good for this country.

I deeply believe that being a politician, and I am proud of it, I deeply believe that being a politician or public servant is one of the highest callings that one could have. In a democracy, I know of no higher calling except to be a minister, a rabbi, or a priest.

I think the gentleman from Illinois (Mr. PORTER) with all of the differences we have had on this bill, I think the gentleman from Illinois has in all ways, as long as I have known him, done honor to his constituency, done honor to his State, done honor to his party, done honor to this institution, and above all, has done honor, great honor, to the country that he has so ably served.

I will regret seeing him leave. I will miss him personally. I will miss him professionally. I think that the differences that he and I have had on this bill prove that when two people agree on everything one of them is unnecessary, so we have disagreed often today. We each have our roles to play. But public service loses something very precious when it loses people like the gentleman from Illinois (Mr. PORTER).

I simply want to say that whether the issue has been health or education or welfare, or whether the issue has been the foreign policy interests of the United States, the gentleman has always, in my view, been a credit to this institution and a credit to himself.

I think honestly he has deserved a better cut of the deck than he has gotten, because if we had a realistic budget situation in which we were operating, I think he could produce legislation which is far more in line with what I know his instincts to be and what his concerns to be.

I simply, if I were wearing a hat, would take it off to the gentleman, because he has been an exemplary public servant for as long as I have known him.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I cannot tell the gentleman how much I appreciate those very, very kind and generous words. I have served in this body for 21 years, almost, and I have loved every minute of my service. I have loved the relationship that I have had with Members on both sides of the aisle.

I believe we lose a lot when we lose the collegiality of working together for our country. Too often we get involved in partisan bickering and partisan debate, instead of finding the common ground that we need to move this country ahead.

I particularly value my relation with the gentleman from Wisconsin. He has been steady and strong and articulate in his beliefs about policy for our country. He has been a man of great integrity. Yes, he is difficult to deal with at times, and he recognizes that himself, but he fights for what he believes in, and I respect that greatly.

I am going to miss greatly this body, and I am going to miss the relationships with Members. I am going to miss this kind of give and take on the floor and the processes of democracy, where we try to find the middle, where we try to find a way of coming together and working out our differences, and we will. We will in this bill, we will throughout the process. We will win some and lose some on both sides, but it will work for us.

I say to the gentleman from Wisconsin (Mr. OBEY) that I very much agree that we need to help our young people to understand that public service is a very, very honorable profession; that we can follow our ideals and work for the things we believe in and maybe make a difference in the results, if we want to get in and do that.

I think too often, if I may say so, too often we have a media that focuses on all the negatives. They do not recognize the hundreds and hundreds, 99 percent of this body or 100 percent, who are caring people: who care about their country, who work for the things they believe in, who work with others. They always look only at the negatives.

The American people need to know that this is a body of very able, caring people who work for this country, who work for their constituents, who sacrifice a great deal to make things work and make a difference in public policy. That message is not conveyed sufficiently.

I thank the gentleman for his kind words. It has been a real privilege to work with him all this year, and I consider him a very, very close and dear friend.

AMENDMENT NO. 201 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 201 offered by Mr. TRAFICANT:

At the end of the bill add the following new section:

MINIMUM WAGE

SEC. 104. Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.15 an hour beginning September 1, 1997,

''(B) $5.65 an hour during the year beginning April 1, 2000, and

''(C) $6.15 an hour beginning April 1, 2001;''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois reserves a point of order on the amendment.

The gentleman from Ohio (Mr. TRAFICANT) is recognized.

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

Mr. Chairman, I want to commend the gentleman from Wisconsin (Mr. OBEY.) There is not a tougher bulldog on our side, and I think at some point everybody gets mad at him, but I do not think anybody could have made a better statement in tribute to the contributions of the gentleman from Illinois (Mr. PORTER). I commend the gentleman.

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I was about to do that, and I will let the great words of the gentleman from Wisconsin (Mr. OBEY) speak for themselves, except to thank the gentleman from Illinois (Mr. PORTER) for all he has done for America.

I want to commend also the gentleman from Florida (Mr. YOUNG). There is some talk of me even appealing the ruling of the Chair. I know this is legislation on an appropriation bill, but my people need it desperately.

I am going to ask the Republican leadership to allow for an up/down, clean vote at some point in the Congress on the Traficant bill to raise the minimum wage $1.00 over 2 years.

Again, I would thank the gentleman from Wisconsin (Mr. OBEY) for fighting so hard for what we believe in. I thank him for the words he put together for the gentleman from Illinois (Mr. PORTER). He really deserves them. He is a great guy, and I wish the chairman the greatest.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 10 OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer amendment No. 10 by the gentleman from Wisconsin (Mr. OBEY), as his designee.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. DELAURO:

Page 20, line 11, after the first dollar amount, insert the following: ''(increased by $244,000,000)''.

Page 33, line 19, after the dollar amount, insert the following: ''(increased by $36,000,000)''.

Page 34, strike the proviso beginning on line 16.

Page 40, line 25, after the dollar amount, insert the following: ''(increased by $175,000,000), of which not less than $125,000,000 shall be for an expanded focus on respite and other assistance for families of vulnerable elderly, as authorized by section 341 of the Older Americans Act of 1965''.

Page 72, line 21, after the dollar amount, insert the following: ''(increased by $156,000,000)''.

Page 73, line 19, after the dollar amount, insert the following: ''(increased by $156,000,000)''.

The CHAIRMAN pro tempore. On this amendment, points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

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

Mr. Chairman, let me just say to the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER), that he does this House honor though we have disagreements and we disagree on this piece of legislation. It is an honor to serve with him in this body.

Mr. Chairman, this amendment addresses glaring insufficiencies in this bill in protecting the health and the welfare of America's seniors. It increases funding for the HCFA nursing home initiative, the Medicare integrity program, family caregivers, Meals on Wheels, the Social Security Administration, community health centers and health care for uninsured workers.

It provides $661 million in needed funding for seniors and for middle-class families. These needs will go unaddressed in this bill because of misplaced priorities of the Republican leadership.

There was a lot of talk today about the need for offsets in order to pay for the vital needs for seniors, our schools, and health research. I have the offset right here, the one we ought to focus on, and that, in fact, is to scale back that massive tax cut that is wanted and that benefits the wealthiest 1 percent of Americans, and then we can meet the need of seniors and still be able to provide tax relief for working middle-class families.

Provide those tax breaks for working families. Scale back the enormity of the tax cut, and we will have the offsets that we need to be able to do something for the families in this country.

Unfortunately, my colleagues on the other side of the aisle have rejected this type of a balanced approach, and just let me say who will not be served because of this misplaced leadership. Family caregivers, today over 5 million Americans, 3 to 4 million of whom are seniors, are able to remain in their homes during an illness because of the services provided to them by family caregivers. These family members face the stress of caring for a frail and ill senior while still struggling to look after the rest of their families. Many still work full time while providing

care that allows their parent to maintain their dignity. This bill cuts $125 million from this program.

Second, Meals on Wheels, we have all been the witness of the benefit of the Meals on Wheels program. It provides vital nutrition to low-income seniors, helps them again to stay in their homes and in their communities. We could have provided an additional 75,000 low-income seniors with this important help if this amendment would pass, if we could add $50 million to the program. Rejecting the amendment means that these seniors will go without. Many of them will not be able to maintain their independence and remain in their homes because they will not receive the service of Meals on Wheels.

Nursing home initiative, with a helping hand many seniors can maintain their independence. Too many people my age have to face the awful choice of finding a nursing home that will provide around-the-clock care for a parent who can no longer live on their own. We have all seen the horror stories about homes that fail our seniors.

Most recently in today's papers, in New York, have talked about the inadequate care and actually the violation of seniors' human rights in some of these institutions.

One in every four nursing homes puts their patients at an unnecessary risk for death or injury. It is simply unacceptable that the greatest generation is being put at risk by the generation that followed them. We could have protected these seniors by funding a $38 million nursing home initiative that would have insured quality nursing home care for 1.6 million seniors.

Funds for Medicare fraud and Social Security, the amendment funds efforts to protect Medicare, ensure that Social Security serves our seniors. By funding the Medicare integrity program, we can fight waste, fraud, and abuse in the Medicare system and return dollars that are so needed for the program. Every dollar invested in this fraud-fighting initiative means that we can return $17 to Medicare that would be lost to fraud and abuse.

Support of this program would save Medicare $850 million.

The Social Security Administration, the amendment would also ensure that the Social Security Administration could improve their services for seniors and reduce the waiting time for claims and requests.

Supporting the amendment would have made a real difference for seniors. Unfortunately, we will not be able to properly fund these critical needs or many of the other initiatives that are grossly underfunded in this bill today, because the Republican leadership has insisted on providing tax breaks for the wealthiest 1 percent of Americans.

We can keep the tax relief for middle-class families. They need it. Scale back the tax break for the top 1 percent, the wealthiest of the wealthy, and we can invest in these important initiatives.

I think that most Americans would make this trade-off. If we cannot find the funds for these vital needs, we should resoundingly reject this legislation. It betrays American seniors, fails to live up to the values that they have passed on to all of us.

I heard the chairman of the Committee on Rules refer to this bill as progress. If this is progress, then the future Republicans envision is not one that respects the contribution of America's seniors and that maintains their values. Oppose this misguided bill.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) seek to claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentlewoman would increase funding for the Social Security Administration in spite of the fact that the bill increases the account by $400 million.

I would say this: If I, like the gentlewoman, were not constrained by a budget allocation, I would attempt to do more in this account. It is obviously a very important one.

She would increase community health centers above our level, which is, in turn, above the President. I would say to the gentlewoman, this is an account that we have increased above the President every year for the last 5 years. This is a high priority for us. We have increased it this year above the President but, again, when one does not have any budget constraints I guess it is very easy to increase it to any level they want.

With respect to Meals on Wheels, we fund that at the request level which the gentlewoman would increase by $50 million over the President's request. Now I would say to the gentlewoman that I do not think that we have done as good a job as we should do in respect to some of the senior programs, but I would also say to the gentlewoman neither has the President.

Generally speaking, when we meet the President's requests in a program like this we feel that we have done a great deal when we have budget constraints, but I would also say that in the future, as more resources become available, we need to do a better job with Meals on Wheels and others in this area.

With respect to the nursing home initiative, the administration asks us to enact a user fee which has, as he well knows, the President well knows, essentially no support. We have not included the funds as a result of this proposed fee. Otherwise we carry this fund at the request level.

On health care access for the uninsured, this is a program that is not authorized. The administration requested funding for it in last year's budget request under the Office of the Secretary. The committee did not approve initial funding, but in conference the administration requested that $25 million for a community access program be provided under HRSA using the demonstration authority.

The budget request for this year proposes to increase this demonstration to $125 million. Unfortunately, the program is still not authorized.

The Secretary envisions this program to reach $1 billion over 5 years. The committee believes that it should be acted upon by the authorizing committees of jurisdiction prior to any appropriation being made for it. Again, if one is not limited by any constraints, it is easy to put money into accounts; it is easy to put money into programs that are not authorized.

We cannot do that.

So I would simply say to the gentlewoman, while she makes some valid points about the priority of some of these programs, and they ought to be addressed, that particularly in reference to the community health centers which we consider a very high priority and which we have always funded above the President, this is a misguided amendment. Again, she is not bound by any budget constraints. She just pours money in, and says we ought to spend more.

That is easy to say. It is more difficult to live within some constraints and live within fiscal responsibility. I oppose the gentlewoman's amendment.

Ms. DELAURO. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to just reiterate what I said earlier, that the President of the United States is not offering this amendment. I am offering this amendment, and we, in fact, have 3 coequal branches of government. The President may have made a request, but I believe that we need to increase the dollar amount for several of these programs.

Secondly, the constraints that have been put on the budget are irresponsible restraints because they reflect the priority of the Republican leadership. They reflect truly the values and the priorities of the Republican leadership, which says let us provide a tax cut to the 1 percent of the wealthiest people in this country, and when one places that constraint on the budget as an albatross, then all of those programs are held captive that, in fact, would benefit working families, seniors and the most precious commodity, our children.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I rise in support of the DeLauro amendment. It addresses some of this bill's most serious deficiencies in protecting the health and welfare of seniors and other vulnerable populations.

I recognize that the persons across the aisle are arguing there is no money for this; that the President did ask for this so we should not give any more

money, but what I want to say to the folks on the other side of the aisle is tell some of the people back in my district, who have been the working poor for years, that this government has no money for the senior citizens who use senior citizen facilities across this country.

Let me make it personal for a few moments. Let me tell the story of my mother-in-law, Ruby Jones, who is 79 years old, who was taking care of her husband in her home.

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As a result of her work and taking care of her husband, who has congestive heart failure, she developed a stroke. She has been in a coma for 4 years and in need of home health care in her home. My sister-in-law, now the caregiver, who works full-time as a pharmacist, is caring both for her father and mother in her home.

This amendment will provide additional dollars to caregivers who are providing services in their homes. Being a caregiver is not an easy task. Over half of them are over the age of 65. Most of them are women. One-third of them have full-time jobs.

Help for caregivers is needed now more than ever. The population age 85 and over will continue to grow faster than any other age, increasing by 50 percent from 1996 to 2010. Research has shown that caregiving exacts a heavy emotional, physical, and financial toll.

Therefore, support provided to informal caregivers significantly benefits them. The other day I visited a facility in my district called Concordia Health Care. It is a PACE program. At Concordia, there are women there who are 80 to 85 years old, and their families have been caring for them in their home. But this is a day care facility for senior citizens. It is remarkable because most of these women would be stuck in their homes all day if it were not for the dollars that are provided for senior care.

So I support the amendment. I believe it provides for the working poor. These are our senior citizens who have worked all of their lives, and we cannot turn our backs on them now. I support the amendment.

Ms. DELAURO. Mr. Chairman, may I inquire how much time is remaining.

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from Connecticut (Ms. DELAURO) has 5½ minutes remaining. The gentleman from Illinois (Mr. PORTER) has 11 minutes remaining.

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, the gentlewoman from Connecticut (Ms. DELAURO) sets aside an additional $125 million for section 341 (Part D—In-Home Services for Frail Older Individuals) of the Older Americans Act, and of course, therefore, is authorizing on an appropriation bill.

Now, I will be the first to admit that I am very disappointed that I have not been able to bring the Older Americans Act to the floor. I have not been able to reauthorize it. My colleagues on that side have just as much responsibility for that not happening as some on my side. My colleagues have to understand the Older Americans Act in the first place.

How 10 groups, 10 organizations got their fingers on all that money, I will never know. But that is the way it was passed. But what the law said when it was passed is that 55 percent of the money would go back to the States, 45 percent of the money would stay in Washington for the lobbyists here in Washington.

Unfortunately, the other body has not followed that law. The House has always appropriated properly. The other body has appropriated 75 percent for those lobbyists in Washington and 25 percent for those who really need it back in my colleagues' districts and my district.

We came up with a bipartisan bill, moved it out of committee. Again, those Washington lobbyists got to my colleagues' side of the aisle, got to my side of the aisle; and therefore we again do not have a reauthorization of the Older Americans Act.

H.R. 782 would do everything the gentlewoman from Connecticut (Ms. DELAURO) would like to do and more. In H.R. 782, we combine two of the programs: the programs of In-Home Services for Frail Older Individuals and Assistance for Caregivers into a family caregiver program.

Now, what does that program offer? That program provides services for counseling, for training, for support groups, for respite care, for informational assistance and supplemental services for the frail elderly and their families.

The gentlewoman needs to talk to her side, as I need to talk to my side. It is time we buck the Washington, D.C., lobbyists that get their hands on most of this money. It is about time we get it back to those States and back to the people in need.

But I need my colleagues' help on their side just as much on our side if that authorization level is to get here. As I said, it came out of committee in a bipartisan fashion. It is authorized out of committee. You get it to the floor. Then you get the other body to act. And we will not only do what the gentlewoman from Connecticut (Ms. DELAURO) wants to do, but much, much more for senior citizens in need in this country.

Ms. DELAURO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I am surprised that the gentleman from Pennsylvania (Mr. GOODLING) does not know this, because the gentleman is a student of these matters. The fact of the matter is, on page 324 of this document: ''However, funding for the President's initiative does not require final passage of the authorization of the Older Americans Act. States can provide services to family caregivers under existing provisions of title III (Part D) of the Older Americans Act.''

So, in fact, this has been authorized under an existing authority already.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman from Connecticut (Ms. DELAURO) for yielding and for her outstanding leadership in bringing this amendment to the floor.

This amendment is about addressing misplaced priorities of this committee and this Congress. It attempts to repair the damage this bill does to initiatives that protect the health and welfare of seniors and other vulnerable populations.

This amendment is necessary for a simple reason. The Republican majority is more focused on providing a trillion-dollar tax cut that largely benefits the wealthiest Americans than on providing needed funding for the neediest Americans.

The DeLauro amendment is necessary because it provides an additional $119 million increase to the community health centers above the House level to provide affordable care to the uninsured and underinsured.

I think every Member of this House respects the work of the community health centers, because nearly one in five working adults lack health insurance, and half the working Americans with incomes less than $20,000 could not pay their medical bills last year.

Poverty, homelessness, poor living conditions, geographical isolation, lack of doctors, and lack of health insurance pose insurmountable access problems for many people at higher risk for serious and costly health conditions.

Community health centers address these access problems through the delivery of comprehensive primary and preventive services, the type of services not typically offered by traditional private sector providers to at-risk people. Health centers do it cost effectively. Health centers focus on wellness and early prevention.

At a time of great economic prosperity, we must not forget those who are not enjoying good financial times, those who do not have the health coverage for themselves or their families. The community health centers fill a need we cannot ignore.

As I said earlier in the day, if we would cut the budget, cut the tax break for the wealthiest Americans by just 20 percent, it would afford us the $2.5 billion to address the initiatives put forth in these amendments.

Unfortunately, the Republican budget resolution passed by the House created a framework for failure. We are trying to redress those failures in this amendment.

The CHAIRMAN pro tempore. The gentlewoman from Connecticut (Ms. DELAURO) has 3 minutes remaining, and the gentleman from Illinois (Mr. PORTER) has the right to close.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, this amendment tries to do a lot of good things. One of the most important things is that it tries to add back $38 million to correct the fact that this bill cuts 95 percent of the funding for the administration's nursing home initiative, which is aimed at strengthening the protection of our senior citizens in nursing homes. The General Accounting Office has said that there are one in four nursing homes in this country that has serious deficiencies. I think we ought to do our best to correct that, and this amendment does.

I do not know how many have ever worked in a nursing home. I worked an entire summer in an institution when I was a young teenager that dealt with people in need of nursing home care and also dealt with people in need of care because of mental and emotional problems. It was not a pleasant job. It is a tough job.

Nursing homes that are trying to do right by their citizens need to be backed up by the Government who will keep those who are not quite so fastidious towing the line, because otherwise it makes it impossible for the nursing homes who we are trying to tow the line to do so.

I think it is a disgrace that we do not fund their money. I also think it should be on notice that this amendment restores money that fights Medicare fraud. It restores money to try to shorten the delays that people have when they apply for Social Security disability. A woman came up to me 2 weeks ago who was facing the loss of her house because she could not get a hearing fast enough on her Social Security disability claim.

There are real people behind this amendment and real needs that we are trying to fill with this amendment.

I congratulate the gentlewoman from Connecticut (Ms. DELAURO) for trying. I would urge a vote for this amendment if we have the opportunity to get a vote.

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

Mr. Chairman, let me just continue where my colleague left off on the $38 million for a nursing home initiative that would provide quality nursing home care, because we do know the horror stories.

Today's New York Daily News, ''Nursing Home Horror, Queens facility abused elderly residents, Feds say.'' ''Elderly face mental and physical abuse.''

Line after line of the most vulnerable citizens in a place in which they are unprotected, and their rights and their dignity are taken away from them.

We have an opportunity with this amendment, with this bill, which focuses in on the lives of people in this country to take $38 million and provide additional nursing home care, quality care so that, in fact, we do not have to read stories like this in the newspapers.

Cut back the tax cut to 20 percent. Give us the $2.5 billion for these amendments that are going to make a difference in the lives of the American people.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) insist on a point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 8, 2000, (House Report 106–660). This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the act.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentlewoman from Connecticut (Ms. DELAURO) wish to be heard on the point of order?

Ms. DELAURO. Yes, Mr. Chairman. I think that we understand that the rules of the House restrain us on this matter, and it is unfortunate. If there had been a vote on this issue, I believe we would have prevailed. I concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded, and the point of order is sustained.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. YOUNG of Florida:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ___. Each amount appropriated or otherwise made available by this Act for fiscal year 2001 that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced to 0.617 percent.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Florida (Mr. YOUNG) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, I would explain briefly that the amendment reduces all discretionary budget authority provided in this bill by 0.617 percent. I do not want to offer this amendment, Mr. Chairman; but it is essential and necessary that I do. It is the only fair and reasonable way to address the problem that was created when the emergency designation in this bill was struck on a point of order.

The emergency designation related to the funding in this bill approved by the subcommittee and the full Committee on Appropriations for the public health and social services emergency fund, and a declaration of emergency was attached to that funding. Now, because a Member on my side of the aisle decided that he did not like that, they struck it on a point of order.

Under the budget rules, removing an emergency designation from a bill, that has the effect of reducing the committee's budget allocation. Thus this bill is $500 million in budget authority and $217 million in outlays over its allocation thanks to that point of order. So this has to be fixed. If it is not fixed in this bill, then we would need to reduce the 302(b) allocations for one or more of the other subcommittees that have not yet marked up a bill.

□ 2015

In other words, the allocations for the Commerce, Justice, State, and Judiciary appropriation bill, or the Foreign Operations, Export Financing and Related Programs appropriation bill, or the Treasury, Postal Service, and General Government appropriation bill, or the District of Columbia appropriation bill would have to be cut. We have to make up this $500 million. This cut is required to remain within our allocation, and they must be found in this bill unless we intend to disrupt all of the other 302(b) allocations.

I would point out that this bill is an increase over last year. There is $2.7 billion in discretionary funding more than last year's bill. There is $11.5 billion more in this bill for the mandatory accounts. So this bill has had an increase. But despite that increase, I would really prefer that we allow this emergency declaration to stick with the public health and social services emergency fund. But that has been struck on a point of order, therefore, Mr. Chairman, this amendment is necessary.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Wisconsin (Mr. OBEY) wish to seek the time in opposition?

Mr. OBEY. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

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

Let me explain this amendment, Mr. Chairman. This bill originally contained an emergency designation for funding for the Center for Disease Control to respond to bioterrorism attacks, as only that institution has the capacity to do. The committee designated it as an emergency. But then the organization in the Republican

Caucus known as the CATS objected, and so the Committee on Rules did not protect the emergency designation for that money in the rule.

This amendment, while it is being offered by my friend, the gentleman from Florida (Mr. YOUNG), it really, I suppose, ought to be called the Coburn amendment. Because when the gentleman from Oklahoma (Mr. COBURN) struck the protection on the point of order, it left this bill some $500 million over its budget ceiling. I would simply suggest that it is too bad that my good friend had to be put in a position to offer this amendment, because I do not think he believes it is good public policy any more than I do.

I would say that there is a group in the majority party caucus which has a highly erratic record on the issue of emergency designations. One week that group rabidly opposes emergency designation for items that are emergencies, such as hurricanes, floods, bioterrorism threats; the next week it supports designating as an emergency funding for a decennial census, which we all know comes every 10 years; and even supports emergency funding for Head Start, a program that has been around since I was a teenager.

I guess I would say that I find it most ironic that even after these cuts are made this bill will still be $33 million above its allocation in outlays. This is ironic given the fact that all day long we were told by the majority that we could not get a vote on the amendments that we were offering on our side of the aisle because they exceeded the numbers in the budget resolution.

So I would simply point out that this amendment cuts $54 million from title I, $40 million from special education, $52 million from Pell grants, $4 million from after-school centers, $6 million from Impact Aid, $11 million from class-size initiative, $116 million for the National Institutes of Health, $35 million from Head Start, $30 million from job training, $7 million from community health centers, $9 million from low-income heating assistance program, and $6 million from Administration on Aging.

If my colleagues are comfortable with those cuts, vote for it. But I do not think there will be many people on our side of the aisle doing so, because we recognize that there ought to be higher priorities in this country than giving the wealthiest 400 Americans $200 billion in tax cuts, as the majority decided to do last week.

Mr. YOUNG of Florida. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Florida (Mr. YOUNG) has 2½ minutes remaining, the gentleman from Wisconsin (Mr. OBEY) has 1½ minutes remaining, and the gentleman from Wisconsin has the right to close.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time, and just let me say again that I really regret that it is necessary for me to offer this amendment, but it is essential that we pass this amendment.

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

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time, and I regret that the chairman has to regret to offer the amendment, too. I think this demonstrates what happens when we are ruled by accountants and when we come to be ruled by process rather than making decisions on the basis of good old-fashioned instinct and judgment.

I think that this amendment recognizes that it is impossible to pass this bill without departing from reality once again, as the majority has been forced to do many times in supporting appropriation bills. If I were in the gentleman's position, I would be as uncomfortable as I know he is right now. But he did not make this problem, the majority party leadership did when they decided to pursue the course that they decided to pursue.

We could have easily passed all these bills with bipartisan majorities if these bills had produced real trade-offs. But, instead, because the majority party leadership has insisted that they put their tax plans above everything else, that has deprived this House of the opportunity to work on a bipartisan basis on all of these appropriation bills. I regret that personally, I regret that professionally, and I most of all regret it because of what it means for the people we are supposed to represent.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Florida (Mr. YOUNG) will be postponed.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the House knows, last night we spent a considerable amount of time in disagreement because this Congress has not voted on this bill in the last 3 years, and this labor, health and education and social services bill represents the major effort of the Congress to meet our national responsibilities in funding the needs of working American families. We wanted to make sure that the debate on this bill occurred not in the dead of night but in the light of day, and we finally reached an agreement under which that would occur.

I insisted at the time that I wanted the debate to occur at the same time that we were going to have the vote on final passage so that the issues would not be disconnected from the vote on final passage. I was told by the majority party leadership staff that they would assure me of that with one caveat. They said that when the time comes, if we do not think we have the votes to pass the bill, we will have to lay it over and, therefore, would not vote on it tomorrow.

Well, I have now been told that the leadership does not intend to push this bill to passage tonight. If that is the case, then assuming, and I do, good faith on the part of the leadership staff, then it must mean that they do not have the votes at this point for this bill. I would simply say if that is the case, then while the majority party has suggested all day long that they were not comfortable with our constant efforts to drive home the fact that their tax actions have had serious consequences on their ability to meet our responsibilities in the area of education, health and worker training, while they have expressed great discomfort with our efforts to drive that point home every hour, apparently that message has, at least with some members of the majority party caucus, hit home. If it has, then this day's debate has not been a waste of time.

It is clear, even if sufficient Members of the House on the majority side can overcome their rightful concerns about this bill, that this bill is going nowhere because the President has made clear his intention to veto it until the Congress restores the funding they have cut from his budget request for education, for health care, for worker training and the like. So if this bill is not to be put to a final vote, I assume it is because it does not have the votes; and all I can say is, it does not deserve to.

That is not the fault of the gentleman from Illinois handling the bill, but, nonetheless, we do not vote on each other, we vote on the product that we produce, and this product is not in the interest of the American people who we represent.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

I would simply say to the gentleman from Wisconsin that I am afraid his attacks have been ineffectual. The reason we are not voting tonight is because we have a number of Republican absences. They will be back tomorrow, and I think the gentleman will see the result.

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

Mr. PORTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would ask, Mr. Chairman, if the gentleman can tell me, when would it be convenient for the majority party to be present so that we can vote on the product?

Mr. PORTER. Perhaps tomorrow.

Mr. OBEY. That would be very nice.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, proceedings will now resume on those

amendments on which further proceedings were postponed in the following order: Amendment No. 196 offered by the gentleman from Ohio (Mr. BOEHNER), amendment No. 198 offered by the gentleman from Florida (Mr. STEARNS), part B amendment offered by the gentlewoman from New Mexico (Mrs. WILSON), amendment offered by the gentleman from Vermont (Mr. SANDERS), and the amendment offered by the gentleman from Florida (Mr. YOUNG).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 196 OFFERED BY MR. BOEHNER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) 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 202, noes 220, not voting 12, as follows:

[Roll No. 265]

AYES—202

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Young (FL)

NOES—220

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—12

Campbell
Cook
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
McCollum
Pallone
Vento
Visclosky
Watts (OK)

□ 2048

Messrs. TANNER, RANGEL, MARTINEZ and GALLEGLY changed their vote from ''aye'' to ''no.''

Mrs. CUBIN, Mr. LUCAS of Oklahoma, and Mr. PETERSON of Pennsylvania 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 PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to House Resolution 518, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 198 OFFERED BY MR. STEARNS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) 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 pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 381, noes 41, answered ''present'' 1, not voting 11, as follows:

[Roll No 266]

AYES—381

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah

Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
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
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOES—41

Baldwin
Bateman
Brown (OH)
Clayton
Conyers
DeFazio
DeGette
Delahunt
Farr
Filner
Frank (MA)
Holt
Hooley
Jackson (IL)
Jones (OH)
Kucinich
Lee
Lofgren
McDermott
McGovern
McKinney
Miller, George
Morella
Nadler
Olver
Owens
Paul
Payne
Pelosi
Rangel
Rivers
Sanchez
Sanders
Serrano
Stark
Towns
Udall (CO)
Waters
Watt (NC)
Woolsey
Wu

ANSWERED ''PRESENT''—1

Blumenauer

NOT VOTING—11

Campbell
Cook
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
McCollum
Pallone
Vento
Watts (OK)

□ 2058

Mr. DeFAZIO, Mr. JACKSON of Illinois, Mrs. CLAYTON, Mrs. JONES of Ohio, Mr. WU, and Mr. CONYERS changed their vote from ''aye'' to ''no.''

Mr. ROTHMAN changed his vote from ''no'' to ''aye.''

Mr. KUCINICH changed his vote from ''present'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART B AMENDMENT OFFERED BY MRS. WILSON

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) 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 CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 267, not voting 11, as follows:

[Roll No. 267]

AYES—156

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Chambliss
Coble
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeFazio
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Fletcher
Foley
Fowler
Gibbons
Gilchrest
Goode
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Horn
Hostettler
Hulshof
Hunter
Hyde
Istook
Jenkins
Kasich
Kingston
Kolbe
Kuykendall
LaHood
Largent
Latham
Lazio
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Martinez
McCrery
McInnis
McIntosh
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Ose
Oxley
Packard
Pastor
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Royce
Salmon
Scarborough
Sensenbrenner
Sessions
Shaw
Shimkus
Shuster
Simpson
Sisisky
Skeen
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Upton
Walden
Wamp
Watkins
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—267

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Calvert
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilman
Gonzalez
Goodling
Gordon
Green (TX)
Green (WI)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Hooley
Houghton
Hoyer
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Shadegg
Shays
Sherman
Sherwood
Shows
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Tanner

Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wise
Woolsey
Wu
Wynn

NOT VOTING—11

Campbell
Cook
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
McCollum
Pallone
Vento
Watts (OK)

□ 2104

Ms. MCCARTHY of Missouri changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The CHAIRMAN pro tempore. 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 CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 313, noes 109, not voting 12, as follows:

[Roll No. 268]

AYES—313

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Bartlett
Bass
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Camp
Canady
Capps
Capuano
Cardin
Carson
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Duncan
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Goode
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hayes
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pomeroy
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skelton
Slaughter
Smith (NJ)
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—109

Archer
Armey
Baker
Ballenger
Barrett (NE)
Barton
Bateman
Bentsen
Bereuter
Biggert
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Buyer
Callahan
Calvert
Cannon
Castle
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
DeLay
Dooley
Dreier
Dunn
Eshoo
Farr
Fowler
Frelinghuysen
Gibbons
Gonzalez
Granger
Greenwood
Hansen
Hastings (WA)
Hayworth
Holt
Hostettler
Hulshof
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kelly
Knollenberg
Kolbe
Largent
Lewis (CA)
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
McCrery
McIntosh
McKeon
Mica
Miller, Gary
Morella
Myrick
Nethercutt
Ose
Oxley
Packard
Pease
Peterson (PA)
Pitts
Pombo
Porter
Portman
Pryce (OH)
Rangel
Regula
Reynolds
Riley
Rogers
Rothman
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Sensenbrenner
Shadegg
Sherman
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Stearns
Stump
Sununu
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Vitter
Watkins
Weldon (FL)
Young (FL)

NOT VOTING—12

Campbell
Cook
Danner
DeMint
Edwards
Franks (NJ)
Gillmor
Goodlatte
McCollum
Pallone
Vento
Watts (OK)

□ 2113

Mr. KASICH and Mr. BENTSEN changed their vote from ''aye'' to ''no.''

Messrs. WALSH, LAZIO and HERGER and Ms. KILPATRICK and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. EDWARDS. Mr. Chairman, I was not recorded on vote No. 268. Had I voted, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. YOUNG) 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 pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 236, not voting 12, as follows:

[Roll No. 269]

AYES—186

Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Foley
Fossella
Fowler
Frelinghuysen
Gekas
Gibbons
Gilchrest
Goode
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt

Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—236

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frank (MA)
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shimkus
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn

NOT VOTING—12

Campbell
Cook
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
Matsui
McCollum
Pallone
Vento
Watts (OK)

□ 2121

Mr. SPENCE and Mr. RAMSTAD changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to do two things: First of all, as every Member knows, as hard as Members work, our staffs work twice as hard. I would simply like to take a moment to thank Christina Hamilton, Norris Cochran, Mari Johnson, Scott Lilly, Cheryl Smith, Mark Mioduski and Kori Hardin for the work they have done for me and for the Democratic minority.

I would like to thank Doyle Lewis, Marc Granowitter, Scott Boule, Clare Coleman, Kristin Holman and Charles Dujon for the work that they have done on behalf of the minority members of the subcommittee.

I would like to thank Tony McCann, Carol Murphy, Susan Firth, Francine Salvador, Jeff Kenyon, Tom Kelly, Spencer Pearlman, and Katharine Fisher for the work they have done on behalf of the majority. They have done very good work in preparing us and in preparing our arguments, even when they know that both of us are wrong.

Mr. Chairman, I appreciate the fact that many of them have gone without sleep for a long time, and I think they need our thanks. Also the folks in the front office of the committee, who also get beat up, but work very hard as well.

I also would simply like to note that with the defeat of the Young amendment on the last vote, this bill is now $500 million in budget authority and $217 million in outlays above its allowable spending levels in the budget resolution. That means that at this point the bill has the same defect that the majority objected to in the amendments that we offered on the minority side all day long. Very interesting.

Mr. PORTER. Mr. Chairman, it has been brought to my attention that HCFA is in the process of drafting a rule that will effectively eliminate the states ability to generate revenue through the so-called ''upper limits test'' to help cover the cost of providing healthcare for the uninsured. It is my understanding that such a change in policy would cost my state of Illinois approximately $500 million in revenue annually, including $200 million to Cook County Hospital, a federally qualified health center that cares for the indigent. Mr. Chairman, I have spoken with the Director of HCFA to inform her of my concern over the affect of this proposed rule, which could greatly limit access to care for many uninsured individuals in mine and other states. I informed her, also, that I hoped that HCFA would be able to resolve this issue internally so that a legislative solution would not be required.

Mr. CROWLEY. Mr. Chairman, since coming here last January, I have repeatedly asked: What have our children done to deserve the little faith and support this body gives them? Year after year we level fund or cut their education, job training, child care, and health programs. Class size reduction program funds are zeroed out and instead, rolled into a giant block grant to states, which they can use for other purposes. And most importantly, we sit back and say it is not our responsibility to help schools whose roofs are falling in and whose classrooms are bursting at the seams.

The Fiscal Year 2001 Labor, Health and Human Services and Education appropriations is an injustice to our children. It freezes funding for Title I basic grants, safe and drug free schools, teacher quality enhancement and bilingual education. It eliminates the class size reduction program. Tell that to students at PS 19 in my district where the average class size is 26! And what about the students who use the new after school and summer programs in community School District 30? Well, 1.6 million students will not have after school programs since we are not investing in this worthwhile program. They can just go back to the streets where they are susceptible to drugs and gangs.

Most egregiously, this bill eliminates funding for elementary school counselors. At a time where school safety is of paramount concern to American families, H.R. 4577 would deny needed intervention and violence prevention services to as many as 100,000 children.

If there is one thing in this country that deserves an investment, it is our children. I believe it is unconscionable that we even consider a bill that will do nothing to help our children. Moreover, passage of this bill will harm our children as it denies desperately needed renovation assistance to schools across the country—schools that are failing inspections. Would you allow your child to attend a school that had a roof falling in or fire alarms that did not work? Congress is allowing that to happen to the children of America.

Additionally, this bill increases funding for abstinence only education but level funds Title X funding. While an integral part of Title X goes towards family planning, this program also provides important basic health services to young and low income women. Oftentimes, it is the only time low income women see a doctor. To level fund this program harms women and children.

Also included in H.R. 4577 is a restrictive rider that prohibits OSHA from implementing an ergonomics standard.

Each year, 1.8 million workers experience work related musculoskeletal disorders, about one third of them serious enough to require time off from work. An ergonomics standard would prevent 300,000 injuries annually and would save $9 billion each year in workers' compensation and related costs. There has been extensive research conducted and there is no reason for further delay.

I could go one, but overall, I urge you to vote against this bill and in support of our children, our workers and their future.

Mr. WU. Mr. Chairman, I rise today in strong opposition to H.R. 4577, the Labor, Health and

Human Services, and Education bill for Fiscal Year 2001. This is an irresponsible bill that cuts critical funding to our nation's elementary and secondary education programs and severely limits the ability for students to receive a quality education.

The bill cuts $600 million from the Administration's request for Head-Start. This would mean that 56,000 children would be denied Head-Start services. As I have traveled throughout Oregon, I have seen first-hand the positive impact that Head Start has on children in building a positive foundation. My wife Michelle taught Head-Start teacher in Portland. Through her work, I have seen that Head-Start is a life transforming educational experience.

Yet, only 26.7 percent of eligible children ages 0 to 5 can be served in Oregon. Nationally, this figure is as low as 14.4 percent. Significant research has shown the importance of brain development in young children and an increased focus on intervening in a young child's life during the most sensitive of years is vitally important. We must work toward serving 100 percent of these children.

The Education and the Workforce Committee spent a great deal of time considering the Elementary and Secondary Education Act (ESEA). Members of Congress from both parties agreed that we need to do more for our nation's schoolchildren even though we may come from different viewpoints on how to achieve this goal. One step in the right direction is reducing class size. Studies have shown that if you reduce class sizes in the early years the results last a lifetime. In classes with fewer students, children receive individualized attention that leads to a solid foundation in learning. The legislation we are considering today repeals our promise to students by gutting the class size initiative. For two years, this program has funded nearly 29,000 teachers and Oregon schoolchildren, their parents and teachers are seeing the benefit of smaller classes.

As more and more schools are hooking up to the internet with the e-rate as well as learning on-line with donated computers, we need to ensure that computers aren't merely a box on the desk but that teachers are able to fully integrate technology into the curriculum and our classrooms. In Oregon, public and private efforts empower students and teachers. They incorporate information technology into learning and teaching, at home and at school. I am proud of the innovative work done in Oregon as well as in other states. However, we must continue to foster these types of relationships to ensure that students are using technology in all of their classes.

Earlier this year, I introduced the Next Generation Technology Innovation Grants Act of 2000 with bipartisan support. This program combines the Star School program and Technology Innovation Challenge Grants to develop and expand cutting edge technologies that deliver new applications for teaching and learning. Building on the successes of private/public partnerships, grants are made to a consortium of school districts, states, higher education institutions, nonprofit institutions and businesses.

The grant-funded projects would create models for effective use of educational technology including the development of distance learning networks, software, and online learning resources. Unfortunately, the Committee provided zero funding for this program.

On a positive note, I would like to commend the Appropriations Committee for recognizing the need to raise the maximum Pell Grant award to $3,500. Today, the real value of the Pell Grant award has declined by 18 percent since 1975. To restore the value of the grant in current dollars, however, the maximum grant would need to be set at $4,300.

Mr. Chairman, this is a bad bill for our nation's children, schools, and parents. I urge defeat of this bill so that we can go back to the drawing board and come back with a common sense, bipartisan bill that will truly make a positive impact on our students. The bill fails to provide adequate funding for crucial education programs such as the Class-Size Initiative, school construction, and teacher quality programs is rooted in the drive to cut taxes by $1–$2 trillion. More modest tax cuts would permit us to address our most pressing education needs.

Mr. HALL of Ohio. Mr. Chairman, I have drafted an amendment to the Labor-HHS-Education Appropriations (H.R. 4577) we are considering today but, in deference to Mr. OBEY I will not offer it.

My amendment aimed to increase the funding for ''Meals on Wheels'' and other nutrition programs for senior citizens by $19 million. Cuts in the Department of Health and Human Services management budget would offset this vital increase.

Mr. Speaker, I recently visited senior centers and food banks in Ohio, Kentucky and West Virginia. As often as I have seen hungry people in this country and abroad, my trip was both eye-opening and disturbing. I met hundreds of people during the two days I spent looking at the problems hungry Americans face: senior citizens who must choose buying medicine and buying groceries; a couple who knows how to make a can of tomato juice last a week (by adding water); a woman who can make ''chicken noodle soup'' out of an egg, some flour and a lot of water (by omitting the chicken); a Navy veteran who doesn't eat on the weekends because the local soup kitchen isn't open.

I will be publishing my report on the trip in the CONGRESSIONAL RECORD, and I hope our colleagues will take a moment to read their stories. None of these places is far from an interstate, or more than 100 miles from a large community. They may be rural, but they are not isolated. And they are not alone in their difficulties—in fact, they are in the overwhelming majority of communities where hunger remains a real problem for large segments of the people who live there.

I crafted my amendment to help senior citizens who are turning to soup kitchens, food banks, and programs like ''Meal on Wheels'' in disproportionate numbers. I believe the $19 million it would have provided is far better spent there in the HHS bureaucracy.

I chose that agency's management budget because I believe the Secretary of Health and Human Services is badly out of touch with people like the ones I met on June 1–2. A few days before my trip, at the National Nutrition Summit here in Washington, Secretary Shalala declared victory in the battle against hunger. ''Except for a few isolated pockets,'' she told community leaders from around the nation, ''for the most part, we've succeeded at ending hunger in America.''

Mr. Speaker, that is a bizarre statement and a clear sign that this Cabinet official is out of tough with reality. Moreover, in her speech, Secretary Shalala went on to explain that she could declare victory over hunger because of dietary guidelines. Not because of Meals on Wheels, or WIC, or school lunch, or food stamps, or food banks or soup kitchens—but dietary guidelines! That, she said, is her understanding of why hunger is a problem only in ''isolated pockets'' of our nation. It is disturbing logic, particularly for a senior official charged with looking after senior nutrition, Medicaid, and other programs that serve the poor and hungry.

Three decades ago, a nutrition summit became a springboard for initiatives that brought greater attention to the fight against hunger. It was a watershed event that did some good for people. I hope the nutrition summit of 2000 does more for the on-going battle than Secretary Shalala's statement suggests.

The fact that hunger continues to be a problem for our country—even in these boom times—doesn't surprise most of us. We regularly see our elderly constituents at congregate feeding sites, and know that many of them struggle to decide whether to fill their prescriptions or their grocery carts. We know that many of our nation's seniors depend heavily on home-delivered and congregate meals. And we know that our communities' own program have watched their funding shrink by 35 percent since 1993, in large part because of senior's increased needs.

These are not just a few people: One in five Americans over 65 lives in poverty or near poverty according to America's Second Harvest. Nearly two million elderly Americans must choose between buying the food they need, or the medicine they need; and senior citizens are over-represented in the growing lines at food banks and soup kitchens.

Nor is the problem just one our nation's elderly face. The World Health Organization just found that America's poorest rank among Africa's poor when it comes to how long their good health will last. They ranked 23 other nations ahead of ours, largely because of how we treat the poor. Moreover, a new UNICEF report on child poverty in the 29 most developed nations puts the United States second to last, ahead of only Mexico.

Mr. Speaker, tomorrow, I plan to issue a challenge to Secretary Shalala. I will meet her anytime, anywhere and show her where to find hunger. It is in every community, in every month of the year. It is the underbelly of our booming economy: something you might not want to see, something you don't see unless you choose to look, but something that haunts our people.

As Senator LUGAR, who has been a champion in the fight against hunger, said in a letter to Roll Call last week, while ''* * * progress has been made in reducing hunger. * * * we can and should be doing much better.'' The first step is to refuse to quit before the problem is solved. Secretary Shalala has given up too soon, and I urge our colleagues not to follow her lead.

Mr. CARDIN. Mr. Chairman, I rise to express my concern regarding the level of funding including in this bill for the Social Security Administration's (SSA) administrative expenses. This bill reduces the President's request by $156 million. Compared to the Commissioner's request, this is a reduction of $378 million. These reductions will force SSA to reduce staff at the same time that the SSA is

facing its own wave of retirements from its own employees in the next five to ten years as well. The reductions will also result in decreased service to individuals with disabilities and the nation's seniors, and reduced oversight of the integrity of the Agency's programs. I fear that these reductions will put a strain on the agency's ability to carry out its mission.

I believe that the SSA faces these funding shortfalls because it is subject to the allocation required by the spending caps, even though Social Security benefit payments are considered off-budget and not subject to spending cap restrictions. Since we are not able to fund the SSA properly, we should take Social Security's administrative expenses out of the caps. We could fund the Agency based on the size and scope of its programs—subject to the approval of the Committee on Appropriations, but not subject to the Section 302 allocation—rather than what we are able to find without our allocation.

Even though most of the administrative funding for SSA is derived from the Trust Funds—funds that cannot be used for any other program—we are limited in the allocation required by the budget caps. The demands on the Agency are greater than our allocation can fund that will grow as the baby-boom generation is quickly moving into its disability-prone years, with retirement not far behind.

I believe that the SSA should be funded at $7.356 billion, the Commissioner's request, and that we need to work together, with the Administration, to find a solution to this structural anomaly which classifies administrative costs to run Social Security programs as under the discretionary caps. We should let the Agency use Social Security money for Social Security purposes.

Mr. CUNNINGHAM. Mr. Chairman, the Chairman of the Subcommittee, the gentleman from Illinois (Mr. PORTER) has included in the report accompanying this bill language providing $125 million to the Centers for Disease Control for a National Campaign to Change Children's Health Behaviors. The language is found on page 54 of the H. Rept. 106–645.

I want to commend Chairman PORTER for seizing the initiative in this area. It makes sense that if we are to improve health habits in our young people, they will sustain better health and better quality of life for a lifetime. Just to cite one example, it was through the hearings in the Subcommittee on Labor-HHS-Education that we have learned a great deal about the growing epidemic of child obesity, its causes, and its effects which include adult onset diabetes, high cholesterol, premature cardiovascular disease, arthritis and other substantial health problems.

As a former teacher and coach, I have a particular interest in the health of young people, and in the importance of physical education in particular. Before my election to Congress and my service in the Navy, I was a teacher and coach at Hinsdale (Illinois) High School and at the University of Missouri, and was privileged to coach swimmers who went on to win gold and silver medals in the Olympics. I was also privileged to coach young people who learned through physical activity the kind of good health and good fund that last a lifetime.

But just as we are funding that obesity is a major, growing public health problem among young people, we are likewise seeing major declines in the kinds of physical education and physical activity that would reduce obesity and its effects.

Children are becoming more and more inactive. One-half of young people ages 12 to 21 do not participate in physical activity on a regular basis. Less than one in four children get more than 20 minutes of physical activity a day.

Meanwhile, the physical education programs in this country's schools reflect the sedentary nature of our children's lifestyle. Only 27 percent of school children participate in physical education on a daily basis and 40 percent of the nation's high school students are not enrolled in physical education at all.

More children are obese. And fewer are participating in physical education. I believe these two are fairly directly linked.

Does every child need to be the star quarterback, or a varsity track star, to benefit from physical education? Not at all. Physical education, with broad participation among every young person blessed with every range of athletic gifts, builds health habits that last a lifetime.

More directly to the point on public health, physical education programs can help children counteract physical ailments by increasing their levels of physical activity. Physical education can help children develop skills, such as hand-eye coordination and dexterity. Physical education can provide alternatives to crime, drugs, alcohol, and tobacco.

And, Mr. Chairman, physical education is fun.

In an effort to realize some of these benefits, I believe that we must renew a real and positive focus on physical education in our nation's schools. I believe that Chairman's Porter's provision allocating funding to CDC to focus on children's health behaviors represents a good start. In part, I believe that it would benefit from a particular strong additional emphasis on physical education in schools, which helps accomplish many of the objectives we have in this area. And I hope that the Chairman and I can work toward this end as this appropriations bill goes to conference committee with the Senate. I am sure that he shares my belief that the time and effort we invest in physical education today will be small in comparison to the amount of work that will be necessary for health care treatment should our children's current trend towards sedentary lifestyles continue.

I urge my colleagues to support the bill.

Mr. LANTOS. Mr. Chairman, I rise in strong opposition to H.R. 4577, the Labor, HHS, Education, and Related Agencies Appropriations bill for Fiscal Year 2001. This legislation would shortchange funding for critical education programs and would seriously undermine efforts to maximize student achievement, improve teacher quality, and improve our public school systems. The legislation would also undermine important worker rights by shortchanging the principal programs which protect the health and safety of America's workers.

Mr. Chairman, at town meetings in my congressional district, parents tell me they want to ensure that their children have good teachers in small classes so that their children can get the personal attention they need. Parents tell me we need to strengthen accountability in the schools. Parents, teachers and principals tell me they urgently need help in renovating aging school buildings. Parents and counselors tell me that children need more after-school programs and that we need to work much harder to close the digital divide. But the bill before us today fails to meet the challenges of record enrollments, more students with special needs, shortages of teachers and principals and schools needing modernization.

Mr. Chairman, under this legislation students and schools in California next year would be denied critical federal funds for education. Under H.R. 4577, the state of California would receive no support specifically targeted to deal with our lowest performing schools or to improve the condition of outdated and dilapidated school buildings. California would lose more than $396 million—money that was requested by the President to improve teaching and learning in our public schools and to help local schools improve the basic skills of disadvantaged students. Passage of this bill would mean that California would receive less money to hire new teachers and would jeopardize the jobs of over 2,000 new teachers recently hired. Passage of this bill would mean that California would lose more than $80 million to improve teacher quality and recruit teachers for high-poverty school districts. Passage of this bill would mean that California would receive over $56 million less to help students in high-poverty areas raise their academic performance.

Mr. Chairman, the American public ranks education as a top priority for federal investment. It is time to maximize student achievement. This bill fails to address the most urgent problems in our education system and falls over $3 billion short of the President's proposed education funding levels. The bill eliminates important education programs which have had a proven track record in improving the academic performance of our children and our schools. I urge my colleagues in the House to reject this bill and support a bipartisan bill that provides all of our nation's students and schools with the resources and assistance they need to succeed.

Mr. Chairman, H.R. 4577 also contains unacceptable cuts in programs which protect the safety and health of America's workers. It would undermine the right of employees to organize and bargain collectively and would weaken attempts to enforce our nation's minimum wage and child labor laws.

H.R. 4577 also contains a very unwise and dangerous anti-labor rider. The legislation would prevent the Occupational Safety and Health Administration (OSHA) from enforcing its proposed ergonomic standards. Ergonomic hazards are still our nation's number one occupational safety and health problem. Ten years ago, when I served as Chair of the Employment and Housing Subcommittee, then-Secretary of Labor Elizabeth Dole announced the need for ergonomic standards. Since that time more than 6 million workers have suffered disabling ergonomic injuries. In 1997 alone, more than 600,000 workers suffered injuries as a result of ergonomic hazards in the workplace and required time off from work. It is critical that OSHA be allowed to move forward to issue ergonomic protections in the workplace.

Ergonomic injuries are painful often crippling musculoskeletal disorders (MSDs) or injuries and leave many unable to work or live a normal life. MSDs include injuries or disorders of the muscles, tendons, ligaments, joint, cartilage and spinal disks. The main causes of MSDs are overexertion and repetitive motion

and can occur during heavy lifting, forceful exertions, repetitive motions and awkward postures. MSDs occur in all sectors of the economy including the manufacturing, service, retail, agricultural, construction, and industrial sectors. Ergonomic injuries are estimated to cost the US economy more than $20 billion annually, $9 billion in workers compensation. MSDs can be prevented. I urge my colleagues to oppose H.R. 4577 and oppose any efforts that would prevent OSHA from issuing ergonomic standards for the workplace.

Mr. Chairman, this legislation is unwise and detrimental to our children and to American workers. I urge my colleagues to vote no on this bill.

Mr. REYES. Mr. Chairman. I rise to strike the last word. I stand in strong opposition to the passage of the 2001 Labor, HHS, and Education Appropriations bill because it severely cuts programs that are extremely important to the education of our children, affects veterans programs, and because it hurts displaced workers. I urge my colleagues to oppose it.

The first problem with this bill is that it severely shortchanges eduction—by $3.5 billion. This bill would end our commitment to hire 100,000 new teachers and to reduce class sizes. I am also concerned by the fact that this bill would eliminate Head Start for some 53,000 children and cut $1.3 billion for urgent repairs to schools across the country. These are critical issues for my district and for many districts across the country. This bill will also eliminate school counselors serving over 100,000 children. This would deprive schools of the professionals they need to identify and help troubled children.

This bill also does considerable injustice to Bilingual and Immigrant Education. The amount included in the bill for programs addressing these issues in $54 million below the budget request. The professional development of our bilingual education teachers is critically important. The Labor, HHS, and Education bill in its current form provides an amount that is $28.5 million below the budget request for the important programs of Bilingual Education Professional Development. The grants that are provided for the development of our teachers in bilingual education are needed to increase the pool of trained teachers and strengthen the skills of teachers who provide instruction to students who have limited English proficiency. These funds support the training and retraining of bilingual teachers. The disparities to minority education will be increased if this bill is passed.

Secondly, this bill severely shortchanges programs that assist displaced workers. This is a major issue for my constituents in El Paso, as I know that it is for many of you in your home districts. In El Paso and in other areas along the U.S./Mexico border, NAFTA has created many displaced workers, and this bill undermines programs designed to help them. For example, the bill cuts assistance to over 215,000 dislocated workers and it cuts the dislocated worker program by $207 million below the 2000 budget level. These cuts will make it more difficult for these workers to find jobs. This bill also cuts adult job training for almost 40,000 adults. The cuts in adult training programs equal $93 million or 10 percent below the request and 2000 levels.

Finally, this bill provides only $9.6 million for employment assistance to another class of displaced workers: Our homeless veterans. There are over a quarter million homeless veterans in this country, and the provisions in this bill will deny employment assistance to thousands of these Americans who have faithfully served our country. This is unacceptable.

We are attacking programs that are needed to educate our children, help our veterans, and to assist displaced workers. Again, I stand in strong opposition to passage, and I urge my colleagues to oppose this bill.

Mr. WELDON of Florida. Mr. Chairman, for the past year, I have been investigating the scientific research regarding a possible link between the Measles, Mumps and Rubella (MMR) vaccine and a type of autism, known as autistic enterocolitis.

I have met with the directors of the Centers for Disease Control and National Institutes of Health officials to discuss this matter. I have also met with researchers that have identified measles virus in the intestines of children with autistic enterocolitis. I have become very concerned about a lack of interest on the part of the CDC and NIH to fully examine this issue.

I am a strong proponent of vaccines. Vaccines save thousands of lives in America each year and have spared our nation from the scourge of disease that plagued our nation in the early part of the 20th Century and that still plagues many parts of the globe. Recent reports (MMWR Weekly, April 4, 2000) of measles outbreaks in unvaccinated populations in developed countries like the Netherlands, indicate how important it is to ensure confidence in our vaccination program so that children are vaccinated against diseases.

This confidence is maintained by seriously considering all scientific research related to vaccines, even if such research indicates that we may need to make adjustments in the vaccine schedule. While some may argue that a quick dismissal of such studies is needed to ensure confidence in the national vaccination program, such action may actually lead to the opposite effect and undermine confidence in the program. I believe that the federal agencies responsible for our nation's vaccination program must remain ever vigilant in fully examining any research related to questions about vaccines to ensure that confidence is maintained. This means giving serious consideration and independent review to any credible study related to vaccinations.

Recent peer reviewed studies reveal that there may be emerging an atypical phenotype of autism (autistic enterocolitis), in which normal development is followed by developmental regression with a simultaneous manifestation of chronic gastrointestinal symptoms. One hypothesis is that this may be related to a trivalent vaccine for Measles, Mumps and Rubella (MMR). It is important that the appropriate federal agencies give these studies a full and independent review to determine their validity. Specifically, symptoms described in the study include ileal lymphoid modular hyperplasia with chronic enterocolitis, immune and metabolic derangement combined with a regressive developmental disorder. Most important is the localization, quantitation and sequencing of measles virus genome in affected tissues in the gastrointestinal tract. The hypothesis, suggests the possibility of a gut-mediated autism associated with the trivalent vaccine, whereby damage to the gut may lead to damage to the central nervous system at a sensitive time and thus the onset of the development disorder. It is the combination of these vaccines in a single dose that may cause an adverse effect, according to the researchers. They do not indicate a similar concern when the measles, mumps and rubella vaccines are given in a monovalent form at different times.

I appreciate the chairman's and the committee's willingness to include language in the bill recognizing the research on the MMR/Autism issue by Dr. Andrew Wakefield of London, England and Professor John O'Leary of Dublin, Ireland. I further appreciate their inclusion of language in the report directing the National Institutes of Health (NIH) to:

> . . . give serious attention to these reports and pursue appropriate research that will permit scientific analysis and evaluation of the concerns that have been raised through all available mechanisms, as appropriate, including an attempt to replicate the molecular evidence of persistent measles virus infection in children with autistic enterocolitis. This research should be pursued in a way that does not cause undue harm to the Nation's efforts to protect children against vaccine-preventable diseases.

This language will ensure that the NIH works to replicate the work of Dr. Wakefield and Prof. O'Leary and others who have raised concerns about the trivalent vaccine and incidence of a regressive form of autism.

Just last year the CDC took action to remove the Rotavirus vaccine when evidence was presented indicating adverse reactions in several children. It is this type of decisive action and willingness to fully review our vaccine schedule when questions are raised that builds confidence in our vaccine program. The CDC and NIH should pursue the evidence presented in the MMR/Autism arena with equal vigor.

It is the best interest of our national vaccine program and the safety of our children that the NIH and CDC attempt to replicate this work in a timely manner. If such independent studies were to fail to demonstrate Dr. Wakefield's and Prof. O'Leary's findings, this would serve well to bolster public confidence in the safety of the MMR.

Certainly, if the research were to verify Dr. Wakefield's and Prof. O'Leary's findings, this would be an important scientific finding that policy makers would need to know and should know at the soonest time possible. There are acceptable alternatives to the MMR, including separating the vaccine and giving it at different times.

In order to secure public confidence in our national vaccine program. I believe it is critical that public health officials fully examine any research that calls into question the safety of vaccines. It is also important that this research be done independent of the government vaccine officials or vaccine manufacturers.

Mr. BENTSEN. Mr. Chairman, I rise today in strong opposition to H.R. 4577, the Fiscal Year 2001 Labor, Health and Human Services, and Education (Labor-HHS-Education) Appropriations Act, which includes insufficient funding for critical education and health programs. I am very concerned that this bill will not meet the needs of our nation and is $7 billion less than the President's request for next year. I am also disappointed that this bill includes budget gimmicks such as advance funding and other mechanisms in order to fund programs. This is another example of the Republican leadership trying to have it both ways with its budget—say you are for unrealistic cuts in domestic priorities and then find

ways to avoid such cuts. Advance funding means that programs do not get the funding they need on a timely basis and results in fewer funds being available in the out years. If we have needs to be met, I think we should be honest with the American people and let them know exactly how much funding is really needed to meet these needs. This bill fails this test.

I am particularly concerned about the proposed funding for the National Institutes of Health. This bill would provide $18.8 billion, an increase of $1 billion above the Fiscal year 2000 budget, well below Congress' goal of doubling the NIH's budget over five years. Over the past three years, a bipartisan effort has helped to provide 15 percent increases each year for the NIH. We know that the American public strongly supports this investment and we know that this increased funding can be well spent. For instance, only one in three of peer-reviewed grants is currently funded by the NIH. If we do not maintain this 15 percent increase, we will be losing the momentum that we have gained over the past three years. Failing to maintain a sufficient funding stream for NIH is counterproductive. With the President's announcement yesterday of the Executive Order directing the Health Care Financing Administration (HCFA) to begin covering the routine patient costs associated with clinical trials, the Administration and those of us in Congress who have been pushing for this coverage by Medicare had hoped to eliminate the bottleneck in biomedical research from the laboratory to treatment. Unfortunately, the Republicans are not sufficiently committed to providing the necessary resources to biomedical research and finding cures to diseases such as AIDS, cancer, heart disease, and Alzheimer's which plague the nation. As one of the Co-Chairs of the Congressional Biomedical Caucus, I am committed to increasing this inadequate funding level.

Another concern is the funding for the Older Americans' Act. This bill provides $926 million for senior citizen programs such as a popular Meals-on-Wheels program to provide nutritional meals to senior citizens. This funding level is $158 million less that President Clinton's request and will not ensure that senior centers around the nation get the support they need. Throughout my district, thousands of senior citizens on fixed incomes rely greatly on these nutrition programs.

This bill also fails to properly fund child care grants to the states. The child care and development block grant program helps low-income families to pay for child care services while they work. This bill provides $400 million for the child care program which is $417 million less than the President's request of $817 million. If we want people to move from welfare to work, and we do, we must ensure that they receive sufficient assistance in order to take care of their children in quality, safe child care centers. All of us as parents know the cost of child care is rising. And when we passed the Welfare Reform Act of 1996, my support was not only for limitations on benefits and requirements to work but also ensuring that sufficient child care funds were provided to the states. This bill goes back on that commitment.

This bill signals a retreat on education, which I cannot support, H.R. 4577 provides overall education funding at $2.9 billion below both the Administration's budget and $3 billion below the bipartisan Senate bill. These cuts in education funding would seriously undermine efforts to maximize student achievement, improve teacher quality and ensure accountability in public education for all of our nations' students. The unsatisfactory overall funding level for education neglects the needs of America's schoolchildren and it ignores the public prioritization of education as the preeminent issue of the new century.

For elementary and secondary education programs, the bill provides only a nominal increase—$2.6 billion below the Administration's budget and more than $2.5 billion below the Senate approved appropriation. Factoring in inflation and rising student enrollment, this funding level essential represents a funding freeze at the same time the nation's public schools are experiencing record enrollment growth. While H.R. 4577 increases special education funding by $500 million—which I strongly support—it does so by reducing virtually all other elementary and secondary education programs below current levels.

H.R. 4577 not only eliminates targeted funding to help low-performing students maximize student achievement, it would freeze Title I program funds and effectively deny additional math and reading services to several hundred thousand disadvantaged students. Last fall, the House passed H.R. 2, the Student Results Act, a bipartisan measure that set the Title I funding level for FY2001 at $9.85 billion. H.R. 4577 would cut $2 billion from the amount authorized in H.R. 2. Although the Congressional Research Service has determined that Title I funding would need to be tripled to $24 billion in order to serve fully all of the nations eligible low-income children, H.R. 4577 falls well short of meeting the needs of this important educational tool. At a time when parents and politicians are calling for better results and more accountability, H.R. 4577 would fail to target adequate resources to those students with the greatest need and would leave too many children who urgently need targeted educational assistance out in the cold.

In addition to the freeze in Title I funds, H.R. 4577 is $1.5 billion below the level Congress recently approved on an overwhelmingly bipartisan basis in H.R. 4055, the IDEA Full Funding Act. On average, it costs more than $14,000 to educate a special education student. Local school districts simply could not afford those expenditures on their own. The Budget Committee's assumption of a $2 billion increase would have significantly advanced the congressional effort to provide 40 percent of the funding for IDEA.

H.R. 4577 also fails to fund the critical need for school modernization and renovation. Under this bill, $1.3 billion in emergency grants and loans proposed by the Administration for essential school construction and modernization would be denied. These funds would leverage $6.7 billion over 5,000 repair projects in the highest-need areas of our nation. This bill denies the desperately needed funds to fix leaky roofs, upgrade plumbing, improve accessibility for disabled students and bring local school buildings into compliance with local safety codes.

This legislation would also jeopardize the class-size reduction program Congress approved just last November. H.R. 4577 would block-grant the $1.75 billion requested for smaller classes, which has already helped school district to hire 29,000 highly qualified new teachers including 2,500 in Texas. Eliminating funds for class-size reduction would jeopardize gains recently attained and would prevent the hiring of an additional 20,000 qualified teachers to serve 2.9 million children.

H.R. 4577 also provides $1 billion less than the Administration's request for teacher quality programs. The House has already approved two ESEA reauthorization bills requiring all teachers to be fully certified and highly qualified. Schools will need additional funds to recruit and train the 2.2 million new teachers needed in the next decade, and to strengthen the skills of current teachers. The bill also reduces the Administration's request for teacher technology training by $65 million, which will deny 100,000 teachers the opportunity to develop the necessary skills to use technology effectively in the classroom.

Federal education funding is critical for the improvement of our nation's schools. The FY2001 Labor-HHS-Education Appropriation bill fails to appropriate the necessary funding for education programs and quality resources, while it intrudes upon the realm of local decision makers. We must protect America's successful public school system by rejecting this inadequate bill.

The Committee erred in its approval of the Northup amendment banning the use of funds for implementation of Occupational Safety and Health Administration (OSHA) proposed rules for ergonomics. I believe OSHA has properly identified the need to address Repetitive Strain Injuries (RSIs) which research has found annually forces more than 600,000 workers to lose time from their jobs. These disorders constitute the largest job-related injury and illness problem in the United States today. Employers pay more than $15–$20 billion in workers' compensation costs for these disorders every year, and other expenses associated with RSIs may increase this total to $45–$54 billion a year.

There appears to be broad consensus that a well-designed work space can reduce employee injuries, heightens productivity and save money. Employers benefit from creating office environments and workplaces that are healthful to workers. Clearly, OSHA has a significant role to play to prevent such injuries. But I also believe the OSHA proposed rule has some flaws which should be addressed, first through the rule-making process and only if it is determined that OSHA fails to fully address legitimate concerns should it subsequently be addressed through the legislative process. It is heavy-handed to simply ban any action and pretend ergonomics does not exist.

Additionally, H.R. 4577, fails to provide adequate funding for the Title X family planning program. Title X, as a federal domestic family planning program, grants state health departments and regional umbrella agencies funding for voluntary, confidential reproductive health services. This perennially underfunded program has provided basic health care to more than 4.5 million young and low-income women in over 4,600 clinics throughout the nation. Regrettably, Title X is often the only source for basic health care for many uninsured low-income women who fail to qualify for Medicaid. Eighty three percent of women receiving federal family planning services rely solely on clinics funded by Title X for their family planning services. In light of these dramatic statistics, H.R. 4577 fails once again for its meager $239 million funding stream.

Mr. Chairman, this is a flawed bill which fails in almost every count, but particularly in health research and education. Rather than invest in our nation's potential, this bill tracks a flawed budget resolution which sacrifices our domestic priorities for the benefit of tax cuts, fails to adequately retire national debt and engages in fiscal chicanery. As such, I cannot support the bill as presented.

Mrs. ROUKEMA. Mr. Chairman, I rise today to reluctantly oppose the amendment offered by Representative SCHAFFER. This amendment has a good objective but takes its funding from a valuable program that provides real learning opportunities to so many children and their parents.

Mr. Chairman, I have long called for the federal government to fully fund its commitment to IDEA. During the past four fiscal years, the Republican majority in Congress has increased funding for IDEA by 115 percent, or $2.6 billion, for the federal share in Part B of IDEA. Even with the increase, however, the funding equals only 12.6 percent of the average per pupil expenditure to assist children with disabilities. We must do better.

Indeed, we passed a bill this year H.R. 4055 that calls for the federal government to meet its obligation to special education within ten years. The bill would authorize increases of $2 billion a year over the next 10 years to meet the federal commitment of 40 percent by 2010.

The money to fully fund IDEA must come from somewhere. What this means is that some difficult decisions have to be made.

In this case though, reducing the funding for the Even Start Program is the wrong decision. The Even Start Program provides opportunities for parents lacking a high school diploma or GED and their children to receive instruction in basic skills, support for their children's education, and early childhood education for those participating in the program.

There is a great deal of unmet need in the family literacy field. The appropriation in the bill will help ensure we can help more families break the cycle of illiteracy and poverty and become self-sufficient. While we need additional funding for IDEA, we also need to increase spending for quality literacy programs. In fact, by taking money from literacy programs such as Even Start actually defeats the purpose of the programs. We should be trying to reduce the need for special education by investing in early childhood literacy programs.

The best argument against this amendment is that we know that family literacy works. Parents are the key to their child's academic success. The more parents read to their children and actively participate in their education, the greater the probability that their children will succeed in school. We should not be cutting funding for this important program.

I firmly believe that the amount of federal funding that goes to IDEA must be increased. Having said that, however, we need to be responsible about where we get the money to increase funding for IDEA. Even Start is not the place to take money away.

I urge my colleagues to oppose the Schaffer amendment.

Mr. UNDERWOOD. Mr. Chairman, in a time of unprecedented economic growth and surplus, the majority supported bill shortchanges every American citizen in our country. Republicans have systematically cut funding for a number of important initiatives in the President's budget. And, despite the fact that Americans ranked education—over health care, tax cuts or paying down the national debt—as their highest priority for additional federal funding, this bill falls short of providing $3.5 billion of the President's request for education programs alone.

This bill fails to provide funding for the President's School Repairs initiative of $1.3 billion in loan subsidies and grants to repair up to 5,000 aging and neglected public schools. Natural disasters and inadequate funding to provide maintenance have contributed to the decay of Guam's aging public schools. As a result, thousands of Guam's students are crowded into makeshift classrooms or in temporary buildings. The most dramatic example of this is the temporary closure of an entire elementary school in my District of Guam. Last year, C.L. Taitano Elementary School was shut down for repair because it could no longer meet the local safety codes required to keep its doors open. In the interim repair period, nearly all the students were shifted to temporary buildings—trailers. This interim is expected to last more than a year. Having classrooms housed in trailers is simply unacceptable. Having an entire elementary school in trailers is an abomination. All American students deserve a decent education; Guam is no exception. Guam's schools are in dire need of repairs now.

This bill fails to support our school children and teachers by providing funding needed for the President's Class-Size Reduction initiative to hire 100,000 new teachers by FY 2005. This in effect repeals the bipartisan agreement on class size reduction and jeopardizes the Federal commitment to hire as many as 20,000 new teachers next year.

This bill cuts funding for ESEA Title I grants for local education agencies by more than $400 million from the President's request of $8.4 billion. Title I helps over 11 million disadvantaged school children gain skills in core academic subjects and helps them achieve to high academic standards. This would eliminate services to more than 650,000 low income students. In FY 2000, Guam's schools received $5.3 million in Title I grants. The FY 2001 request for Guam is $5.6 million.

This bill cuts $51 million from the President's request of $650 million for the Safe and Drug Free Schools Program. Fully funding the President's request would enable the expansion of the Safe School/Healthy Students school violence prevention initiative to an additional 40 school districts.

This bill freezes the FY 2001 appropriations for Bilingual Education to FY 2000 levels. At $248 million, this is a decrease of $48 million from the President's request of $296 million.

Approximately 3.4 million students enrolled in schools through the nation have difficulty speaking English. From 1990 to 1997, we saw a 57% increase in limited English proficient (LEP) students. With continued growth in the school enrollments of LEP students, we will have to turn away more than 100 qualified school districts and deny desperately needed services to approximately 143,000 LEP students.

This bill also shortchanges labor and health programs which will put American workers and seniors at risk. Although the national unemployment rate is at its lowest level in 30 years, not all corners of the United States are experiencing the benefits of a robust economy. In Guam, unemployment is at 14%, nearly 3.5 times the national average of 3.9% The unemployment forecast for 2000 is expected to be even higher. We need to safeguard programs that provide training and relief for all American workers.

This bill not only ignores the $275 million requested increase for the second year of the five-year plan to provide universal re-employment services to all America, it cuts $593 million or 30% below the President's request and 19% cut below the FY 2000 level.

Seventy-six million baby boomers will begin reaching retirement age eight years from now. The population of those over age 85, who often need the greatest care, is expected to increase by 33% in the next 10 years. The urgency to prepare for the needs of our aging population is critical.

This bill eliminates $36 million in the HCFA budget for the Nursing Home Initiative. This would safeguard the delivery of quality health care in nursing homes across the nation through state surveying and certification reviews.

This bill eliminates the President's $125 million request for the Community Access Program to address the growing number of those workers without health insurance. Approximately 44.5 million Americans were uninsured in 1998–24.6 million of those uninsured were workers.

We cannot ignore the needs of our diverse community! The education, health, and social well-being of our nation is at stake. This bill neglects to recognize the most fundamental needs of our communities. For all these reasons, I strongly oppose the passage of this bill.

Mr. PORTER. 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. SHIMKUS) having assumed the chair, Mr. PEASE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

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REPORT ON WEKIVA RIVER AND TRIBUTARIES IN THE STATE OF FLORIDA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I take pleasure in transmitting the enclosed report for the Wekiva River and several tributaries in Florida. The report and my recommendations are in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90–542, as amended. The Wekiva study was authorized by Public Law 104–311.

The National Park Service conducted the study with assistance from the Wekiva River Basin Working Group, a committee established by the Florida Department of Environmental Protection to represent a broad spectrum of environmental and developmental interests. The study found that 45.5 miles of river are eligible for the National Wild and Scenic Rivers System (the ''System'') based on free-flowing character, good water quality, and ''outstanding remarkable'' scenic, recreational, fish and wildlife, and historic/cultural values.

Almost all the land adjacent to the eligible rivers is in public ownership and managed by State and county governments for conservation purposes. The exception to this pattern is the 3.9-mile-long Seminole Creek that is in private ownership. The public land managers strongly support designation while the private landowner opposes designation of his land. Therefore, I recommend that the 41.6 miles of river abutted by public lands and as described in the enclosed report be designated a component of the System. Seminole Creek could be added if the adjacent landowner should change his mind or if this land is ever purchased by an individual or conservation agency who does not object. The tributary is not centrally located in the area proposed for designation.

I further recommend that legislation designating the Wekiva and eligible tributaries specify that on-the-ground management responsibilities remain with the existing land manager and not the Secretary of the Department of the Interior. This is in accordance with expressed State wishes and is logical. Responsibilities of the Secretary should be limited to working with State and local partners in developing a comprehensive river management plan, providing technical assistance, and reviewing effects of water resource development proposals in accordance with section 7 of the Wild and Scenic Rivers Act.

We look forward to working with the Congress to designate this worthy addition to the National Wild and Scenic River System.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 13, 2000.*

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PROVIDING FOR CONSIDERATION OF H.R. 4578, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 524 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 524

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. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, 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: beginning with ''*Provided further*'' on page 18, line 6, through line 19. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for 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 proposed 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.

□ 2130

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 524 would grant an open rule waiving all points of order against consideration of H.R. 4578, the Department of the Interior and Related Agencies Appropriations Act of 2001.

The rule provides one hour of general debate, to be equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule provides that the bill will be considered for amendment by paragraph, and waives clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in an appropriations bill) against provisions in the bill, except as otherwise specified in the rule.

The rule also waives clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation) against amendments offered during consideration of the bill.

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

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, the purpose of H.R. 4578 is to provide regular annual appropriations for the Department of the Interior, except the Bureau of Reclamation, and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundations of Arts and Humanities.

H.R. 4578 appropriates $14.6 billion in new fiscal year 2001 budget authority, which is $303 million less than last year and $1.7 billion less than the President's request. Approximately half of the bill's funding, $7.3 billion, finances Department of the Interior programs to manage and study the Nation's animal, plant, and mineral resources, and to support Indian programs.

The balance of the bill's funds support other non-Interior agencies that perform related functions. These include the Forest Service in the U.S. Department of Agriculture; conservation and fossil energy programs run by the Department of Energy; the Indian Health Service, as well as the Smithsonian and similar cultural organizations.

In addition, Mr. Speaker, as a Westerner, I applaud several limitations on funding contained in this bill. One, for example, would prohibit the use of funds for lands managed under any national monument designation executed since 1999. These lands are already in Federal ownership, and may still be managed under their previous land management status.

For example, just last week the Clinton administration designated 200,000 acres along the Columbia River in my district known as the Hanford Reach, designated that as a national monument. This action pulled the plug on an extended series of negotiations among local, State, and Federal officials seeking to develop a shared partnership to manage the Hanford Reach for future generations.

Instead, unfortunately, the administration chose to unlaterally assign management responsibility to these lands with the Department of the Interior. Unfortunately, that left State and local citizens and officials with no real role except to comment periodically on plans and decisions of Federal regulators.

H.R. 4578 would prohibit the expenditure of funds to issue a record of decision or any policy implementing the Interior-Columbia Basin Ecosystem Management Project, or ICBMP, as we call it in the Northwest, unless a regulatory flexibility analysis is completed.

This project amazingly enough started in 1993 without congressional authorization, and affects a huge area of the West, including 63 million acres of Forest Service and BLM lands in six States, including much of my district in the State of Washington.

The administration appears to be rushing to complete this project before the end of President Clinton's tenure, and the committee is concerned that such haste will expose the project to high-risk litigation for failure to comply with the requirements of the Small Business Regulatory Enforcement Fairness Act. I applaud the committee's decision in that regard.

I also want to thank the gentleman from Ohio (Mr. REGULA) and the Members of this committee for their willingness to address both the Hanford Reach National Monument and the ICBMP project, two issues that are of great concern in central Washington.

More generally, Mr. Speaker, I also want to commend the gentleman from Ohio (Mr. REGULA) for his tireless efforts to balance protection and sound management of our Nation's natural resources with the steadily increasing demands placed on those resources by commerce, tourism and recreation.

Significantly, the gentleman from Ohio (Chairman REGULA) and his colleagues have done so while staying within their allocation from the Committee on the Budget.

That said, Mr. Speaker, this bill, like most legislation, is not perfect. Individual Members will no doubt take issue with one or more provisions of this bill. Those wishing to offer amendments should be pleased that the Committee on Rules has granted the Committee on Appropriations's request for an open rule.

Accordingly, I encourage my colleagues to support not only the rule but the underlying bill, H.R. 4578.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, this is an open rule that will allow the Members of the House to work their will. But the underlying bill fails to honor Congress' obligation as steward of America's lands and history for future generations.

The measure contains several anti-environmental riders that continue the attack on our natural resources.

The first major rider would stop the management and protection of lands designated as national monuments by the President, the right of every president since Theodore Roosevelt.

The second blocks the management and protection of lands along the Columbia River, which contains a threatened species of salmon.

The third rider would prohibit the establishment of the North Delta National Wildlife Refuge near Sacramento, California.

Still other riders in the bill would limit funding for protection of endangered species, allow grazing on public lands without an environmental review, and delay national forest planning.

In addition to the numerous policy riders, H.R. 4578 contains deep cuts that will harm our national parks, our forests, and the protection and enforcement of environmental laws.

The funding in H.R. 4578 is $300 million below last year's level and $1.7 billion below the President's request. Such deep cuts will have a devastating impact on Indian health, on national park maintenance, which has consistently been underfunded, and on energy research and conservation.

Even though the House overwhelmingly passed the land and water conservation bill in May by a vote of 315 to 102, this bill is $736 million below the amount authorized in that bill. At a time of record surpluses, this bill cuts funding for key national priorities in order to fulfill the majority's commitment to fund huge tax breaks for the wealthy.

The bill's funding level is simply not realistic. Moreover, the majority had a failed yet again to restore some of the unwise cuts made 5 years ago in funding for those agencies responsible for the country's small but critically important arts and humanities education and preservation efforts.

The bill funds the National Endowment for the Arts at $98 million, a level 48 percent below the 1995 funding level; the National Endowment for the Humanities at $115 million, 33 percent below the level in 1995. These funding levels fundamentally ignore the successfully efforts by both NEA and NEH to broaden the reach of their programs and to eliminate controversial programs, the two reforms that were requested by the majority when they reduced the funding in 1995.

It is time to recognize the success of these reforms and give these agencies the resources they need to meet their critical needs. Unfortunately, the amendment offered by a Democrat committee to raise funding for both agencies was defeated.

Because of the inadequate funding levels, the President's senior advisors are recommending that he veto this bill, making this exercise on the floor a redundant act in our continuing theater of the absurd when it comes to spending bills.

Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. DICKS).

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

Mr. DICKS. Mr. Speaker, I appreciate the leadership of the gentlewoman from New York. I rise in support of the rule.

Mr. Speaker, I rise to support the open rule for the Interior Appropriations bill for Fiscal Year 2001 which protects what the Committee reported.

I want to commend our Chairman, Mr. REGULA, on the difficult task he was faced with writing this year's spending bill. Unfortunately, the subcommittee was given an unrealistic allocation and as a consequence, this bill simply falls short in too many areas and I will be forced to oppose it on the floor.

I know that it would have been extremely difficult to provide all of the increases requested by the Administration, but I am frustrated that the allocation this bill received was so inadequate. With these levels, we will not even be able to provide fixed costs for all of the agencies within our jurisdiction. We are severely under-funding critical programs within our jurisdiction.

When this bill was considered by the full Appropriations Committee, the Administration sent a letter to the Chairman expressing deep concern over not only the spending levels provided in the bill but also several ''riders'' which were added at the last minute. The letter threatened a veto if substantial changes were not made to the bill.

Each of these legislative provisions jeopardizes passage of this bill on the floor, and guarantees another confrontation with the White House this fall. These riders deal with complex policy concerns and should be addressed by the authorizing committees of jurisdiction, not attached to an annual spending bill.

I do however appreciate that the Rule provided for this bill will enable Members wishing to offer amendments to these provisions the ability to do so.

I am forced to oppose this bill because I do not believe we have adequately funded dozens of important priorities within our jurisdiction, and I oppose the inclusion of these controversial riders. I do however appreciate the bipartisan cooperation and responsible manner with which our Subcommittee works. This bill however did not receive an adequate allocation to start with now faces an even greater hurdle with the inclusion of these riders.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentlewoman from New York for yielding me the time.

Mr. Speaker, I support the rule. It is balanced, fair, and adequate for the job. I only wish I could say the same for the bill.

I do not blame the chairman of the subcommittee, the gentleman from Ohio. I do not think he is the villain in this situation. In fact, in my opinion he has been given an impossible task,

because his own leadership has made it basically impossible for his bill to adequately provide for the important environmental and other programs that it covers.

As a result, the overall bill falls short of what is needed, even though it does include some good provisions. If I might, I would like to just touch on a few of those provisions.

The bill does provide some funds for the acquisition of a tract in the Beaverbrook area of Clear Creek County, part of the district I represent, owned by the city of Golden, Colorado. I requested inclusion of funds to enable these lands to be acquired for Forest Service management. I want to express my appreciation to the chairman for inclusion of $2 million for that purpose.

The amount provided, like the bill's total for such acquisitions, is simply inadequate to meet this and other urgent conservation needs.

In a similar fashion, the bill sets up a pilot project under which the Forest Service can arrange for Colorado State foresters to assist with fire prevention and improvement of watersheds and habitat on national forest lands that adjoin appropriate State or private lands.

I have had an opportunity to discuss this with Jim Hubbard, our State Forester, and I believe this can be very valuable, especially in the Front Range areas of Colorado where residential development is spreading into forested areas. Again, I appreciate the inclusion of that provision, especially since it states that all the environmental laws will continue to apply.

Again, the bill does not provide enough important support for many other Federal land management agencies, including not just the Forest Service but the Bureau of Land Management, the Fish and Wildlife Service, and the National Park Service.

It also fails to adequately address matters of concern to Native Americans. In fact, I think it takes a step backwards. The total funding for the Indian Health Services and the Bureau of Indian Affairs is cut by $520 million. I think in effect the bill sends the message that we are no longer willing to meet our trust responsibilities to our American Indian tribes.

There can be no denying the need. Information I have seen indicates that in 1997, the Indian Health Service could provide only $1,397 dollars per capita for its patients compared to about $3,900 in per capita health spending by all Americans.

□ 2154

Even though Indians have a 249 percent greater chance of dying from diabetes and a 204 percent greater chance of dying from accidents than our general population. Since then, health care funding for our Indian citizens has failed to keep up with the growing Indian population and has also failed to rise along with inflation.

The bill is also loaded with undesirable riders. Let me mention three of them. One deals with the management of new national monuments. The idea there may be to reign in the President, but I think it would choke needed management and the real victims would be the American people and our public lands.

Another rider that should be thrown off is the one on global warming. By restricting funds that would be used to prepare to implement the Kyoto Treaty, this rider effectively would stop work on the most important tools for holding down costs as we combat global warming.

This provision is extreme and should not be a part of this bill.

Finally, the bill does not do enough to promote energy efficiency. We need to do more to invest in Energy Department research and development programs that reduce our dependence on imported oil while furthering our national goals of broad-based economic growth, environmental protection, national security and economic competitiveness.

The rule properly permits amendments to address some of these shortcomings and I will be urging adoption of desirable amendments, but in my opinion unless the bill is dramatically improved it should be not passed.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, the bill as it is presently in front of us has language that notwithstanding any other provision of law, hereafter the Secretary of the Interior must concur in developing, implementing, and revising regulations to allocate water made available from Central and Southern Florida Project features.

My understanding is that a point of order will be raised and that language will be struck from the bill. It is not protected by the rule.

I think that that language is critical really in terms of Everglades restoration. I applaud the committee, the subcommittee, for an incredible effort, the largest ecosystem restoration in the history of the world that this committee has been part of. I think it is a legacy each of us are leaving, not just to our children and grandchildren but future generations as well.

Unfortunately, though, when this language will be struck from the bill, the concern that some of us have that the priority until we pass the Everglades Restudy, the priority of this funding is not necessarily the priority which I think most of us want, which is that resource protection be the highest priority but that flood management protection which is critical, and water supply which is critical will be potentially a higher priority.

Therefore, I look forward to working with the substantive committee and the Committee on Appropriations to include similar language which is necessary to the intent, I think which the majority of members want.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me this time.

Mr. Speaker, I would point out to the gentleman from Colorado (Mr. UDALL), who mentioned Indian health services and so on, that we do have increases; not as much as we would like nor as much as the gentleman from Colorado (Mr. UDALL) would like, but we have increased Indian health service over last year. We have increased the BIA operation of Indian programs and we have increased BIA education.

Now we are going to hear during the debate a lot about cuts, and I just want to say to all of my colleagues those cuts that they talk about will be cuts from the President's proposals. It was easy for the President to propose 1.7 million additional dollars without having to identify a source for those dollars.

We have tried to work within the confines of the allocation that was provided to our committee, recognizing that it is $300 million under last year. But in the process, we have addressed the needs of the land agencies in every way.

I thank the gentleman from Florida (Mr. DEUTSCH) for his comments on the Everglades issue, and I regret, too, that there will be a point of order on the language that would give the Department of Interior a voice in the way the water is distributed, because the whole mission of the Everglades restoration is to have adequate water supply so that the ecosystem will flourish.

Hopefully, in the process of a conference and final wrap-up on this bill we can get some language that will accomplish this goal in perhaps a somewhat different way, because I think all the parties on the Everglades restoration need to be at the table. The State of Florida, the Southeast Florida Water District, the mako sica Indians, but also the Federal Government, because we are putting a billion dollars of Federal money from 50 States into this restoration.

The great interest on the part of most of the people across this Nation would be restoring the asset and preserving the asset known as the Everglades.

So we will try to address that. I do not want to take time to get into the other merits. We will have time during the debate to discuss those. I simply want to say that I think the Committee on Rules did a great job here. They gave us a balanced rule. It is fair, as is the bill. Everybody will have their opportunity to be heard through the amendment process. Hopefully, out of all of this will come a constructive addressing of the problems that confront our national lands, almost 700 million acres.

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

Mr. HASTINGS of Washington. 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 resolution was agreed to.

A motion to reconsider was laid on the table.

□

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include tabular and extraneous material, on the bill, H.R. 4578.

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

There was no objection.

□

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 524 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. 4578.

□ 2153

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. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. LATOURETTE 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 Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

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

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

Mr. REGULA. Mr. Chairman, tonight I bring before the House the fiscal year 2001 interior appropriations bill. Before I begin, however, I would like to take the opportunity to reflect upon the previous, including this year, 6 years. Under the rules of the House, this year is my last year as chairman of the House Subcommittee on Interior of the Committee on Appropriations. I have served on this subcommittee for the past 26 years, first as a junior member, later as its ranking member and most recently as chairman.

This committee has been a labor of satisfaction for me. I believe it is a vitally important committee in the Congress; and even though I will not serve as its chairman next year, I intend to remain very involved in it and hope to continue the many positive initiatives begun over these years.

Upon reflection, three themes come to mind. First, I have tried to improve management within the agencies funded in the bill. Too often, government managers do not focus on the difficult issues of responsible and accountable actions and decisions. Over my tenure as chairman, I have held 25 oversight hearings with the underlying focus on improving management. I believe these efforts are producing results. We have brought management reform to the national parks services construction program ensuring that the American taxpayer will no longer be asked to foot the bill for a $784,000 outhouse in a national park. We have eliminated duplication in our Federal agencies with the abolishment of the Bureau of Mines which had jurisdiction over programs already being conducted by OSHA, the Department of Labor and the Department of Energy.

Next, over my years of service, I have grown increasingly concerned about our lack of attention to maintaining our federally owned lands and the facilities on them. Through an oversight hearing conducted by our subcommittee, I learned that I was correct in my concern. The four land management agencies, the National Park Service, Fish and Wildlife Service, the Forest Service and the Bureau of Land Management, provided estimates that the maintenance backlog totals nearly $13 billion. To address this unacceptable situation, our committee initiated a recreation fee demonstration program in fiscal year 1995.

Under the program, the land management agencies are permitted to collect a nominal fee at up to 100 sites. The fee stays at the site where it is collected and is used at that site for maintenance or other projects to enhance the visitors' experience. The fees are expected to generate $500 million over the period of this demonstration.

The fee program is working well as facilities and trails are now being maintained better today than we would have been able to do so through appropriations alone. Further, we have evidence that vandalism is down in sites where people are paying fees as they feel they have a stake in the park or forest they are visiting.

Let me emphasize, however, that recreation fees are not carrying the sole responsibility for maintenance of our public lands. Under my chairmanship, our committee has set maintenance funding as a priority and over these past 6 years we have provided several hundred million dollars in maintenance funding and, most importantly, we have required the land management agencies to assess their maintenance requirements, establish common criteria for what deferred maintenance is and develop 5-year master plans to address the situation. Our attention to the maintenance issue is making a difference.

Finally, each year I have brought the bill before this body for consideration, we have been faced with the difficult challenge of meeting the countless needs of the 35 agencies within the constraints of a tight budget environment. We have tried to balance these needs with the simple test: Must do items, need to do items, and nice to do items.

We have always done the must do. We have done many of the need to do and some of the nice to do. Using this test as our guide, I believe our committee has done our best over these years to use the taxpayers' money wisely while meeting our Federal responsibilities.

I want to express particularly my appreciation to the gentleman from Washington (Mr. DICKS), who has served as the ranking member of the subcommittee. He has been a real partner, as we have worked together on a number of policy priorities of the committee, including the backlog maintenance issue.

Next I would like to compliment the able staff members who have assisted during my tenure as chairman. I particularly express my appreciation to our clerk, Debbie Weatherly, as well as other subcommittee staff members, Loretta Beaumont, Joe Kaplan and Chris Topik. On the minority side, I want to thank Leslie Turner on the staff of the gentleman from Washington (Mr. DICKS), and welcome Mike Stephens, a long-time committee veteran who returned to the Committee on Appropriations this year following the retirement of Del Davis.

I appreciate the professionalism of each of these people and the many dedicated hours they have provided this House over the years.

Mr. Chairman, today I present before the House the fiscal year 2001 interior appropriation bill. This year, the subcommittee received more than 550 letters from Members of the House requesting funding for more than 3,400 individual items totaling $152 billion, all for interior and related agency programs.

For fiscal year 2001, we received an allocation of $14.6 billion, which is $300 million below the fiscal year 2000 enacted bill. As we can see, we have had to make some tough choices, and the bill reflects this challenge.

Again, I want to say the gentleman from Washington (Mr. DICKS) has been a real teammate in addressing these. I know that he has not agreed with the allocation. In some respects, I have not myself but we have made the best of what we had to work with. I think that took a real team effort.

I think the fact that we have had the requests of over $152 billion demonstrates the popularity of this bill and the important projects that are out there if we had the means to provide the funding.

Within the constraints of our allocation, we were unable to fund the President's lands legacy initiative.

□ 2200

However, we have included $164 million in Federal acquisition funding and

an additional $20 million for state-side land acquisition.

Mr. Chairman, as we become an increasingly stressed urban population, the respite that our Federal lands offer our society becomes even more important. Recreation on these lands continue to grow.

Last year, the four land management agencies received more than 1.2 billion visitors. Funding to maintain the pristine resources of these lands, from national treasures like Yosemite within our national park system, to the 93 million acres of national wildlife refuges, to the hundreds of millions of acres of BLM lands and national forests, is clearly a priority in the bill.

We have provided a $62 million increase in National Park Service Operations, a $30 million increase for the Bureau of Land Management, a $22 million increase for national wildlife refuges, and a $60 million increase for the National Forest System. I emphasize that each of these land agencies receive increases to ensure that the public has a quality experience in the use of our lands.

This became a number one priority given our limited resources to make sure that the places where the public interfaced with the public land, that there would be adequate money for them to meet their fixed costs, and they could maintain the staff and the quality experience that the public is entitled to.

The Department of Interior and Related Agencies Appropriations Act is an environmental bill, and I am pleased with the work that we are doing in areas such as abandoned mine restoration, which we have increased to $198 million this year. Through the work of premier scientists at the U.S. Geological Survey, we are gaining greater understanding of the earth's processes and national resources. These scientists conduct important work in the area of hazards such as earthquakes and volcanic eruptions, water quality and quantity and coastal erosion.

The newest members of the USGS scientific team, the Biological Resources Division, are working with the land management agencies to provide the important scientific information needed to effectively manage our Nation's biological resources.

I want to say we have emphasized science in our bill. We recognize that wise management requires good science. Some Members may be aware of the three funding limitations of the bill, and I understand there will be amendments offered to remove them. I remind my colleagues that these funding limitations are for 1 year only, as they are in this annual appropriations bill. They are not permanent law. They simply give the Congress more time to reflect on the issues of some of the activities taken by the executive branch. I am a great respecter of the separation of powers. Our responsibility is to make policy. The responsibility of the President and his team is to execute policy. Sometimes I think those two get confused. Of course, then we have the courts that interpret the impact of these laws.

Through the Interior bill, we have the obligation of the Federal Government to meet the needs of the American Indian and native Alaska populations in the vital areas of health care and education. While I would like to have been able to do more, we have increased funding for the Indian health service by $30 million and for education programs through the Bureau of Indian Affairs by $6 million.

I would mention here that the gentleman from Washington (Mr. NETHERCUTT), a member of our committee, has focused on juvenile diabetes and diabetes generally, which is a serious problem for the Native American population. Here again, we have tried to address that, thanks to his leadership.

Over these past 6 years, I have worked with Members on both sides of the aisle to achieve balances on Forest Service issues where conflicting goals have often clashed. Under my chairmanship and with the support of the gentleman from Washington (Mr. DICKS), the ranking minority member, we have eliminated the $50 million purchaser road credit. That has always been a sore spot, and I am pleased that the gentleman from Washington (Mr. DICKS) provided the leadership to make this problem get solved.

We have reduced the annual allowable cut of timber on National Forests to 3.5 billion board feet. In fiscal year 1990, this level reached a low of 11.1 billion board feet, in other words, almost a 70 percent reduction. I think it reflects the fact that, on a bipartisan basis we have been sensitive to the environmental impact in maintaining our forests and recognizing that the forests are great carbon sequestering facilities.

Finally, we are working to return accountability and sound management to the Forest Service. For years, the GAO and the Inspector General, the Department of Agriculture have been producing critical reports on the Forest Service. We all heard about those or read about them. This year the subcommittee requested assistance from the National Academy of Public Administration to make recommendations for improving this agency, and we are putting into place changes to bring true accountability to this agency.

I might add here that the National Academy of Public Administration does excellent work and their service to us, to our committee has been highly commendable.

Next, I call my colleagues' attention to energy research programs. The bill provides $1.1 billion for these programs. It achieves a delicate balance to meet our Nation's energy needs as we try to utilize our energy in the most efficient and lowest polluting ways possible and, at this point in time, at the least cost possible.

Research on our domestic, natural, energy resources, including coal, natural gas, and oil remain paramount to the continuation of our strong economy. I remind my colleagues that this research is not the cost of research and development of renewable energy such as solar and wind power or biomass. Funding for these energy sources are contained in the Energy and Water Appropriations bill.

Some of our Nation's most treasured national cultural institutions are funded in the Interior bill. I call to my colleagues' attention the fine work of the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Kennedy Center, and the Smithsonian Institute. Each of these organizations provides a wonderful service to the American people, not just to those who visit or live in the Nation's capital; but now through the Internet and the further outreach programs, these entities are able to play a role in communities and classrooms across the country. I encourage each American to take advantage of the opportunities they offer.

I want to say these agencies are doing a great job of taking their resources to the Nation through the Internet, through the outreach. I think that is highly commendable.

I conclude my remarks by thanking my colleagues on the subcommittee. I have greatly enjoyed working with each of the Members. It is a great subcommittee, and particularly including my dear friend Sid Yates who retired from this House at the end of the 105th Congress following a long and distinguished career in this body and contributed much to our Nation's resources, our interior resources. What a marvelous legacy he left as a result of his chairmanship.

Over these years, the Members on both sides of the aisle worked together in a bipartisan way to craft balanced bills that meet our responsibilities to the American people in managing our Federal lands, in conducting energy research, and in operating our cultural agencies. I appreciate their support and look forward to continuing to work with them in the future.

Mr. Chairman, I insert for the RECORD a table detailing the various accounts in this bill, as follows:

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4578)
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	644,134	715,191	674,571	+30,437	-40,620
Wildland fire management	290,957	297,197	292,197	+1,240	-5,000
Central hazardous materials fund	9,955	10,000	10,000	+45	.....
Construction	11,196	11,200	5,300	-5,896	-5,900
Payments in lieu of taxes	134,385	135,000	134,385	.....	-615
Land acquisition	15,500	60,900	19,000	+3,500	-41,900
Oregon and California grant lands	98,775	104,267	100,467	+1,692	-3,800
Range improvements (indefinite)	10,000	10,000	10,000	.....	.....
Service charges, deposits, & forfeitures (indefinite)	8,800	7,500	7,500	-1,300	.....
Miscellaneous trust funds (indefinite)	7,700	7,700	7,700	.....	.....
Total, Bureau of Land Management	1,231,402	1,358,955	1,261,120	+29,718	-97,835
United States Fish and Wildlife Service					
Resource management	714,543	761,938	731,400	+16,857	-30,538
Construction	53,528	44,231	48,395	-5,133	+4,164
Land acquisition	50,513	111,632	30,000	-20,513	-81,632
Cooperative endangered species conservation fund	23,000	65,000	23,000	.....	-42,000
National wildlife refuge fund	10,739	10,000	10,439	-300	+439
North American wetlands conservation fund	14,957	30,000	15,499	+542	-14,501
Wildlife conservation and appreciation fund	797	800	797	.....	-3
Multinational species conservation fund	2,391	3,000	2,391	.....	-609
Commercial salmon fishery capacity reduction	4,625	.....	.....	-4,625	.....
Non-game wildlife state grants	.....	100,000	.....	.....	-100,000
Total, United States Fish and Wildlife Service	875,093	1,126,601	861,921	-13,172	-264,680
National Park Service					
Operation of the national park system	1,363,764	1,454,098	1,425,617	+61,853	-28,481
National recreation and preservation	53,399	68,648	49,956	-3,443	-18,692
Historic preservation fund	74,793	72,071	41,347	-33,446	-30,724
Construction and major maintenance	221,191	180,000	150,004	-71,187	-29,996
Land and water conservation fund (rescission of contract authority)	-30,000	-30,000	-30,000	.....	.....
Land acquisition and state assistance	120,700	297,468	65,000	-55,700	-232,468
Total, National Park Service (net)	1,803,847	2,042,285	1,701,924	-101,923	-340,361
United States Geological Survey					
Surveys, investigations, and research	813,376	895,379	816,676	+3,300	-78,703
Minerals Management Service					
Royalty and offshore minerals management	234,200	241,538	234,200	.....	-7,338
Additions to receipts	-124,000	-107,410	-107,000	+17,000	+410
Oil spill research	6,118	6,118	6,118	.....	.....
Total, Minerals Management Service	116,318	140,246	133,318	+17,000	-6,928
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	95,585	97,801	97,478	+1,893	-323
Receipts from performance bond forfeitures (indefinite)	275	275	275	.....	.....
Subtotal	95,860	98,076	97,753	+1,893	-323
Abandoned mine reclamation fund (definite, trust fund)	195,873	211,158	197,873	+2,000	-13,285
Total, Office of Surface Mining Reclamation and Enforcement	291,733	309,234	295,626	+3,893	-13,608
Bureau of Indian Affairs					
Operation of Indian programs	1,639,535	1,795,010	1,657,446	+17,911	-137,564
Construction	197,404	365,912	184,404	-13,000	-181,508
Indian land and water claim settlements and miscellaneous payments to Indians	27,128	34,026	34,026	+6,898	.....
Indian guaranteed loan program account	4,985	6,008	4,985	.....	-1,023
(Limitation on guaranteed loans)	(59,682)	(82,000)	(59,682)	.....	(-22,318)
Total, Bureau of Indian Affairs	1,869,052	2,200,956	1,880,861	+11,809	-320,095
Departmental Offices					
Insular Affairs:					
Assistance to Territories	42,451	40,751	41,751	-700	+1,000
Northern Marianas Islands Covenant	27,720	33,140	27,720	.....	-5,420
Subtotal, Assistance to Territories	70,171	73,891	69,471	-700	-4,420
Compact of Free Association	8,311	8,545	8,745	+434	+200
Mandatory payments	12,000	12,000	12,000	.....	.....
Subtotal, Compact of Free Association	20,311	20,545	20,745	+434	+200
Total, Insular Affairs	90,482	94,436	90,216	-266	-4,220
Departmental management	62,706	64,469	62,406	-300	-2,063
Office of the Solicitor	40,196	43,952	40,196	.....	-3,756
Office of Inspector General	26,086	28,859	26,086	.....	-2,773

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4578)—Continued
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of the Special Trustee for American Indians	90,025	82,628	82,428	-7,597	-200
Indian land consolidation pilot	5,000	12,501	5,000		-7,501
Natural resource damage assessment fund	5,374	5,403	5,374		-29
Total, Departmental Offices	319,869	332,248	311,706	-8,163	-20,542
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)	7,320,690	8,405,904	7,263,152	-57,538	-1,142,752
Appropriations	(7,350,690)	(8,435,904)	(7,293,152)	(-57,538)	(-1,142,752)
Rescissions	(-30,000)	(-30,000)	(-30,000)		
(Limitation on guaranteed loans)	(59,682)	(82,000)	(59,682)		(-22,318)
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research	217,694	231,008	224,966	+7,272	-6,042
State and private forestry	202,960	261,331	197,337	-5,623	-63,994
National forest system	1,147,951	1,286,571	1,207,545	+59,594	-79,026
Wildland fire management	617,956	620,372	614,343	-3,613	-6,029
Emergency appropriations	90,000	150,000		-90,000	-150,000
Capital improvement and maintenance	436,843	424,914	424,466	-12,377	-448
(By transfer)		(30,000)			(-30,000)
Land acquisition	79,835	130,265	50,000	-29,835	-80,265
Acquisition of lands for national forests special acts	1,068		1,068		+1,068
Acquisition of lands to complete land exchanges (indefinite)	234		234		+234
Range betterment fund (indefinite)	3,300		3,300		+3,300
Gifts, donations and bequests for forest and rangeland research	92	92	92		
Southeast Alaska economic disaster fund	22,000			-22,000	
Management of national forest lands for subsistence uses		5,500			-5,500
Total, Forest Service	2,819,933	3,110,053	2,723,351	-96,582	-386,702
DEPARTMENT OF ENERGY					
Clean coal technology:					
Rescission	-38	-105,000		+38	+105,000
Deferral	-156,000	-221,000	-67,000	+89,000	+154,000
Energy resource, supply and efficiency	1,113,675	1,224,070	1,139,611	+25,936	-84,459
Biomass energy development (by transfer)	(49,000)	(2,000)	(2,000)	(-47,000)	
Alternative fuels production (rescission)		-1,000	-1,000	-1,000	
Elk Hills School lands fund (advance appropriation)	36,000	36,000	36,000		
Economic regulation	1,992	2,000	1,992		-8
Strategic petroleum reserve	158,396	158,000	157,000	-1,396	-1,000
SPR petroleum account (rescission)		-7,000			+7,000
Energy Information Administration	72,368	75,000	72,368		-2,632
Total, Department of Energy:					
New budget (obligational) authority (net)	1,226,393	1,161,070	1,338,971	+112,578	+177,901
Appropriations	(1,346,431)	(1,459,070)	(1,370,971)	(+24,540)	(-88,099)
Advance appropriations	(36,000)	(36,000)	(36,000)		
Rescissions	(-38)	(-113,000)	(-1,000)	(-962)	(+112,000)
Deferral	(-156,000)	(-221,000)	(-67,000)	(+89,000)	(+154,000)
(By transfer)	(49,000)	(2,000)	(2,000)	(-47,000)	
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services	2,074,173	2,271,055	2,084,178	+10,005	-186,877
Indian health facilities	316,555	349,374	336,423	+19,868	-12,951
Total, Indian Health Service	2,390,728	2,620,429	2,420,601	+29,873	-199,828
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	8,000	15,000	8,000		-7,000
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	2,125	4,250		-2,125	-4,250
Smithsonian Institution					
Salaries and expenses	371,230	396,800	375,230	+4,000	-21,570
Repair, restoration and alteration of facilities	47,900	62,200	47,900		-14,300
Construction	19,000	4,000		-19,000	-4,000
Total, Smithsonian Institution	438,130	463,000	423,130	-15,000	-39,870
National Gallery of Art					
Salaries and expenses	61,279	64,848	61,279		-3,569
Repair, restoration and renovation of buildings	6,311	14,101	8,903	+2,592	-5,198
Total, National Gallery of Art	67,590	78,949	70,182	+2,592	-8,767

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4578)—Continued
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	13,947	14,000	13,947	.....	-53
Construction	19,924	20,000	19,924	.....	-76
Total, John F. Kennedy Center for the Performing Arts	33,871	34,000	33,871	.....	-129
Woodrow Wilson International Center for Scholars					
Salaries and expenses	6,763	7,310	6,763	.....	-547
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration	84,677	150,000	98,000	+13,323	-52,000
Matching grants	12,951	.....	.....	-12,951	.....
Total, National Endowment for the Arts	97,628	150,000	98,000	+372	-52,000
National Endowment for the Humanities					
Grants and administration	100,560	129,470	100,604	+44	-28,866
Matching grants	14,700	20,530	14,656	-44	-5,874
Total, National Endowment for the Humanities	115,260	150,000	115,260	.....	-34,740
Institute of Museum and Library Services/ Office of Museum Services					
Grants and administration	24,307	33,378	24,307	.....	-9,071
Total, National Foundation on the Arts and the Humanities	237,195	333,378	237,567	+372	-95,811
Commission of Fine Arts					
Salaries and expenses	1,021	1,078	1,021	.....	-57
National Capital Arts and Cultural Affairs					
Grants	6,973	7,000	6,973	.....	-27
D.C. Arts Education Grants					
Grants	.....	1,000	.....	.....	-1,000
Advisory Council on Historic Preservation					
Salaries and expenses	2,989	3,189	2,989	.....	-200
National Capital Planning Commission					
Salaries and expenses	6,288	6,198	6,288	.....	+90
United States Holocaust Memorial Council					
Holocaust Memorial Council	33,161	34,564	33,161	.....	-1,403
Presidio Trust					
Presidio trust fund	44,300	33,400	33,400	-10,900	.....
Total, title II, related agencies:					
New budget (obligational) authority (net)	7,325,460	7,913,868	7,346,268	+20,808	-567,600
Appropriations	(7,355,498)	(8,061,868)	(7,378,268)	(+22,770)	(-683,600)
Advance appropriations	(36,000)	(36,000)	(36,000)	.....	.....
Emergency appropriations	(90,000)	(150,000)	.....	(-90,000)	(-150,000)
Rescissions	(-38)	(-113,000)	(-1,000)	(-962)	(+112,000)
Deferral	(-156,000)	(-221,000)	(-67,000)	(+89,000)	(+154,000)
(By transfer)	(49,000)	(32,000)	(2,000)	(-47,000)	(-30,000)
TITLE IV - FY 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS					
Bureau of Land Management (contingent emergency appropriations)	.....	.....	200,000	+200,000	+200,000
Forest Service (contingent emergency appropriations)	.....	.....	150,000	+150,000	+150,000
Total, title IV, FY 2000 Emergency supplemental appropriations	.....	.....	350,000	+350,000	+350,000
TITLE V					
United Mine Workers of America combined benefit fund (emergency appropriations)	68,000	.....	.....	-68,000	.....
TITLE VI					
Priority land acquisitions and exchanges	197,500	.....	.....	-197,500	.....
Grand total:					
New budget (obligational) authority (net)	14,911,650	16,319,772	14,959,420	+47,770	-1,360,352
FY 2001 (net)	(14,911,650)	(16,319,772)	(14,609,420)	(-302,230)	(-1,710,352)
Appropriations	(14,903,688)	(16,497,772)	(14,671,420)	(-232,268)	(-1,826,352)
Advance appropriations	(36,000)	(36,000)	(36,000)	.....	.....
Emergency appropriations	(158,000)	(150,000)	.....	(-158,000)	(-150,000)
Rescissions	(-30,038)	(-143,000)	(-31,000)	(-962)	(+112,000)
Deferral	(-156,000)	(-221,000)	(-67,000)	(+89,000)	(+154,000)
FY 2000, emergency appropriations	.....	.....	(350,000)	(+350,000)	(+350,000)
(By transfer)	(49,000)	(32,000)	(2,000)	(-47,000)	(-30,000)
(Limitation on guaranteed loans)	(59,682)	(82,000)	(59,682)	.....	(-22,318)

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

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

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

Mr. DICKS. Mr. Chairman, I want to compliment the chairman on his remarks here tonight. I have always been against term limits, and I know that others here have learned the hard lessons. But I think that the 6-year limitation on chairmanships is one that sometimes it will be good and sometimes it will be bad. I happen to think in this case this is a very bad one, because I think the gentleman from Ohio (Mr. REGULA) has been a great chairman.

The gentleman from Ohio mentioned Sid Yates. I have served on this subcommittee, this is my 24th year; and Sid Yates was a great role model, a great chairman. The gentleman from Ohio (Mr. REGULA) has been an outstanding chairman as well. Both of these men have done a great service to our country over the last 30 years.

I want to congratulate the gentleman from Ohio tonight on his 6 years as our chairman. As he said, he has not been dealt the best hand when it came to allocations. I can remember the coach out at the Sea Hawks, Chuck Knox, who used to say one has got to play the hand that one is dealt. We have not been dealt a very nice hand, but we have tried our best with the money that we have to do the best job possible.

I want to compliment the chairman also for his efforts throughout his career, one, to bring better administration to the agencies over which we have jurisdiction and using the public administration people, using the National Academy of Science, using whatever oversight group we could find, the GAO, and our own investigative team, to look at agencies and try to help them do a better job. I think it was always done in a constructive way, trying to help them improve their management and to save money and so that they could do a better job with the task that they have. I think that is a legacy that will live on.

Number two, the chairman has been dogged and I think correct in his efforts to make certain that our existing parks, our existing Forest Service facilities, our BLM facilities all over this country which provide so much recreation to the American people are maintained properly.

Sometimes in this institution everybody wants to add new facilities or add new parks and new areas. Somebody has to remember that one has got to take care of the ones we have already got. The gentleman from Ohio (Chairman REGULA) has done a remarkable job, and it is also a legacy issue in terms of his commitment to that and educating our committee and the members of the subcommittee about how important that is.

Then of course an initiative that he took on his own with my support and the committee's support was to have this fee-demonstration project. This is another legacy issue which is, I think, being supported all over this country, as people see that when they go to their park a significant amount of the money, 80 percent, will stay there, so that it will help take care of the high-priority maintenance problems, trails, other things that are essential to that particular park.

I think this has been kind of a pay-as-you-go formula. Frankly, I do not think the park supervisor, the Forest Service, the BLM would ever get caught up unless we try to do something innovative like this. I think that is another important issue.

We will have more time when we get into the bill to get into a deeper discussion of the issues. But tonight we should be congratulating the gentleman from Ohio (Mr. REGULA) for his outstanding service to the House and to this committee, and I am glad to hear him say he is going to stay on the committee. I look forward to working with him. He has an outstanding staff led by Debbie Weatherly and all the other members of the staff. I want to thank MIKE STEVENS and Leslie Turner on our side. They all work together so well, so professionally. It makes one very proud as a Member of this institution.

I am also very proud to be on the Committee on Appropriations because I believe this committee always works together in a bipartisan way. All the committees that I have ever been on, all the subcommittees, have always functioned that way. I think it is something we all should try to make a role model out of, because it is the way this institution should work when we get something done of importance. When we can work together and deal with these issues, we can get a lot more done for the American people.

So I say to the gentleman from Ohio (Mr. REGULA), I am going to miss him in his role as chairman; but I am glad he is going to still be on the committee. We will work on a lot of good things and keep going out and look at these facilities. Another thing that the gentleman from Ohio did is get us back out on the road to see these parks and to see these facilities, see where the problems are, and then come back and start fixing them. That is the way one should do it.

Unfortunately, our committee did not do that as much as we should have in years past, but the gentleman from Ohio reinstated that. I think it is a tradition we should maintain in the future.

So tomorrow we will discuss the bill. Tonight we thank the gentleman from Ohio (Chairman REGULA) for his great service.

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

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

Mr. Chairman, I thank the gentleman from Washington (Mr. DICKS), my ranking member, for those kind comments. It really has been a great team. I failed to mention that also Lori Rowley is my staff person who works on this and does a marvelous job on my behalf as the appropriations staffer for Subcommittee on Interior. We appreciate her work a great deal.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. NETHERCUTT), an extremely valuable member of our subcommittee.

□ 2215

Mr. NETHERCUTT. Mr. Chairman, I rise to echo the comments of my colleague from Washington State, not just on the term limits issue but most specifically his warm phrase for our chairman, the gentleman from Ohio (Mr. REGULA). I have been on this subcommittee all the time that I have served in this body the last 5½ years. The gentleman from Ohio was my chairman, my first chairman as the Subcommittee on Interior assignment was made, one that I have thoroughly enjoyed, not just because of working with colleagues on my own side of the aisle but colleagues on the other side of the aisle as well.

I think it is significant that not only the predecessor chairman of the subcommittee, Mr. Yates, but the current ranking member, the gentleman from Washington (Mr. DICKS), have such high praise for the work and the commitment of the gentleman from Ohio to the good work of the Subcommittee on Interior. I speak not only for the gentleman from Ohio's expertise in learning and understanding and knowing and having good judgment about the intricacies of this bill and the specifics of it because it is so vitally important to the soul of this Nation. It not only covers the arts and the humanities but the parks and the recreation efforts and really the maintenance of the national treasures that are under the jurisdiction of the Subcommittee on Interior, but it really speaks, I think, very highly that these men and these people who serve on this subcommittee on opposite political sides of the aisle but on the same human side having respect and admiration for our chairman.

It is sort of a bittersweet time that the chairman will not be the chairman after this year, but I again join my colleagues in appreciating the legacy he has left. Not only has he been a gentleman to me, but he has been a gentleman to every single member of the subcommittee and every single Member of this House. He is also a gentleman to his staff. This committee staff is here.

You can tell the value of a Member in some measure by the value that the staff places upon that Member. This staff loves this Member. They respect him as we all do, and they love him dearly. So they have committed themselves not only to the cause of good

government regardless of party but the cause of the good leadership of the gentleman from Ohio. He has been one who has treated every Member with respect, not arrogance or not dismissal but respect. I think that is the sign of a good leader. It is the sign of a good Member of this body. It is the real charge and responsibility of any chairman regardless of party. You do not see partisan politics playing a part most of the time, 99 percent of the time, with this chairman. He is trying to be even-handed with respect to all Members.

I listened to the gentleman from Colorado tonight speak on the rule and state that he was grateful for the inclusion of some provisions in this bill after working with this chairman and our subcommittee but was opposed to the bill. A narrower-minded chairman might have said, ''Well, if you're not going to support my bill, your provisions are not going in this bill.'' But this is the modern era of fairness in politics, I hope, and I expect, and I believe, especially with the gentleman from Ohio at the helm.

I join not only the gentleman from Washington (Mr. DICKS) but virtually every single Member of this body in paying tribute to the gentleman from Ohio, thanking him profusely for all the good work that he has done and his commitment to the interior jurisdiction of this government, this Congress and trying his best and our best to have the best bill that can ever come out of this House as it relates to the national treasures of our public lands.

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

Mr. REGULA. Mr. Chairman, I thank the gentleman from Washington for those kind remarks, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Mr. REGULA. 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. Terry) having assumed the chair, Mr. LATOURETTE, 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. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

□

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4635, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–675) on the resolution (H. Res. 525) providing for consideration of the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken tomorrow.

□

RECOGNIZING 225TH BIRTHDAY OF UNITED STATES ARMY

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 101) recognizing the 225th birthday of the United States Army.

The Clerk read as follows:

H.J. RES. 101

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of ''Duty, Honor, Country'' is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 101.

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

There was no objection.

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

Mr. Speaker, it gives me great pleasure to call up this resolution today honoring the United States Army on the occasion of its 225th birthday. On June 14, 1775, the Continental Congress resolved to create the American Continental Army. From that day until the present, millions of Americans have served at home and abroad, in peace and in war, as soldiers in America's Army. It is fitting that we honor the memory of those who have served in our Army by reflecting on its proud traditions and history.

The Army, first and foremost, is this Nation's arm of decision. It was the Army that achieved victory at Yorktown, making possible our independence and securing our place in history. From Trenton, Mexico City, Gettysburg and Santiago, to the Meuse-Argonne and Normandy, from the Pusan Perimeter and the Ia Drang Valley, to Panama and Iraq, the Army has prevailed in thousands of battles, large and small, in defense of this Nation and in the cause of liberty. In its 225-year history, tens of thousands of soldiers have sacrificed their lives on distant battlefields so that Americans could know victory in war and prosperity in peace.

The history of our Army is inextricably tied with the history of this Nation. In war, our Army has been preeminent on the battlefield. In peace, our Army has provided this Nation with engineers and explorers, diplomats, and presidents. The Washington Monument and the Panama Canal bear concrete witness to the Army's achievements. Lewis and Clark, George W. Goethals, George C. Marshall, as well as Presidents Washington, Jackson, Taylor, Grant, Truman, and Eisenhower are but a few

whose names typify the selfless devotion to duty that is the hallmark of those who have served their Army and their Nation with distinction and valor both on and off the battlefield.

Most importantly, the Army has given us soldiers. Since 1775, Americans from every part of this Nation have answered the call to arms and served in the Army. In each of this Nation's conflicts, soldiers have earned battlefield honors that have made our Army one of the most successful and respected military organizations in history. Their devotion and sacrifice have left an indelible mark on this Nation. Victorious in war, these citizen-soldiers then returned home to win and strengthen the peace. I salute them and thank them for their service.

As we stand on the edge of the 21st century and reflect on 225 years of history, one thing is certain. America will call again on its Army and its soldiers during times of crisis. As in the past, I am confident that the Army and its citizen-soldiers will rise to the challenge.

I ask my colleagues to join me today in honoring the United States Army and its soldiers on its 225th birthday. I urge the House to join the gentleman from Missouri and me in strongly supporting this resolution commemorating this significant event.

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

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

I rise in strong support of H.J. Res. 101, a resolution commemorating the 225th anniversary of our United States Army. The principal land force of our country, the United States Army traces its origins to the Continental Army of the Revolutionary War. That Army, raised by the Continental Congress, had the mission of engaging British and Hessian regulars and won our country's independence. That Army was composed largely of long serving volunteers. Now some 225 years and numerous major wars and minor conflicts later, our U.S. Army is again composed of volunteers. We have come full circle. What is important and why we recognize the anniversary of the Army today is that the U.S. Army has defended our Nation and fought with distinction on countless occasions. We in Congress and the American people owe a debt of gratitude to all those who have served in our Army.

While the Army dates from 1775, the U.S. Army as a permanent institution really began in June of 1784 when the Confederation Congress approved a resolution to establish a regiment of 700 officers and men to assert Federal authority in the Ohio River Valley. Congress adopted this tiny force after the reorganization of the government under the Constitution of 1789.

Since then, the Army has served our great Nation with distinction in many, many memorable conflicts. From its humble beginnings, the Army has been the key force in achieving military success in the Revolutionary War, the War of 1812, the Mexican War, the War Between the States, the Spanish-American War, the First World War, the Second World War, the Korean War, and, of course, the war in Vietnam and, more recently, the Persian Gulf War. Hundreds of memorable battles in these many conflicts highlight a truly illustrious history of dedicated service and selfless sacrifice by literally millions of Americans.

Beyond the Army's participation in these major wars, the Army has also been a successful instrument in implementing our Nation's foreign policy objectives and helping to restore democratic institutions of government in a myriad of smaller, short-of-war conflicts and interventions, particularly within the last 50 years. Places like Panama, Grenada, Haiti, Somalia, Bosnia and Kosovo come to mind.

As we think today about the great service of our Army and what it has performed over the years, it is important to bear in mind two key considerations: First, the U.S. Army is really a microcosm of American society. Dating back to the days of the original militia in the Revolutionary War, our Army has succeeded in large measure because of the participation of citizen-soldiers. I believe our Army and our military will continue to be as successful as they have been only as long as the people who comprise our forces reflect the makeup of our country and only as long as they have the support of the American people. We need to continue to recruit and retain high quality personnel so that the total Army will continue to be the formidable force that it is today.

The second characteristic of the Army that has made it such a success is that it has adapted to changes in warfare, tactics, and techniques as well as technology.

□ 2230

It has stayed ahead of our adversaries in efforts to reform, modernize and win wars. From the change from conscription to the all volunteer force; from the use of flintlock muskets to the use of stealth technology of today, the U.S. Army has evolved to become the premier ground force in the world. The effort under way now, to transform the Army into a lighter, more mobile and more lethal force, shows that our Army continues to adapt to the rigors of the modern battlefield and will continue to be successful in the years ahead.

As much as we may be inclined to remember the major wars and battles that ultimately brought us victory over the years, it is really the men and women who serve so bravely and so well to whom we should pay tribute to today. Without their selfless dedication, their valor, their perseverance, America would likely not be the free and prosperous society it is as we enjoy it today.

H.J. Res. 101 recognizes their service, expresses the gratitude of the Congress and the American people, and calls upon the President to issue an appropriate proclamation, something that he unquestionably should do.

Mr. Speaker, I urge my colleagues to support this measure.

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

Mr. SPENCE. Mr. Speaker I yield 3 minutes to the gentleman from Indiana (Mr. BUYER), the chairman of our Subcommittee on Military Personnel, and he is an Army veteran.

Mr. BUYER. Mr. Speaker, I rise today in support of H.J. Res. 101 recognizing the United States Army's 225 years of loyal and dedicated service to the Nation. As we enter the new millennium, we can look back with pride at the Army's tremendous contribution to our Nation's great history.

Today, thanks largely to the service and the sacrifice of millions of men and women who have worn an Army uniform, we enjoy unparalleled prosperity and unequaled freedom.

For more than 2 centuries, American soldiers have courageously answered their Nation's call to arms, as well as serving as a strong deterrent to potential adversaries during times of peace. Whether it was on Lexington Green or the cornfields at Gettysburg or in the trenches of France, or the beaches of Normandy, in the frozen hills around Chosin or the jungles of Vietnam, in the forests of Western Europe or in the deserts of Kuwait, where I was, Army soldiers have fearlessly demonstrated the requisite traits of self-sacrifice and courage under fire that have enabled us to prevail under sometimes enormously adverse conditions.

Their contribution to their current state of well-being is clearly evident. As we enter the 21st century, our Nation finds itself serving in a unique position of global leadership while facing an increasingly complex array of threats. One of the keys to our Nation's success over the decades has been our flexibility and willingness to adapt to an ever-changing environment, without altering the fundamental values that make us uniquely American.

Similarly, the dynamic transformation effort that the Army has recently embarked should create a more strategically responsive force without compromising the core competencies that make it the world's most lethal fighting force. The Army in the 21st century will be more responsive, survivable and lethal. It will be an Army that is respected by our allies and feared by our opponents and honored and esteemed by the American people.

Throughout our Nation's history, our soldiers have stood in constant readiness to defend and preserve the ideals of these our United States. When deterrence has failed, committing American soldiers on the ground has always been the ultimate statement of our resolve to defeat an adversary or compel him to change his course of action.

In 1776, Captain John Parker of Lexington Militia stood on the green and

voiced to the American spirit and said without resolve, men, stand your ground, if they mean to have war, let it begin here.

Unflinching courage and a proud heritage of service to our Nation is the legacy of the American soldier as he has honorably carried out his oath to fight and win our Nation's wars.

As a representative of the people, I want to extend my heartfelt appreciation to the men and women and their families who serve in the United States Army. The valor, commitment and sacrifice of the American soldier is displayed throughout our Nation's history and is captured in the motto that appears on the emblem of the United States Army: ''This we'll defend.''

These three words embody the strength and character that makes the Army pervasive in peace and invincible in war.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, as a Member of the House Committee on Armed Services, I rise to salute the 225th anniversary of the United States Army.

One year before the birth of our country, the United States Army was established. Originally, the Continental Army was comprised of 10 companies from three colonies.

Now, the United States Army comprises 10 divisions, with a strength of 480,000 men and women. The Army is the cornerstone of America's military might and thus its ideals.

And the soldier is the cornerstone of that Army. The courage, dedication and valor demonstrated by numerous individuals and numerous conflicts are to be commended.

For they made famous names such as the Big Red One, the 101st Airborne, Army Rangers and, of course, the Green Berets.

This country and the world are truly indebted to their duty. Happy Birthday, Army.

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

Mr. ABERCROMBIE. Mr. Speaker, I rise to honor the Army for 225 years of service to our Nation, and I would like to have it recorded that I would like to join in with my chairman of the Subcommittee on Military Personnel, the gentleman from Indiana (Mr. BUYER), with his words. I thought they were very eloquent and to the point, and I am happy indeed to be able to associate myself with them.

The United States Army created the year before the Declaration of Independence was signed, has for over 200 years courageously fought this Nation's wars and ensured peace and prosperity. The sacrifices of our men and women in uniform have brought freedom, not just for our country, but also for many others throughout the world.

Particularly, in my own State of Hawaii, the Army has a proud history. On December 7, 1941, the soldiers of the 25 Infantry Division had the distinction of being the first Army soldiers to see combat in World War II when they fired on Japanese aircraft strafing Schofield Barracks during the attack on Pearl Harbor.

After the attack, the 25th quickly set up its defensive positions to protect Honolulu and Pearl Harbor against possible Japanese attack.

I must also mention the heroism during World War II of the legendary 442nd Regimental Combat Team and the 100th Infantry Battalion. Comprised of Asian-Americans, these two units performed with great valor and courage during the Europe campaign. Already, two of the most highly decorated units in the Army, the bravery of these soldiers will again be recognized when President Clinton on June 21 awards 19 medals of honor later this month for their courage during World War II.

While the Army can justifiably be proud of its history, it is also fearlessly looking to the future. The Army is demonstrating remarkable flexibility by transforming itself in a new fighting force that will be able to win on the battlefield tomorrow, whether that means urban combat in remote parts of the world or peacekeeping in a war-ravaged country.

The capability the Army provides continues to be an important and integral part of our ability to ensure the peace and security of our Nation. But the commitment of our military personnel does not come without peril and price. Duty often calls for prolonged periods away from family and home.

Today, Mr. Speaker, we recognize the sacrifice of those whose dedication and devotion to duty ensure the blessings of freedom every day.

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS), who is a graduate of the United States Military Academy at West Point.

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

Mr. SHIMKUS. Mr. Speaker, I rise in support of this resolution. Mr. Speaker, 225 years ago, our predecessors in this House agreed to form the United States Army.

For 225 years, our sons and our daughters have fought and served this country proudly in 173 different campaigns across the world. From battling the British in Lexington to freeing Kuwait to Iraqi occupation, the United States Army has answered the call to defend the right to freedom all over the world.

In those 225 years, 874,527 men and women have given their lives while serving our country, and 1,226,062 have been wounded.

Today's Army is much different than what was originally envisioned by early Members of Congress. Today's Army not only defends our borders, but it ensures freedom from other countries. It lends its support to the disaster relief. It is an integral part of our Nation's fight against drugs. But the Army has not changed in one important way, it is still the best fighting force in the world.

But I would like to quote General Douglas MacArthur from his 1962 address to the United States Military Academy at West Point, which keeps us focused on the Army's mission, and I quote: ''And through all this welter of change and development, your mission remains fixed, determined, inviolable, it is to win our wars. Everything else in your professional career is but corollary to this dedication. All other purposes, all other public projects, all other public needs, great or small, will find others for their accomplishment: but you are the ones who are trained to fight: yours is the profession of arms, the will to win, the sure knowledge that in war, there is no substitute for victory; that if you lose, the Nation will be destroyed; that very obsession of your public service must be duty, honor, country.''

For 225 years, the United States Army has been called upon to win our Nation's wars. God bless those who have served the United States Army and the United States of America.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. CLEMENT), who I might say, Mr. Speaker, has served our country in his State of Tennessee so well and ably through the years in the National Guard.

Mr. CLEMENT. Mr. Speaker, I first want to say to the chairman of the Committee on Armed Services, the gentleman from South Carolina (Mr. SPENCE), and the gentleman from Missouri (Mr. SKELTON), these two gentlemen are real heroes in the U.S. House of Representatives and real heroes in the Committee on Armed Services. Both of them have distinguished themselves in so many different ways; and I know firsthand how they fought for those in uniform, our fighting men and women. They have made a real difference in America.

It is a great pleasure to stand before the House to celebrate the 225th birthday of the United States Army, all the way back to the Continental Congress, the Continental Army, the beginnings of what we call the United States of America, the greatest Nation on the history of this earth, a country that has made a difference and saved the lives of so many people overseas, as well as in the United States.

When I think of the United States Army, knowing that I was a part of them for 2 years and I was discharged a first lieutenant, and then I immediately joined the Tennessee Army National Guard, as the gentleman from Missouri (Mr. SKELTON) mentioned a while ago, and I knew I was not going to make a career out of the military; but I wanted to be a part of the military.

I think it is regrettable that so many of our young people do not have that

experience now. We have an all volunteer force; and, therefore, they will not serve in the military. But serving in the military, it is almost like having a piece of the rock. It gives you a feeling that it is hard to describe and understand, but one does not have to love this country to serve in the military. One does not have to believe in America to serve in the military.

□ 2245

But I congratulate all those that have served, and have served in the U.S. Army, because in my Congressional District I have two predecessors by the name of Andrew Jackson and Sam Houston, and they were truly American heroes. Those two gentlemen, both U.S. Congressmen from the Nashville, Tennessee, area, have served us proudly.

But when I think of the U.S. Army, I think of sacrifice; when I think of the U.S. Army, I think of commitment, I think of discipline, I think of teamwork, I think of individuals that know how to wave that flag. I also know when you have served in the U.S. Army or our Armed Forces, you stand up at various sporting events and other places and say God bless America.

Happy birthday, U.S. Army.

Mr. SPENCE. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. HUNTER) the chairman of our Subcommittee on Procurement and also an Army veteran.

Mr. HUNTER. Mr. Speaker, I thank my great chairman, the gentleman from South Carolina (Mr. SPENCE), for yielding to me, and I want to thank him also for his great service to our Nation, and the gentleman from Missouri (Mr. SKELTON), our ranking member, and all of our colleagues who have commented.

I want to pay homage to a couple of Army guys who I know who were in the 173rd Airborne, the unit I served with, without distinction, in Vietnam. The gentleman from California (Mr. THOMPSON) was a member of the 173rd Airborne in Vietnam during a very difficult time, and the gentleman from Georgia (Mr. NORWOOD) was also a Member of the 173rd Airborne and was a great member of that brigade, which is being stood up and has in fact just been stood up again and brought to life again in Italy just within the last couple of weeks. I wish I could have been with that unit when that momentous event occurred.

But let me just say to my colleagues, we have just left the bloodiest century in the history of the world and in American history. It was one in which 619,000 Americans, or more than that number, were killed in combat. We had an incredible century in which we experienced some very profound moments, ones in which we stood side-by-side with Winston Churchill and helped to defeat Hitler, and one in which President Ronald Reagan stood down the Soviet empire and helped to provide for a more benign climate for this country to enter this century.

A lot of that was carried on the back of the United States Army. The United States Army, unlike other armies in the world, has to take and hold ground in very difficult places. This was commentary when the U.S. Army hit the shores and engaged in the battles in France and the enemy was amazed when they saw that German troops would rise out of trenches and begin to fall at 800 meters, because Americans with rifles knew how to shoot. We held very difficult ground and took very difficult ground in World War II.

My secretary, Helen Tracy, in San Diego, was General George Patton's secretary during World War II, and she will recount the difficulties that the Third Army went through in that very momentous war.

We fought difficult battles in the cold war, from Vietnam to Korea. Those were all battles in the Cold War in which we ultimately prevailed. The Army was a major player in that massive conflict and sacrificed greatly.

My cousin, Jan Kelly, is with us tonight, who just happened to come into Washington, D.C., and I thought it was particularly appropriate that her husband, Ron Kelly, who was a captain, a professional Army officer in Vietnam and Korea, and could be in Washington, D.C., on this anniversary.

I want to also say a word about Pop Carter, who was my platoon sergeant in Charlie Rangers in Vietnam, who came home and ran his farm in Georgia, and whose son, Bobby Carter, went wrong and somehow joined the Marine Corps, but is today a great young warrant officer in that service, and Pop was a symbol of dedication to his country.

Lastly, I just want to mention the last of Ronald Reagan's speech in 1981, when I was sworn in, and I stood by a gentleman named Omar Bradley, then in a wheelchair, while Ronald Reagan pointed out to the Washington Monument. And he said, ''There is the monument dedicated to the Father of Our Country, and beyond that is the Lincoln Memorial, dedicated to the man who saved the Union. But beyond those monuments are thousands of monuments marked with crosses and Stars of David that are dedicated to Americans who gave every full bit a measure of devotion to their country as the Founding Fathers, and that, of course, is Arlington Cemetery.''

Ronald Reagan said, ''Under one of those crosses lies a man named Martin Trepto, who left his little barber shop in 1917, joined the U.S. Army in the Rainbow Division in France, and after Martin Trepto had joined the Rainbow Division in France in 1917 and he had been there only 3 weeks in a country, he was killed. His friends, when they recovered his body, found that he had maintained a diary, and the last entry in the diary said these words: 'I must fight this war as if the success or failure of the United States of America depends on me alone.' ''

That is the spirit of the United States Army that has carried us safely through this century. God bless the Army. Happy birthday.

Mr. SKELTON. Mr. Speaker, I yield 4 minutes to the gentleman from America Samoa, Mr. FALEOMAVAEGA.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the gentleman from South Carolina (Mr. SPENCE), the chairman of the Committee on Armed Services, and certainly our Democratic ranking member as well, the gentleman from Missouri (Mr. SKELTON), for providing this legislation now before the Members for consideration.

Mr. Speaker, I rise today in strong support of House Joint Resolution 101, a resolution which recognizes the 225th birthday of the United States Army.

Mr. Speaker, from the establishment of the Continental Army in 1775, today's modern fighting force, considered to be the best land-based fighting force in the world, the Army has fought for our Nation through difficult times. In reviewing the history of our Nation's wars and other campaigns, one only begins to appreciate the enormous role the Army has played in our Nation's history.

As an Army veteran in Vietnam and as a former member of the 100th Battalion and 442nd Infantry Reserve Group in Hawaii, I have experienced a small part of the Army's history and know how difficult war can be.

While we hope future generations may never have to experience any world wars like those of the past, we can all feel assured that our Army is ready to go wherever and whenever it is called.

I want to share with my colleagues, Mr. Speaker, some of the things that happened in World War II, one of the darkest pages of our Nation's history, of what we did to the Japanese-Americans. But despite all the problems that these patriotic Americans were confronted with, we had thousands of Japanese-Americans who volunteered to fight for our Nation. In doing so, the 100th Battalion and the 442nd Infantry Groups were organized to fight the enemy in Europe.

I want to share with my colleagues some of the accomplishments these two fighting units made in World War II. Over 18,000 decorations were awarded to individuals in these two units for bravery in combat; over 9,240 Purple Hearts; 560 Silver Stars; 52 Distinguished Service Crosses; and, one of the things, that I have complained about for all these years, why only one Medal of Honor?

I think this matter has been rectified, and I want to commend the gentleman from Hawaii, Senator AKAKA, whose legislation in 1996 mandated the Congress to review this. I think my colleagues are very happy, as well as myself, in seeing this month we are going to witness 19 Congressional Medals of Honor will be awarded in a special ceremony that will be made next

week, and among them the distinguished Senator from Hawaii, DANIEL INOUYE, who originally had the Distinguished Service Cross, and now he will also be awarded the Medal of Honor.

Mr. Speaker, I want to pay tribute to today's soldiers and all those who have gone before them. In addition, too, Mr. Speaker, I want to pay a very special tribute to the hundreds of thousands of Army wives and their children. I think this is perhaps one area that is sorely missing sometimes.

Yes, we do praise our soldiers in harm's way, but also we have to recognize the tremendous sacrifices that wives and their dependents have to make, where the women have to become both the fathers and mothers in the absence of the fathers being away. I think this is something that our country certainly owes to all the Army wives, for the tremendous services and sacrifices they have rendered on behalf of our Nation.

Our soldiers have never let us down, and when we call upon them, they are there to serve. I think my good friends have already made a comment on this, but I want to share it again because I think it is important. This is a special address that was given by the late General Douglas MacArthur to the West Point cadets at the Academy at West Point in 1962. It has been quoted, and I will quote it again.

''What is the mission of the Army? Yours is the profession of arms, the will to win, the sure knowledge that in war there is no substitute for victory, and, that if we fail, the Nation will be destroyed.''

Mr. Speaker, I want to say happy birthday, Army, and with exclamation to all the Army soldiers and veterans, I say ''Huuah.''

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

Mr. Speaker, I thank the Members who have stayed to this late hour to express the birthday wishes to the United States Army, and a special thanks to our chairman, the gentleman from South Carolina (Mr. SPENCE), for introducing this resolution.

There are two types of soldiers and have been through the years. First is the citizen soldier, who historically has served so well and then gone home after a conflict or after the service and performed duties in the civic arena. The second kind of soldier is the one who has made a career of leadership within the United States Army.

I come from Lafayette County, Missouri, which is the western part of the State, and in my home county there are two shining examples of each of these types of soldiers. Harry Earl Gladish was in the First World War, a member of the National Guard, Battery C of the 129th Field Artillery, 35th Division. He was gassed in combat, recovered and came home and elected mayor of Higginsville, a State representative from our county, and served many, many years as a magistrate judge of Lafayette County. The epitome of the citizen soldier.

Then I had the privilege of living next door to another soldier who came back after his distinguished career, a West Point graduate, coming through the ranks as an engineer, as a Brigadier General; built the Alcan Highway as a Brigadier General of the 9th Infantry Division, captured the Remagan Bridge, later retired as a four star general in charge of the entire American Army in Europe, Bill Hoge, General Bill Hoge of Lafayette County, Lexington, Missouri.

Both of these gentleman are gone, of course, but they have left the memory and they have left the example for those who follow; the citizen soldier on the one hand and the professional soldier on the other.

Those who follow in their footsteps and who wear the American uniform today are performing admirably, as long as they have the same spirit. For Judge Earl Gladish or General Bill Hoge, our Army will always be the finest institution of that sort in the world.

So I say happy birthday to the American Army, knowing full well that there are decades and centuries ahead of us where it will perform great tasks for our country. I wish them continued success and Godspeed, as well as a birthday wish.

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

□ 2300

Mr. SPENCE. Mr. Speaker, it would not be appropriate to close out this proceeding tonight without us remembering one of our colleagues who is now retired from this body, Sonny Montgomery, from the State of Mississippi, one of the greatest supporters of the Army and our military that I have ever known. We all wish him well.

Mr. Speaker, from a lifelong Navy man, I would like to wish the Army a happy birthday on its 225th anniversary.

Mrs. TAUSCHER. Mr. Speaker, I rise today in support of this bill, congratulating the Army on its 225th birthday.

In this bill, we take this very appropriate opportunity to recognize the Army for the fighting force that it is, victorious in times of war, and persuasive in times of peace.

This legislation recognizes the 225 years of service the Army has to its record. On June 14th, 1997, a group of colonists came together on the town square in Cambridge, Massachusetts. They did so under the authority of the Continental Congress, even before we had signed the Declaration of Independence.

The group that came together that day, 225 years ago was the humble beginning that secured freedom for our country and has kept the peace since.

I want to join my colleagues today in expressing our appreciation for the Army and the fine work it does every day—work that is done so flawlessly that it sometimes goes unnoticed.

Many people may not realize that the Army today means more than fighting and winning wars on foreign territory. Today's Army means providing humanitarian relief to the flood victims in Mozambique. Today's Army means taking a proactive role to stop the flow of drugs into his country. Today's Army means homeland defense, because of which we are constantly prepared to respond to domestic threats of terrorism in our cities and on our subways.

These are the kinds of operations that the Army performs every day.

Mr. Speaker, since I became a member of Congress, I have been fortunate enough to interact with many of our brave men and women of the Army. And as an American, it gives me great pride to say that these individuals are some of smartest, selfless, and most courageous individuals I have ever come across.

The relationship between the institution of the Army and its dedicated troops is one of mutual benefit. But the real winners here, as I have already said, are the American people. And it is on behalf of this country that I want to thank the Army and all of its loyal personnel. Happy 225th birthday, U.S. Army!

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of this resolution recognizing the long and glorious history of the United States Army.

On June 14, 1775, ten companies of riflemen were authorized by a resolution of the Continental Congress. Since that time our citizen soldiers have carried the banner of freedom around the globe. This Member is proud to have been one of those soldiers, having served as an officer in the ''Big Red One,'' the 1st Infantry Division.

Today's soldier is in many ways very different from those first authorized in 1775. Today's soldier is male, or female, of all races and ethnic origins, far better educated and better equipped, and a professional in every aspect of the word. Yet, they are not so different. Each is as dedicated to protecting the freedoms and rights of Americans as were those first soldiers in our Army. They endure the same long hours, separation from loved-ones, and low pay.

This body has embarked on a path to make life better for our soldiers. The FY2001 Defense Authorization and Defense Appropriations bill have made the first steps in returning the attraction and retention of the finest soldiers. These young Americans by their service demonstrate that they truly believe in the principles of this Nation. This body must show its belief in them. This Member hopes that the marking of this very significant birthday will help those Americans who have not had the privilege the serve to understand the difficulties and hardships that our soldiers carry, almost always without complaint, in the name of freedom.

Mr. Speaker, this Member urges all of his colleagues to join in honoring the men and women of our nation's great Army by adopting this resolution. Happy 225th Birthday to the United States Army.

Mr. THOMPSON of California. Mr. Speaker, I rise to join my colleagues in celebrating the 225th anniversary of the United States Army.

As a combat veteran myself, I am proud to have served with a branch of our Armed Services whose birth was the prelude to our nation's birth.

For more than two centuries, a long line of men and women have courageously and selflessly served in the United States Army and defended our nation's freedom and ideals.

Many—too many—have given their lives in such service. Indeed, we all appreciate that our freedoms are hard-fought. More important, we understand that their continued survival requires us to be prepared, in the words of President Kennedy, ''to pay any price, bear any burden, meet any hardship, support any friend, and oppose any foe.'' It's clear that the Army is ready to meet that challenge.

We cannot predict the security threats our nation will face in the future. But like its sister services, the Army is preparing to meet them. It is undergoing a transition that will increase its mobility and fighting power. It is transforming itself in anticipation that future crises will require a different set of talents and assets than the wars of the 20th century. To their success, I pledge my continuing support.

Mr. Speaker, this annual birthday commemoration is important because it allows us to confer appropriate recognition on the men and women who serve in today's Army. These men and women, like their predecessors, prepare every day and are ready to go into battle. We pray their service may not be required, but we know that their strength and preparedness are our best weapons in keeping aggressors at bay. Of increasing importance is their role in peacetime and humanitarian operations around the world. To the last, they are ready to use their best efforts to fulfill whatever missions they are tasked to perform.

When I was in the Army during the Vietnam War, I served with the 173rd Airborne. My fellow sky soldiers served with valor. Each upheld the longstanding traditions that characterize the Army—duty, honor, and selfless sacrifice. Indeed, earlier this spring, I was privileged to attend a ceremony in which President Clinton awarded the Medal of Honor to a sky soldier, Specialist Four Alfred Rascon, who during that War was a medic assigned to the Reconnaissance Platoon that came under heavy fire. His extraordinarily courageous acts saved a number of his fellow sky soldiers and, as stated in the citation, ''are in keeping with the highest traditions of military service and reflect credit upon himself, his unit, and the United States Army.''

Mr. Speaker, in Army units around the world, there are many Alfred Rascons—individuals ready to place their lives in harm's way. Few will receive a Medal of Honor, but all have the same love of freedom, same love of country, and same dedication to duty. Our nation cannot be better served.

It is truly a privilege to join nearly 480,000 men and women in commemorating the 225th anniversary of their United States Army. I join my Congressional colleagues, and all Americans, in saluting them.

Mr. RODRIGUEZ. Mr. Speaker, this week we mark an important day in American history—June 14, 1775 is the day the United States Army was born. The birth of the Army was the prelude to the birth of freedom for our country the following year. This Army earned, and continues to earn, the respect of our allies, for fear of our opponents, and the honor and esteem of the American people.

The Army's ninth oldest installation was established in 1876 on land donated by the city of San Antonio, Texas. In 1890 the post was named Fort Sam Houston and it has continuously performed five basic roles and missions; as a headquarters, a garrison, a logistical base, mobilization and training, and a medical facility. By 1912 it was the largest Army post in the United States.

Highlights of the post's illustrative history include:

Geronimo and thirty-two other Apaches were briefly held prisoner there.

The 1st US Volunteer Cavalry (Roosevelt's Rough Riders) was organized and trained at Fort Sam Houston before heading for San Juan Hill.

Military aviation was born at Fort Sam Houston in 1910 when Lieutenant Benjamin D. Foulois began flight operations there in Army Aircraft #1, a Wright biplane.

Lieutenant Dwight D. Eisenhower met Mamie Doud on the porch of the officers' mess, married her, and lived in Building 688 on the post.

George C. Marshall, Douglas MacArthur, and John J. Pershing were among sixteen officers who served at Fort Sam Houston and later became general officers and distinguished leaders in the First and Second World Wars.

In 1917 over 1,400 buildings were constructed in three months to house and train more than 112,000 soldiers destined to serve in World War I.

The Army's first WAAC company arrived in 1942 to train and serve.

Fort Sam Houston, known as the home of Army medicine, has been a leader in the medical field since its first 12-bed hospital was built in 1886. Today, with a new, state of the art, medical treatment facility, the Brooke Army Medical Center, and the Army's Medical Department Center and School, Fort Sam Houston continues the important medical role it has played since the post was founded.

As we honor the United States Army, our nation's oldest service, now celebrating its 225th birthday, it is fitting we reflect on the historic role Fort Sam Houston, Texas, has played, and continues to play, in the defense of our country. It is a tangible connection with the history of the Army and the United States. It is important we preserve its legacy for future generations.

Mr. ORTIZ. Mr. Speaker, I rise today in support of H.J. Res. 101, a resolution commemorating the 225th Birthday of the United States Army. I thank the Chairman and Ranking Democrat for bringing this resolution to the floor today.

I know that all Americans share an appreciation for the United States Army, but few know the Army actually predates the existence of this Congress. In mid-June of 1775, the Continental Congress, the predecessor of the U.S. Congress, authorized the establishment of the Continental Army. The Continental Army became the United States Army after the adoption of the United States Constitution, giving Congress the responsibility ''to raise and support Armies'' in Section 8, clause 12 of Article I.

Through this resolution we consider today, Congress notes the valor, commitment and sacrifice made by American soldiers during the course of our history; we commend the United States Army and American soldiers for 225 years of selfless service; and we call upon the people of the United States to observe this important anniversary with the appropriate ceremonies and activities. Many have observed that the freedoms and liberty we enjoyed in the 20th Century were a result of the wars fought by the United States military, which has the Army as its backbone.

As a former soldier in the Army, I have a unique appreciation for the work it does. As a member of the House Armed Service Committee which now writes policy to guide the same Army in which I served, I also have a unique appreciation for the job we ask the Army to do today. We ask them to do a dangerous and difficult job. They bleed and die for the cause of liberty and democracy. There is no way those who have not served can understand the everyday life of a ground or airborne soldier.

Let me speak to why it is important that Congress commends the Army so publicly today. As our overall force has drawn down, I find there is more and more of a disconnect between those who fight our wars and the civilians whose interests they protect. It is civilian command and control that is one of the most meaningful aspects of democracy. It is also the closeness of the citizenry and the military that is, in and of itself, representative of a free society.

I urge my colleagues to support this resolution, but I urge them to do more than just that. I implore them, and the American people, to seek a greater understanding of today's military and the mission we expect them to do; appreciation of the job they do will follow.

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from South Carolina (Mr. SPENCE) that the House suspend the rules and pass the joint resolution, H.J. Res. 101.

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

A motion to reconsider was laid on the table.

□

EXPRESSING THE SENSE OF CONGRESS REGARDING BENEFITS OF MUSIC EDUCATION

Mr. MCINTOSH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 266) expressing the sense of Congress regarding the benefits of music education.

The Clerk read as follows:

H. CON. RES. 266

Whereas there is a growing body of scientific research demonstrating that children who receive music instruction perform better on spatial-temporal reasoning tests and proportional math problems;

Whereas music education grounded in rigorous instruction is an important component of a well-rounded academic program;

Whereas opportunities in music and the arts have enabled children with disabilities to participate more fully in school and community activities;

Whereas music and the arts can motivate at-risk students to stay in school and become active participants in the educational process;

Whereas according to the College Board, college-bound high school seniors in 1998 who received music instruction scored 53 points higher on the verbal portion of the Scholastic Aptitude Test and 39 points higher on the math portion of the test than college-bound high school seniors with no music or arts instruction;

Whereas a 1999 report by the Texas Commission on Drug and Alcohol Abuse states

that individuals who participated in band or orchestra reported the lowest levels of current and lifelong use of alcohol, tobacco, and illicit drugs; and

Whereas comprehensive, sequential music instruction enhances early brain development and improves cognitive and communicative skills, self-discipline, and creativity: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) music education enhances intellectual development and enriches the academic environment for children of all ages; and

(2) music educators greatly contribute to the artistic, intellectual, and social development of American children, and play a key role in helping children to succeed in school.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MCINTOSH) and the gentlewoman from California (Ms. SANCHEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. MCINTOSH).

GENERAL LEAVE

Mr. MCINTOSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 266.

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

There was no objection.

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

Mr. Speaker, today we have a great opportunity to acknowledge the importance of music education, and to honor music educators across the Nation who contribute so much to the intellectual, social, and artistic development of our children.

Music education has touched the lives of many young people in my State of Indiana and across this Nation. It has taught them teamwork and discipline while refining their cognitive and communication skills. Music education enables children with disabilities to participate more fully in school, while motivating at-risk students to stay in school and become active participants in the educational process.

Daily, daily in this country music educators bring these benefits to our children. Without these committed, hard-working individuals, professional educators who impart the benefits of music education, they would never be realized by their students. Those educators are heroes in the lives of so many students.

In passing this resolution, this House commends their work and their impact on the development of our young people.

For me personally, Mr. Speaker, music education has played an important role. When I was a child, I first was given piano lessons, learned to play the piano. Later I played the tuba in the high school band in Kendallville, Indiana. I learned to play that instrument and played it in the band, as we went into marching band. Doing that taught me a great deal about discipline and hard work, and it is my fondest hope that my little girl Ellie will also love music and will learn to play an instrument of her own, as much as I did.

Recently I had the privilege of speaking with a teacher, Mr. Bill Pritchett, who is the director of bands at Muncie Central High School in my home district and in my hometown of Muncie. Mr. Pritchard was at a field hearing held by Chairman Goodling and the Committee on Education and the WorkForce. He sees about 600 students a day.

As I spoke with him about his work, it became very clear to me the passion that he brought to that was imparted onto those children, and that a well-run music program provides an effective way for those children to enhance their education.

His program, much like other music programs across this country, also encourages parental and community involvement, practice and discipline, school pride, ability and self-esteem, socialization and cooperation. In the area of cognitive development, studies are abundant showing that music education already enhances education and brain activity.

Mr. Robert Zatorre, a neuroscientist at McGill University in Montreal, made this very poignant observation: ''We tend to think of music as an art or a cultural attribute. But in fact, it is a complex human behavior that is as worthy of scientific study as any other.''

Studies indicate that music education dramatically enhances a child's ability to solve complex math problems and science problems. Further, students who participate in music programs often score significantly higher on standardized tests.

Accordingly, the college-bound high school seniors in the class of 1998 who received music education in their high school career scored 53 points, let me repeat that, 53 points higher on the verbal portion of the SAT and 39 points higher on the math portion than those college-bound students who had no music or arts instruction.

Recent studies by psychologist Francis Rauscher at the University of Wisconsin at Oshkosh indicate that young children who receive music education score 34 percent higher on spatial and temporal reasoning tests. So we see that our young people already have an impact when they are taught to appreciate music in the schools.

This study demonstrates a clear correlation between music education and math and science aptitude.

Gwen Hunter, a music teacher in DeSoto and Albany Elementary Schools in my district in Indiana recently sent me a letter. I want to quote from her letter today for my colleagues.

Ms. Hunter said, ''I feel strongly that the arts broaden children's creativity, self-esteem, and emotional well-being. Music is an area of study that builds cognitive, affective, and psychomotor skills that can be transferred to other areas of interest. It caters itself to the different types of learners by offering opportunities to visual learners, listening learners, and kinesthetic learners. Music education allows students the opportunity to develop and demonstrate self-expression.''

Ms. Hunter is so right. Developing and demonstrating self-expression is a positive way, and it also directs young people away from more destructive behaviors. Basically, studies show kids who are in band, choir, or otherwise involved in music are less likely to get into trouble, less likely to use drugs.

A 1999 report by the Texas Commission on Drug and Alcohol Abuse found that those individuals who participated in band or orchestra reported the lowest levels of current or lifelong use of alcohol, tobacco, and illegal drugs.

As we can see, Mr. Speaker, music education is an important academic discipline that can provide a deep, lasting contribution to a child's education on so many different levels.

Unfortunately, there are families in our country who cannot afford to buy the instruments for their children, and schools who do not have the resources to provide students with those instruments. Fortunately, there are opportunities for Members of this House and any Americans who are listening today to make a difference and to help those children who want to acquire an instrument, because this week, June 16, June 12 through 16, NBC's Today Show will focus on the importance of music education in supporting VH1's Save the Music Campaign.

During this week, VH1, along with their national partners, NAMM, the International Music Product Association, and the American Music Conference, will be conducting a nationwide instrument drive, Save the Music Campaign. They will be collecting instruments for needy schools at over 7,500 member sites of NAMM, as well as at over 300 Border Books locations.

Anyone who happens to have an old trumpet, flute, clarinet, saxophone, maybe even a tuba, hiding in their attic, let me ask them tonight, take that old instrument to one of their local music stores or a local Borders Bookstore and turn it in, donate it, so some child somewhere in America will be able to enjoy that instrument.

In so doing, you will open up a world of their dreams where they can enjoy music, learn it for themselves, and be able to experience the benefit of music education.

I do want thank VH1, NAMM, AMC, and Borders Books for providing this opportunity for more of our Nation's children to have the proven benefits of music education.

As we stand here today recognizing the value of music education, I encourage everyone, Members of Congress, school administrators, teachers, charitable groups, parents, and concerned

Americans, to get involved in supporting music education in their local schools.

Mr. Speaker, I appreciate the opportunity to bring this resolution to the floor and to talk about the benefits of music education. I urge all of my colleagues to support the resolution.

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

□ 2310

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

Mr. Speaker, I am proud to be here today to support this resolution. I am a cosponsor of this resolution authored by my colleague, the gentleman from Indiana (Mr. MCINTOSH), who I serve with on the House Committee on Education and the Workforce.

This legislation speaks to an element of everyday life in America. We may sometimes overlook the important role that music plays in our society, but it has been a part of human culture since the beginning of time. That is why music must be a part of our education system.

Not only does music education increase our children's ability to excel in the complex challenges they will face in subjects such as math and science, music prepares students to face the challenges outside of the school building. Music teaches self-discipline, communication, and teamwork skills. The whole is greater than the sum of the school band's part. Music keeps our children out of gangs, away from drugs and alcohol. These things apply to all of our children, and that is why all of our children should have the opportunity to play music, especially in school.

I was a little disappointed to see a program aimed at using the arts to help at-risk children succeed academically eliminated, and I am looking forward to working on a more bipartisan approach to this educational policy. Music education has proven its successes time and time again.

For example, in the Silicon Valley, where amazing numbers of our Nation's brightest engineers are musicians, or in our medical schools where the number of students admitted from backgrounds in music sometimes outnumbers those who come with a background from biochemistry, for example; and in third grade classrooms, where learning about whole notes and half notes and quarter notes is what teachers are using to teach fractions and all of this is made possible by a very special group of professionals, music teachers.

Today we honor those gifted educators who expand children's worlds through music, and we thank them and we commend them for their work.

These are the people who take on extra jobs so they can teach music to our children. These are the people who often spend their own money, like many other teachers, to purchase program supplies so that in times of school budget cuts our children will not suffer and they will have their music.

I urge my colleagues to join me in honoring America's music teachers and in supporting our Nation's music programs.

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

Mr. MCINTOSH. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GOODLING), the distinguished chairman of our committee.

Mr. GOODLING. Mr. Speaker, I thank the gentleman from Indiana (Mr. MCINTOSH) for yielding me this time.

Mr. Speaker, I rise today in support of H. Con. Res. 266, expressing the sense of Congress regarding the benefits of music education. First I want to thank music teachers across the country for their efforts. Music education is an important part of a well-rounded education and its benefits last a lifetime. I also want to thank the gentleman from Indiana (Mr. MCINTOSH) for bringing this legislation forward. He is a valued member of the Committee on Education and the Workforce. It is clear from his efforts on the committee and on the floor today that education of our Nation's children is an issue that is very important to him.

I know from my experience as a teacher that music education can improve discipline and educational achievement. However, there is now a growing body of scientific evidence to support this.

Recent studies indicate that music education at an early age results in improved math and science aptitude. According to the College Board, students with four or more years of arts education score significantly higher on the SAT than those without an arts background. According to the March 15, 1999, edition of Neurological Research, second and third graders that first learned eighth, quarter, half and whole notes, scored 100 percent higher on fractions tests than their peers who were taught fractions using traditional methods alone.

Equally important are the findings of the Texas Commission on Drug and Alcohol Abuse. In its 1999 report, it found that individuals who participated in band or orchestra reported the lowest level of current and life-long use of alcohol, tobacco and illicit drugs. Clearly, the benefits of music education can last a lifetime.

I remain concerned that when schools and school districts face financial hardships, music education is often one of the first subjects cut.

This Congress is taking concrete steps to improve our music education programs. Recently my committee favorably reported H.R. 4141, the Education OPTIONS Act, which will make arts and music education an allowable use of funds in our after-school and drug prevention programs. It will also make improvements to the arts and education program and for the first time allow music educators to have a role in the grant-making process.

Many of my colleagues know how important my music is to me. Some walking past my office late at night may even have heard me playing my piano. It would truly be a tragedy if we lived in a world where we did not teach music to our children. Unfortunately when I retire and leave, the piano is too heavy to carry to give away to someone else. I will have to see whether they can come and pick it up.

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

Mr. GOODLING. I yield to the gentleman from Indiana.

Mr. MCINTOSH. I thank the gentleman for that thought.

Mr. GOODLING. I commend our country's music teachers for their efforts and for the role they play in the lives of our children, and I urge my colleagues to join me by supporting this legislation and vote yes on final passage.

Ms. SANCHEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. CLEMENT). He is a Member of this body who has long led our efforts on behalf of school music education.

Mr. CLEMENT. Mr. Speaker, this resolution has been brought forward expressing the importance of music education to the floor tonight.

Mr. Speaker, I come from Nashville, Tennessee, which we call Music City USA, this week to celebrate Fan Fair. We will have people from all over the country to meet their favorite country music singers and listen to their music.

Music has had a profound impact on my home State, influencing many Tennesseans, enriching our lives. As Fan Fair gears up and VH–1 teams in concert with the Today Show to promote Save the Music programs, which is something that we are all proud of, I just cannot say what music and art have done in the lives of so many people. I am delighted to be an original cosponsor of this legislation because music education is something that is extremely important and should be important to all of us.

I have been a supporter of music and art education in schools for a long time because I know firsthand how influential it is. Both my daughters have taken music lessons and play the violin and the piano. I have seen firsthand the benefits their music education has afforded them developmentally, socially, and academically. I believe that we must provide our students with this opportunity. We can all appreciate the cultural and social benefits music education provides. Children who are involved in music programs gain not only appreciation for music and the arts but also self-confidence and social skills.

Beyond this, music education directly affects a child's ability to excel academically. Lessons learned through music classes transfer to study skills, communication skills, and cognitive skills. Music study helps students learn

to work effectively in the school environment without resorting to violent or inappropriate behavior.

Clearly, the benefits of music education extend far beyond the music classroom. Just as we would not think of doing away with math or science or history, we should not consider eliminating music from our schools' curricula.

I urge my colleagues to join me in supporting this resolution.

□ 2320

Ms. SANCHEZ. Mr. Speaker, I yield 4 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I first want to commend the gentleman from Indiana (Mr. MCINTOSH) for his sponsorship of this resolution which I think is commendable. I want to commend also the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the full committee, and the gentlewoman from California (Ms. SANCHEZ) for managing on our side of the aisle this piece of legislation.

I want to suggest to the gentleman from Pennsylvania (Mr. GOODLING), my good friend, that I would be more than happy to accept his piano before he goes back to his home district in Pennsylvania. I would be more than happy to take him up on that.

To the gentleman from Tennessee (Mr. CLEMENT), my good friend, I do not know if other Members have had the privilege, but I have had the privilege of meeting Elvis Presley personally because we first participated in the movie that he made in Hawaii, which was called ''Paradise Hawaiian Style'' and for which I was privileged to work as an extra. I met the great Elvis, a fantastic humble person. I just thought I wanted to note that to the gentleman from Tennessee since so much of Elvis' history and his eloquence is being one of the greatest musicians in our country.

Mr. Speaker, I do rise today in support of the special recognition of the benefit of teaching music to children in our Nation's educational system. I started playing musical instruments early in my own life. I play the piano. I play the guitar. I play the ukulele. I even play the balilaika. I do not even know if any of my colleagues know what that is. That is a Russian guitar. I play even the autoharp. Now my little daughter is trying to teach me how to play the violin.

I enjoy playing these instruments, Mr. Speaker. I know it has benefited me throughout my life. I have seen the positive influence it can have on others. Music have been an integral part of Pacific Island cultures for thousands of years. To this day, we pass on our traditional songs from generation to generation.

It is true this music in our traditional legends that a 3,000-year-old culture has survived. For example, in my own Samoan culture, music is the thing that ties our whole Samoan community throughout the world. I have noticed the same to be true for other cultures as well. From Africa to Europe to Asia to the Pacific, music helps keep our societies together.

It is my hope that with our increased ability to communicate globally, we can use new technologies to find new ties to bind us together throughout the world.

Recently, studies have shown that there are clear benefits to including musical instruments as part of a well-rounded academic program. Students of music seem to score higher on standardized tests, have lower rates of abuse of alcohol, tobacco, and illicit drugs, and have improved cognitive and communicative skills, self-discipline and creativity.

What is music, Mr. Speaker? Music defines our humanity, whether it be times of sorrow or happiness; and above all, music lifts our souls and brings us closer to that divine source from whence all form of life depend upon. So let us hear it for music education.

Ms. SANCHEZ. Mr. Speaker, I yield myself such time as I may consume to conclude.

Mr. Speaker, I just would like to say that one of the things that the gentleman from Indiana (Mr. MCINTOSH) spoke about earlier was this whole idea of looking through one's closets and getting that instrument out and donating it to a local school so that our children can have music in their lives. It is a real exciting thing to do.

Our office recently was able to get our hands on some excess music sheets. We had the entire office filled back in the district. We noticed all of the school music directors that we had all of this music that they could come by and browse and pick out for free and take back with them in order to use it for the education of our children.

It was amazing because, before our office opened at 8:30 in the morning, there was a line of music professors from the different high schools and the elementary schools waiting to see what we had. They came in, and I tell my colleagues that we thought it would run for about 3 or 4 days in the district where they could come in and look through and take back with them whatever they wanted. The fact of the matter is that, within 3 hours, about 80 percent of the material had been carted off by our music teachers in our district.

So I would just say that there is a great need and a great desire, in particular that these music teachers do really take their time to go and find material and bring it back and teach our children. It is a great experience. In my own elementary and secondary education, I also played an instrument in the band and was in the choir. So it is a great thing for our children.

With that comment, let us do the right thing for our children. Let us have music in their lives. When they have it in their lives, we have it in our lives.

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

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

Mr. Speaker, I want to thank the gentlewoman from California (Ms. SANCHEZ) for her leadership on the committee. Her remarks tonight reminded me that my wife, Ruthie, has told me several times about how she in her education had missed out on multiplication tables because her dad was in the Navy, so they moved from school to school. The year when she was to learn multiplication was different in each of the schools, and somehow it fell between the cracks.

So a beloved aunt of hers, Kathy McManis, one summer spent the summer working with Ruthie teaching her to learn multiplication through songs that they would make up about the multiplication tables. So that was an early example in our family of music education really transcending over into learning math, as the gentlewoman from California (Ms. SANCHEZ) mentioned about the class that learned fractions through song. So it can be done.

I also want to mention that undoubtedly history will write that there was another Elvis sighting here tonight to bless this effort of ours. I appreciate the gentleman from American Samoa (Mr. FALEOMAVAEGA). Someday I will ask him to play ''Nothing But a Hound Dog'' on that Russian guitar and entertain all of us with that.

Also, I want to especially thank the gentleman from Tennessee (Mr. CLEMENT). Oftentimes in Congress, the person who first starts working on the issue is not the one who ends up bringing it forward to the floor. Really, credit goes to the gentleman from Tennessee (Mr. CLEMENT) for years ago realizing how important this was crafting the support for this issue, helping to write the resolution. I want to record that credit really goes to him for this being a child of his that he thought of, and now we are able to carry it to fruition. There is no stronger advocate, really, of music education in the House than the gentleman from Tennessee (Mr. CLEMENT). We owe him a great deal of appreciation for that.

I want to also thank the teachers from Indiana, Mr. Bill Pritchett, Ms. Gwen Hunter, Janet Morris, Mr. Don Ester who helped us put together the material for this, and all the music teachers across this great land of ours who put in those hours of dedication and effort and go scrounging for material, as the gentlewoman from California (Ms. SANCHEZ) described, the ones who she was able to help in her office. They are truly dedicated to making sure that the children who they work with have a great opportunity and have their horizons broadened.

Two of my teachers, Mr. Peter Bottomly and Mr. Phil Zent, served as

role models for me in high school. They were both band directors when I was there and really brought out the love of music in the teaching for all of us in high school band at that time. The discipline that I learned there while mastering the tuba has indeed served me well.

But with that, Mr. Speaker, let me thank my colleagues. I appreciate the chance to bring this resolution to the floor. I am proud of our House tonight for taking up this resolution on exactly how important music education is in our country.

Mr. HOLT. Mr. Speaker, I rise in support of H. Con. Res. 266, legislation expressing the sense of the House regarding the benefits of music education. I am proud to join my colleagues in passing this bipartisan proposal today in the House of Representatives.

As a teacher, I can testify to the value that music and art can have in a well-rounded academic program. There is a growing body of scientific research demonstrating that children who receive music instruction perform better on spatial-temporal reasoning tests and proportional math problems.

Opportunities in music and the arts have also enabled children with disabilities to participate more fully in school and community activities.

There is something special about music and the arts that speak to what is special and unique in the human spirit. Music and the arts can motivate at-risk students to stay in school and become active participants in the educational process. They teach all students about beauty and abstract thinking.

According to the College Board, college-bound high school seniors in 1998 who received music instruction scored 53 points higher on the verbal portion of the Scholastic Aptitude Test and 39 points higher on the math portion of the test than college-bound high school seniors with no music or arts instruction.

Other data shows that individuals who participate in band or orchestra reported the lowest levels of current and lifelong use of alcohol, tobacco, and illicit drugs. Comprehensive, sequential music instruction assists brain development and improves cognitive and communicative skills, self-discipline, and creativity.

Mr. Speaker, music education enhances intellectual development and enriches the academic environment for children of all ages. I am proud to join with my colleagues in passing this bipartisan resolution in recognition of these facts.

Mr. BARRETT of Nebraska. Mr. Speaker, I rise today in strong support of H. Con. Res. 266, and in honor of all the music educators and their students across the country. We've all heard the statistics about how studying music helps kids learn math, and how students who participate in fine arts programs are less likely to use drugs or alcohol. And behind those statistics, are real teachers, making a difference every day in the lives of real kids.

Each year, in Nebraska the Omaha World-Herald presents the ''My Favorite Teacher'' award to teachers across the state. This year, two music educators won the prize. One of the teachers, Jean McGee, is an elementary music specialist at Sandoz Elementary in my homestown. She was nominated by her student Drew Nguyen (pronounced: New yen) who wrote in his nomination, ''My teacher . . . taught me so much in my life so far . . . Her music is the glory in my days, even rough ones.''

Drew's comments remind me of my own experiences. When I was young, my music teachers helped instill in me a real appreciation for music. Because of their efforts and my parents' encouragement, I was able to turn my music lessons into a job with a jazz band that helped pay my way through college. Later, while I was in the Navy, I enjoyed playing in military bands and dance bands. My summers were spent playing so-called ''one nighters'' throughout the midwest. Because of music, I developed lifelong friends, and savor the memories of one nighters ''on the road with the band.''

For many students, like Drew and me, music teachers provided the opportunities to learn—not just about music scores and techniques, but also about how the arts can enrich daily life. I applaud all music teachers who continue to teach a truly universal language, and their students, and urge passage of H. Con. Res. 266.

Mr. SWEENEY. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 266 expressing the sense of Congress regarding the benefits of music education.

The value of a musical education in our society is immeasurable. Music affords free expression and sharing of ideas and feelings. In this way, music represents our most basic Constitutional right of free speech and expression. Musical performers are ambassadors to other nations who spread the joys of our music and democracy.

Music not only provides connections between cultures, but also across generations. Music has allowed me to form a closer bond with my children. Every summer we sit on the lawn of Saratoga Performing Arts Center in upstate New York, introducing each other to the symphony, rhythm and blues, country, Irish folk music, and rock and roll. Our experiences sparked a deep appreciation for music and truly allows us to enjoy the finer things in life.

My own musical experiences with the trombone are among my most cherished school memories. These musical studies boosted my self esteem and confidence. Music education still has this same valuable impact on millions of Americans today.

I cannot imagine America without music. I encourage my children, and all Americans, to immerse themselves in musical education. Sit down and listen to music together. Invite someone to a concert, musical or recital. Sign up for a music class. Discover the wonders of playing a musical instrument or turn on the car radio and enjoy the freedom music represents.

Mr. Speaker, please join me in voting in favor of House Concurrent Resolution 266, expressing the sense of Congress regarding the benefits of music education.

Mr. REYES. Mr. Speaker, growing up along the United States/Mexico border, music has always had a profound influence on my life. Music, like art, dance, and drama are windows through which we view culture. Music is a language that is understood by diverse people across the world and ties us together in our common humanity. With much of the strife and civil unrest that takes place in our world, music is one of those gifts that helps bridge cultural, social, and political gaps between people.

In our schools, I truly believe that music education enhances intellectual development and enriches the academic environment for children of all ages. I think that an investment in music education is an investment in the health and well-being of our society. Music education gives our children the opportunity to explore and experience something that has deep meaning and significance to all of us. This is critically important and should not be taken lightly.

The notes and scales in the musical scores are the threads that help us build and maintain the tapestry of culture. We all gain value through music, and we, as the 106th Congress, should support music education as an integral part of our educational curriculum. I urge my colleagues to support House Concurrent Resolution 266, expressing the sense of the Congress regarding the benefits of music education.

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

The SPEAKER pro tempore (Mr TERRY). The question is on the motion offered by the gentleman from Indiana (Mr. MCINTOSH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 266.

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

A motion to reconsider was laid on the table.

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□ 2330

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. TERRY). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

(Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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RECOGNIZING AWARD OF MEDAL OF HONOR TO PRESIDENT THEODORE ROOSEVELT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BUYER) is recognized for 5 minutes.

Mr. BUYER. Mr. Speaker, I rise today to bring attention to a great man, a man of immense stature to the history of this Nation, a strong, moral family man and a visionary conservationist, a man who distinguished himself in peace and in war and who would at the age of 43 become the first great American voice of the 20th century and our 26th President, Theodore ''Teddy'' Roosevelt.

My esteemed colleague the gentleman from New York (Mr. LAZIO) initially brought this case to my attention in 1997. As chairman of the House

Committee on Armed Services' Subcommittee on Military Personnel, I worked with the gentleman from New York and former Pennsylvania Representative Paul McHale, the Roosevelt family, representatives of the Theodore Roosevelt Association, authors and historians to correct a historical oversight. Our crusade has been to see that then Colonel Teddy Roosevelt be awarded the Medal of Honor posthumously for conspicuous gallantry at the Battle of San Juan Heights during the Spanish American War.

On July 1st of 1898, Colonel Roosevelt led the First United States Volunteer Cavalry Regiment, the Rough Riders, into action alongside Army regulars at San Juan Heights outside Santiago, Cuba. During the battle, the Rough Riders encountered a regular Army unit that was reluctant to press the attack. Roosevelt boomed, ''Step aside and let my men through,'' then proceeded to lead his men through a hail of enemy gunfire during the assault up Kettle Hill, one of two hills comprising San Juan Heights. His leadership was so compelling that many of the regular Army officers and men fell in line with the Rough Riders.

Mr. Speaker, Colonel Roosevelt's heroic performance on that day is well documented, but I believe it is enlightening to review some of the historical details:

Number one. Roosevelt's actions demonstrated an utter disregard for his own safety and were consistent with the actions of those that were awarded the Medal of Honor during the Spanish American war. Of the 22 officers and soldiers who were awarded the Medal of Honor that day, 21 received it because they gave up cover and exposed themselves to enemy fire. Once the order to attack was received, Colonel Roosevelt mounted his horse and rode up and down the ranks in full view of enemy gunners. During the final assault on Kettle Hill, he remained on horseback, exposing him to the withering fire of the enemy. If voluntary exposure to enemy fire was the criteria for award of the Medal, then Colonel Roosevelt clearly exceeds the standard.

By driving his Rough Riders through the ranks of a stalled regular Army unit to pursue the attack on Kettle Hill, Colonel Roosevelt changed the course of the battle. This is what a decoration for heroism is all about, the raw courage to make decisions and put your life in jeopardy to win the battle. His decisive leadership in pressing the attack saved American lives and brought the battle to a successful conclusion.

The extraordinary nature of Colonel Roosevelt's bravery was confirmed by two Medal of Honor awardees who recommended him for the Medal of Honor on that day: Major General William Shafter and Colonel Leonard Wood, original commander of the Rough Riders and later military governor of Cuba. Both men were eminently qualified to judge whether Roosevelt's actions qualified him for the award. The Army thought so much of these two men that they named forts after them.

Yet despite the preponderance of evidence and the endorsement by these two Medal of Honor awardees, the War Department never acted upon their recommendation. I believe there is credible evidence that politics, not an honest assessment of Colonel Roosevelt's valor, was the prime reason the recommendation for the Medal of Honor was never approved. The McKinley administration's fear of a yellow fever epidemic prompted them to delay the troop's return from the war, a decision that Roosevelt publicly criticized. Seeking to quickly defuse the issue, the McKinley administration reversed course and brought the troops home. The then Secretary of War, Russell Alger, resented the public embarrassment that he received as a result of the criticism from the hero of San Juan Heights, Teddy Roosevelt. Lacking records to substantiate why the decoration was disapproved at the time, I believe that Secretary Alger had the opportunity and motivation to deny Teddy Roosevelt the Medal of Honor by simply just not acting on it.

Mr. Speaker, the Medal of Honor is this Nation's highest military award for bravery in combat. Since 1863, more than 3,400 extraordinary Americans have been awarded the Medal of Honor by the President in the name of the Congress. President Theodore Roosevelt's name would be an honorable and noteworthy addition to this most hallowed of lists. His raw courage and the fearless, bold decisiveness that he demonstrated while leading his Rough Riders up Kettle Hill on horseback altered the course of the battle, saved American lives and epitomized the selfless service of all Medal of Honor awardees.

On February 22, Secretary of Defense William Cohen forwarded a memorandum to President Clinton recommending that Theodore Roosevelt be posthumously awarded the Medal of Honor. I join the gentleman from New York (Mr. LAZIO) and former Representative Paul McHale in commending the Department of Defense for following the lead of Congress by choosing to acknowledge President Roosevelt's heroic leadership and courage under fire during the Spanish American War. He will join 109 other soldiers, sailors and Marines who were awarded the Medal of Honor for their actions during that conflict.

However, it troubles me that for some inexplicable reason that President Clinton has delayed acting upon Secretary Cohen's recommendation. I urge President Clinton to announce the award now.

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AWARDING MEDAL OF HONOR TO PRESIDENT THEODORE ROOSEVELT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LAZIO) is recognized for 5 minutes.

Mr. LAZIO. Mr. Speaker, I yield to the gentleman from Indiana.

Mr. BUYER. Moreover, it is my sincerest hope that the award ceremony will be conducted here in Washington as befits a celebration that honors a truly larger than life American. Lastly, I spoke with Tweed Roosevelt today, a direct descendant of Teddy Roosevelt, and I endorse the Roosevelt family's desire that President Roosevelt's Medal of Honor permanently reside next to his Nobel Peace Prize in the Roosevelt Room of the White House. That is the working room of the West Wing just off the Oval Office. I can think of no better tribute to the greatness of President Roosevelt than to bring together in one room the accolades that he received as both a warrior and as a peacemaker. What finer example could we offer the leader of our Nation, what better inspiration for our future Presidents to strive for excellence in their quest of the greater understanding.

Mr. Speaker, I would like to commend Congress for its work to secure the Medal of Honor for Teddy Roosevelt. We have attempted to right a historical wrong and we have come to learn more about why Theodore Roosevelt was one of our greatest historical figures. He displayed the qualities of a great leader: courage, cunning, intellect, boldness and charisma all founded on deep moral purpose. His courage and the enthusiasm that his courage generated motivated his Rough Riders on the battlefield at San Juan Heights and inspired a generation of Americans as they emerged from the chaos of the late 19th century.

Mr. Clinton, we urge you to avoid further delay and expeditiously award the Medal of Honor to Colonel Theodore Roosevelt.

Mr. LAZIO. Mr. Speaker, I thank the gentleman from Indiana, and I want to begin by acknowledging his terrific work in terms of bringing this issue to the forefront of this Congress and all of his partnership with me in these last 3 years as we have been fighting for this sense of justice. People say why do we care about giving Theodore Roosevelt the Congressional Medal of Honor 102 years after he earned it. I think it comes down to simple justice. The fact is that Theodore Roosevelt is one of our greatest Americans. His face appears on Mount Rushmore. He has been known as one of America's greatest Presidents. Before that, he was a Governor of the State of New York. He was a great conservationist and a reformer.

□ 2340

He was the architect of the modern Navy, and in many ways help shape American foreign policy as we entered the global age. But it is for none of those reasons that Theodore Roosevelt deserves the Congressional Medal of Honor. It is for the facts that the gentleman from Indiana (Mr. BUYER) has laid out.

On that day, on July 1 of 1898, when a volunteer Lieutenant Colonel Theodore Roosevelt led his men up a hill, a strategic hill to secure that high ground which saved many American lives that day, and contrary to public belief, a popular belief the Rough Riders, who Lieutenant Colonel led, went forward that day without their horses as dismounted infantry and they faced an enemy much better positioned than the Spaniards in securing the high ground. They faced an enemy with munitions and with arms far superior to that which they had, including machine guns, which were only a few years later in World War I create such mass destruction; but even at that point in 1898, these guns were trained down on them.

Alongside Roosevelt and his Rough Riders advanced the 9th and 10th colored Cavalry Regiments, the famed Buffalo Soldiers of the Indian Wars. And I will say to the gentleman from Indiana (Mr. BUYER), to all of those in the Chamber, the Spanish bullets respected neither race nor social rank. In the end the blood was American.

Up the steep hill, the Rough Riders climbed facing a withering fire from the trenches blow up the steep hill, climbed with men from the rear ranks taken the place of the fallen, up that steep hill they climbed led by their bespectacled, mustached leader, Colonel Roosevelt.

In the finest military tradition, Teddy Roosevelt led the way. Rather than pushing his men forward from behind, he pulled them forward from in front. By his own conspicuous courage, Roosevelt inspired his men to conquer their fear, to climb those heights against a hail of enemy lead.

In placing themselves in dire danger, Roosevelt animated his men to move towards the trenches that belched the venomous fire. By his leadership, by dint of his personal example, Roosevelt propelled his troops to capture the Spanish defenses. Of the 490 men who started to climb that hill that day, 89 were killed or wounded. One of those wounded was Colonel Roosevelt.

And I would say to the gentleman from Indiana (Mr. BUYER), who has served our Nation in uniform and I have great respect and admiration for him because of that, there is no greater service than I think an American can render to put his life on the line and cause freedom in America's interests.

This is what Colonel Roosevelt did as a volunteer. He displayed extraordinary courage, and that was documented at the time by his superiors and his contemporaries. So this is not something where Congress is reaching back and recreating history. We have a strong historical record. There was a voluminous brief that was submitted by me 3 years ago with the assistance of the gentleman from Indiana (Mr. BUYER). The fact is that there is plenty of evidence, plenty of evidence that suggests that Roosevelt was denied for political reason.

Now is a time to correct that record to see that justice is done and for President Clinton to give him his due, the Congressional Medal of Honor. We call upon the President to do that.

Mr. Speaker, I would like to include in the RECORD a part of that brief, if I can, which documents the historical record.

Congressman Rick Lazio submitted the following argument for the Award of the Congressional Medal of Honor for President Theodore Roosevelt on September 9, 1997

THEODORE ROOSEVELT DESERVES THE MEDAL OF HONOR

INTRODUCTION

The 100th Anniversary of the Spanish-American War has raised public interest in this important segment of American History. The Spanish American War is for many a line of demarcation signifying America's emergence as a world power. Inextricably entwined in this coming of age on the world stage is the history and efforts of President Theodore Roosevelt.

Roosevelt, as the leader of the First Volunteer Cavalry Regiment known more commonly as the Rough Riders, played a significant and heroic role in the victory in Cuba. This victory catapulted both Roosevelt and the United States onto the world stage and the eventual position of leadership we enjoy today.

The focus here is not on Theodore Roosevelt, leader of the Rough Riders and his gallant charges to secure the San Juan Heights. Theodore Roosevelt was unjustly overlooked for the Congressional Medal of Honor. His application, when taken in the context for awarding America's highest military honor at that time, warranted more serious consideration than it was given. Many attribute this oversight to political squabbles of the times as well as prejudice in favor of the regular army regiments. The Centennial of this historic effort is an appropriate time to correct this injustice.

NARRATIVE

Thedore Roosevelt's service in the Spanish American War began with an offer of a commission from Secretary of War Russell Alger as Lieutenant Colonel in a regiment commanded by Colonel Leonard Wood in April of 1898 after the United States declared war on Spain retroactive to April 21, 1898. The Regiment was designated the 1st United States Volunteer Calvary. However, they quickly became more commonly known as the ''Rough Riders.'' The regiment was made of volunteers from all walks of life and all classes of Americans. The outfit was considered to be unpolished and undisciplined. Much effort was required to reform the Rough Riders into a quality fighting unit. The Rough Riders were later sent to Tampa and on June 3, 1898 arrived to be joined with other Cavalry regiments to form a division under the command of Major General Joseph Wheeler. The division belonged to the 5th Corps, commanded by Major General William R. Shafter, a Medal of Honor recipient and veteran of the Civil War.

On June 22, 1898, the Rough Riders landed in Cuba on the outskirts of Santiago after little resistance but a difficult voyage. The unit soon moved out in the campaign to capture Santiago. Soon after beginning the campaign, the regiment encountered resistance from the Spanish Army. The regiment suffered several casualties including eight killed in a battle to secure a blockhouse. By June 30 the planning for the assault on Santiago began in earnest.

The battle was to begin with an assault on El Cancy, a village on the outskirts of the San Juan Heights and in close proximity to the Camino Real, the principal route to Santiago. The assault would be made by the regular infantry under the command of Brigadier General H.W. Lawton and supported by an artillery barrage from a battery under the command of Captain Allyn K. Capron Sr. The rest of the army would take up positions in the jungle in front of the San Juan Heights. The plan was to capture El Caney and then directly assault the San Juan Heights.

It was at this time that Roosevelt was promoted to full colonel and given command of the Rough Riders. Several Officers had come down with fever. Colonel Wood was promoted to Brigadier General and given command of General Young's brigade leading to Roosevelt's promotion. By the end of the day, the Rough Riders were positioned near El Pozo, a hill flanking the Camino Real and about seven to eight miles from Santiago.

On the morning of July 1, 1898, the army began its attack on El Caney. The barrage was ineffectual and inspired return fire from the Spanish. Several men were killed and many others wounded, including a mild wound to Colonel Roosevelt. General Shafter, who was also ill, issued orders through his adjutant, Colonel McClernand for the army to get into position to attack the San Juan Heights as planned without waiting for El Caney to be captured. The force deployed as directed and quickly came under fire from the Spanish forces entrenched on the sloping hills overlooking them. The Rough Riders positioned themselves near the San Juan River at the foot of a hill that later became known as Kettle Hill because of the blockhouse and sugar refining kettle found there. The regiment and the other units it had moved to support quickly faced severe enemy artillery fire causing many to panic. Roosevelt walked up and down the line of Rough Riders to ensure that they were taking cover and receiving as much protection as possible. The Rough Riders were taking heavy casualties as they waited for orders to engage the Spanish.

After many hours of waiting and taking heavy casualties, Roosevelt finally received the order to advance on Kettle Hill in support of the Regular Cavalry. The Rough Riders soon reached the Ninth Cavalry. The Ninth's senior officers were reluctant to advance so Roosevelt and the Rough Riders passed them. Many junior officers and enlisted men of the Ninth then followed Roosevelt and the Rough Riders up the hill. Roosevelt was at the forefront of the charge up the hill and through a barbed wire fence to the crest of the hill all while under constant fire from the Spanish. After capturing Kettle Hill, Roosevelt turned his attention to San Juan Hill to the left. After viewing the approaching infantry under heavy fire from San Juan Hill, Roosevelt began an assault on San Juan Hill from Kettle Hill. Initially, Roosevelt's Rough Riders did not hear the order, but later followed after some further urging from Roosevelt. In the charge, Roosevelt personally dispatched a Spaniard with a shot from his revolver. The Regiment then dug in and prepared for the siege of Santiago.

ARGUMENT FOR PRESENTING THE MEDAL OF HONOR TO THEODORE ROOSEVELT BASED ON THE FIRST-HAND ACCOUNTS OF HIS PEERS

I. The case of Lieutenant Colonel Roosevelt warrants reconsideration by the Secretary

Under the Department of Defense Manual of Military Decorations and Awards, the case of Theodore Roosevelt clearly fits under either section 3a or 3b of the regulations regarding the medal of honor.

3a. The remaining bases for reconsideration are instances in which a Service Secretary or the Secretary of Defense determines that there is evidence of material

error or impropriety in the original processing of or decision on a recommendation for award of the Medal of Honor.

3b. All other instances of reconsideration shall be limited to those in which the formal recommendation was submitted within statutory time limits, the recommendation was lost or inadvertently not acted upon, and when these facts are conclusively established by the respective Service Secretary or other official delegated appropriate authority.

The situation regarding Roosevelt is unclear. It is clear that the first application lacked specific details. Roosevelt was then made to reapply in more detail. Several letters previously cited attest to his acts on the field on July 1, 1898.

a. The Secretary of War's personal bias against Roosevelt prevented Roosevelt from receiving the medal

It is clear that Roosevelt was not awarded the medal. Most sources attribute the failure to award the medal to a political rift between Roosevelt and Secretary of War Russell Alger. The rift developed after Roosevelt and other officers signed what has become know as the ''round robin letter.'' The letter was an effort to convince the President and Secretary Alger to bring the soldiers in Cuba back to the United States. Many soldiers were suffering from Yellow Fever while in Cuba and it was felt by the command that they would fare better in the United States and away from the conditions that promote Yellow Fever in Cuba. Roosevelt's concern for his men throughout the conflict should have only counted toward his gallantry and his leadership. However, newspaper reports from January of 1899 clearly indicate that even at the time, many believed that the letter, which was considered embarrassing to Alger, was to blame for Roosevelt's failure to receive the medal. Roosevelt himself references such a bias in a letter to General Corbin, the Adjutant General at the time. A personal bias against Roosevelt would constitute an impropriety under the rules for reconsideration. Therefore, the Secretary has the authority to reconsider Roosevelt on this basis.

b. A bias against the volunteer regiments may have prevented Roosevelt and others from receiving the Medal of Honor

A second suspected reason for not awarding the medal to Roosevelt is an inherent bias against the volunteers in this war. Only Captain Albert Mills, Assistant Adjutant General U.S. Volunteers, received a Medal of Honor and it was not given to him until well after most of the other that received medals for their actions in the Spanish American War. Mills received the award for distinguished gallantry and bravery for encouraging those near him even though he had been severely wounded. While there is no direct evidence of bias, an inference may be drawn by the empirical data derived from the document. If such an inference is drawn, this would constitute an impropriety under the rules for reconsideration. The Secretary would clearly have the authority to reconsider Roosevelt for the Medal of Honor.

c. The lack of a report on Roosevelt's denial or other documents relating to the denial constitutes ''material error'' or ''an inadvertent loss or failure to act upon'' warranting reconsideration by the Secretary

The inability to recover records of the actual consideration of Roosevelt for the Medal of Honor warrants reconsideration at this time. Many documents attesting to Roosevelt's merit have been recovered. Diligent efforts on the part of many, including the Congressional Liaison Office, have failed to produce records of Roosevelt's consideration. The absence of such records and any explanation other than some bias against Roosevelt dictate that this case be reviewed and reconsidered at this time. The interests of justice have compelled nearly 160 members of Congress to sponsor a bill specific to this case. The bill has been held up due to the analysis by the awards branch that a formal request for reconsideration is most appropriate prior to the submission of a bill by the House of Representatives. The interests of justice should also provide the impetus for an official review by the Secretary. This request is in fact submitted in an effort to comply with the reasonable request of the Department.

II. Standard for awarding the Medal of Honor

''The Medal of Honor is awarded by the President in the name of Congress to a person who, while a member of the Army, distinguishes himself or herself conspicuously by gallantry and intrepidity at the risk of his or her life above and beyond the call of duty while engaged in an action against an enemy of the United States; while engaged in military operations involving conflict with an opposing foreign force . . .'' Furthermore, ''The deed performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his comrades and must have involved risk of life.''

It is self-evident and uncontestable that Theodore Roosevelt was engaged in an action against an enemy of the United States. Therefore, the remainder of this argument will focus on the first hand evidence as preserved in the National Archives, the conspicuous and gallant nature of the act, and the risk to Roosevelt's life.

a. Then Lieutenant Colonel Theodore Roosevelt's acts were witnessed and attested to by many

Source material regarding this matter can be found in the United States Archives. Copies of original materials are attached to this document as exhibits for the convenience of the Department. The required letters attesting to the deed are also part of the exhibits. The number of letters exceed the two required personal accounts.

Included among the exhibits are letters from Maxwell Keyes, 1st Lieutenant and Adjutant U.S. Volunteers (Exhibit 1), Robert Howze, 1st Lieutenant, 6th U.S. Cavalry (Exhibit 2), M.J. Jenkins, Major, 1st U.S. Volunteer Cavalry (Exhibit 3), Trooper W.J. McCann, Troop B, 1st U.S. Volunteer Cavalry (Exhibit 8), Captain C.J. Stevens, 2nd U.S. Cavalry (Exhibit 9), Colonel Leonard Wood, Major General Joseph Wheeler, and Major General William Shafter, U.S. Volunteers (Exhibit 10), Major General Leonard Wood, U.S. Volunteers (Exhibit 11) and Colonel A.L. Mills, Brigade Adjutant General and later Superintendent of the United States Military Academy at West Point (Exhibit 12).

These documents should provide an adequate basis for awarding the Medal of Honor to Theodore Roosevelt. The descriptions are detailed and come from both enlisted personnel and the highest of officers. A close inspection will reveal that they are both consistent with each other and are based on first hand knowledge of Roosevelt's actions

b. Lieutenant Colonel Roosevelt's deeds were both gallant and beyond the call of duty

Captain C.J. Stevens, then a 1st Lieutenant in the 9th Cavalry, concisely describes Roosevelt's actions as he witnessed them. ''I witnessed Colonel Roosevelt, 1st Volunteer Cavalry, U.S.A., mounted, leading his regiment in the charge on San Juan. By his gallantry and strong personality he contributed most materially to the success of the charge of the Cavalry Division up San Juan Hill. Colonel Roosevelt was among the very first to reach the crest of the hill and his dashing example, his absolute fearlessness and gallant leading rendered his conduct conspicuous and clearly distinguished above other men.'' His actions are further elaborated on by then Colonel Leonard Wood, ''Colonel Roosevelt, accompanied by only four or five men, led a very desperate and extremely gallant charge on San Juan Hill, thereby setting a splendid example to the troops and encouraging them to pass over open country intervening between their position and the trenches of the enemy.'' Wood continues, ''the example set a most inspiring one to the troops in that part of the line, and while it is perfectly true, that everybody finally went up the hill in good style, yet there is no doubt that the magnificent example set by Colonel Roosevelt had a very encouraging effect and had great weight in bringing up the troops behind him. During the assault, Colonel Roosevelt was the first to reach the trenches and killed one of the enemy with his own hand.''

Clearly, the act of gallantry in this case is founded upon Roosevelt's leadership. What makes Roosevelt's actions so deserving of consideration is the context in which they occurred. The letter of Lawrence Keyes points out that on the initial assault on Kettle Hill, Roosevelt and the Rough Riders passed through a regular army regiment that appeared to be awaiting orders. This action is confirmed by Major M.J. Jenkins, ''Held in support, he brought his regiment, at exactly the right time, not only up to the line of regulars, but went through them and headed, on horseback, the charge on Kettle Hill; this being done on his own initiative. The Regulars as well as his own men following.'' It is clear that many soldiers were in fact reluctant to make the charge despite the fact that they were already under heavy fire and taking casualties. Roosevelt's actions broke this hesitation and quite possibly saved many lives. Though men died in the assault, it appears that even more would have become casualties if they simply remained where they were. Instead, the advance led by Roosevelt removed the threat from Kettle Hill and provided a second avenue of attack on San Juan Hill. This served to relieve some pressure on those making the direct assault on San Juan Hill.

A further indicator of the severity of the situation at the position of the lines prior to the charge is implied by the twenty Medals of Honor given to Infantrymen for ''assisting in the rescue of the wounded from in front of the lines and under heavy fire.'' This is a testament to the danger of the situation facing the soldiers while they hesitated in their advance.

The gallantry and wisdom of Roosevelt's actions are further illuminated when taken in historical context. Since the charge was successful, one can only speculate as to what the consequences of inaction would have been. One particular historical example comes to mind and that is the Union assault on the heights of Fredericksburg during the Civil War. During that engagement, many Union Soldiers were killed without ever reaching the Confederate lines at the crest of the hill. While the magnitude of the force in the present case is less, the situation is strongly analogous. It is fair to assume that had Kettle Hill not been taken quickly, many would have died from the continuing barrage from the high ground. Furthermore, there is evidence to suggest that the Spanish positions were close to being reinforced which could only have heightened the carnage. This was prevented by Roosevelt's quick action, leadership, and his gallant example.

Roosevelt's deeds are best summarized by General Sumner, ''Col. Roosevelt by his example and fearlessness inspired his men at

both Kettle Hill and the ridge known as San Juan, he led his command in person.''

c. Roosevelt acted with a singular disregard for his own welfare

Then Captain A.L. Mills was in a perfect position to witness Roosevelt's actions during the battle. He writes, ''During this time, (the assault on Kettle Hill) while under the enemies artillery fire at El Poso and while on the march from El Poso by the San Juan ford to the point from which his regiment moved to the assault—about two miles, the greater part under fire—Colonel Roosevelt was conspicuous above any others I observed in his regiment in the zealous performance of duty, in total disregard of his personal danger and in his eagerness to meet the enemy.'' Mills goes on to describe how Roosevelt, despite being grazed by shrapnel, continued his zealous leadership to the ultimate conclusion of the battle with total disregard to his own safety.

Captain Howze's account only augments that of Mills. ''(T)he Colonel's life was placed in extreme jeopardy, owing to the conspicuous position he took in leading the line, and being the first to reach the crest of that hill, while under heavy fire of the enemy at close range.''

Major Jenkins also recounts the danger involved and the conspicuousness of Roosevelt's actions. ''He was so near the entrenchments on the second hill that he shot and killed with a revolver one of the enemy before they broke completely.'' Jenkins then adds, ''His unhesitating gallantry in taking the initiative against men armed with rapid fire guns certainly won him the highest consideration and admiration of all who witnessed his conduct throughout the day.''

W.J. McCann's letter further indicates the gravity of the risk to Roosevelt's own life. ''Regarding the Colonel's action in the charge, I remember hearing his close friend, Colonel (now General) Leonard Wood give him a good-natured scolding on the next day for his disregard for his own safety; and in this respect I am confirmed by at least one newspaper correspondent who wrote in substance, as I recollect it, 'I expect to see Roosevelt fall in the next battle if he takes the same chances.' ''

III. Roosevelt's action should be judged under the standards used to evaluate other Spanish American war recipients

Today, there are many more awards given out for valor and gallantry of different degrees. However, during the Spanish American War, there were fewer decorations of honor and the guidelines for their distribution were also different.

The bulk of the Medals of Honor awarded during the Spanish American War were awarded for three acts. Some were awarded for rescuing wounded soldiers in front of the line while under fire during the battle of July 1st. Others were awarded for the bravery and coolness during the action to cut the cable leading from Cienfuegos, Cuba while under heavy fire. The third broad area of recognition is for coolness and bravery of action in maintaining naval combat efforts.

The lone standout is the award given to Albert L. Mills of the U.S. Volunteers for distinguished gallantry in encouraging those near him by his bravery and coolness after being wounded. Mills himself recognizes Roosevelt's similar merit in his letter to the Adjutant General recommending Roosevelt for the Medal of Honor. ''In moving to the assault of San Juan Hill, Colonel Roosevelt was most conspicuously brave, gallant and indifferent to his own safety. He, in the open, led his regiment; no officer could have set a more striking example to his men or displayed greater intrepidity.

Historical perspective is a necessary factor in awarding the Medal of Honor to Roosevelt. Much has changed since the Spanish American War. The perfection and proliferation of automatic weapons, the tank, air power, and numerous other advances have led to different perceptions of risk and threat. Strategy has also changed in many ways. However, even in a more recent conflict, action similar to Roosevelt's in significant ways was both necessary and meritorious.

Finnis McCleery was the Platoon Sergeant for Company A, 1st Battalion, 6th Infantry in May of 1968 in the Quang Tin Province of the Republic of Vietnam. His force was assigned to assault well entrenched North Vietnamese ArmyRegulars on Hill 352, 17 miles west of Tam Ky. McCleery led his men up the hill and across an open area to close with the enemy when his platoon and other friendly elements began taking heavy fire. Realizing the damage that could be inflicted if they halted their advance or waited, McCleery charged and captured an enemy bunker, his men then followed and he began assaulting the lateral bunkers threatening the other forces charging the hill. Finally, after a bloody battle, McCleery and the friendly force captured Hill 352.

McCleery faced machine gun fire, grenades, and rocket fire. Roosevelt did not face modern machine gun fire, grenades, or rockets. The Spanish did have artillery and Mauser rifles. On the other hand, McCleery also had automatic weapons and grenades as well as a well-armed platoon to back him up. Roosevelt had a revolver. Stripped down to the bare essentials and adjusted for technology, McCleery's charge was in the true spirit of Theodore Roosevelt.

Both men, realizing the danger of holding a position on the low ground under heavy fire, made a gallant charge and singlehandedly inspired their men despite an extreme risk to their own lives. The only thing that separates these two men is the technology of the time. Both acted with extreme bravery in the true spirit of United States Army. Both men took action at great risk to their own lives. Both men displayed gallantry above all else on the field. One man received the Medal of Honor and the other has yet to. It is time for Theodore Roosevelt to join Sergeant McCleery at the top of that hill.

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The SPEAKER pro tempore (Mr. TERRY). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

(Mr. NETHERCUTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

(Mr. DUNCAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

(Mr. METCALF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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ILLEGAL NARCOTICS AND DRUG ABUSE IN THE WAR ON DRUGS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for half of the time until midnight as the designee of the majority leader.

Mr. MICA. Mr. Speaker, my colleagues, I come to the floor tonight with just a few minutes remaining before the magic hour of midnight when the House adjourns. I know the hour is late and my colleagues are tired and staff is tired, but I always try on Tuesday nights to address the House on the subject of illegal narcotics and drug abuse and the ravages that has placed upon our Nation.

We heard earlier a resolution relating to music; and as I sat and heard the speakers talk about music and the importance of music in people's lives, I translated that also into the thought that there are 15,973 Americans who died as a direct result of illegal narcotics in the latest statistical year, 1998. None of those individuals will ever hear music again.

The drug czar has told us that over 52,000 people die as a result of direct and indirect causes of illegal narcotics, and none of those people will hear music in their lives. In fact, the only lives that the parents, mothers and fathers and sisters and brothers will hear are funeral dirges and, unfortunately, that music for funerals over the victims of drug abuse and misuse. That music is much too loud across our land and repeated over and over.

It is equivalent for our young people to three Columbines every day across this country. And the latest statistics, and I would like to cite them, each week I come before the House to confirm that this situation is getting worse, rather than better. The latest report that we have on drug use being up is from USA Today, June 8, 2000, just a few days ago. This is an Associated Press story, and it is from the Centers for Disease Control and Prevention report from the Center in Atlanta. They just released this report. The story says cocaine, marijuana, and cigarette use among high school students consistently increased during the 1990s according to a government survey.

The report went on to say the increases in smoking and drug use came despite years of government-funded media campaigns urging teenagers to stay clean and sober. The record, again, from CDC went on to say that in 1991, 14.7 percent of the students surveyed said that they used marijuana. This was a survey involving 15,349 students in grade 9 through 12. That number steadily increased to some 26.7 percent in 1999, and students reporting

that they tried marijuana at least once increased from 31.3 percent in 1991 to 47.2 percent in 1999; and in 1991, 1.7 percent of the students surveyed said they had used cocaine at least once in the prior month.

By 1999, that number rose to 4 percent. Those who had tried cocaine, who had at least tried cocaine, increased from 5.9 percent in 1991 to 9.5 percent in 1999. The latest survey on drug use and abuse by the Centers for Disease Control, again, confirms the problem that we are facing across the land, and this is with cocaine, marijuana, and cigarettes.

Of course, some of you may have seen this headline in the Washington papers, Suburban Teen Heroin Use On The Increase, and suburban teen heroin use and youth use of heroin and deadly, more purer heroin than we have seen back in the 1980s when we had single digit purity levels are now reaching some 70 percent and 80 percent deadly purity are affecting our young people; that deadly highly pure heroin is affecting our young people across the land. The number of heroin users in the United States has increased from 500,000 in 1996 to 980,000 in 1999.

□ 2350

The rate of use by children age 12 to 17 is extremely alarming. It increased from less than 1 in 1,000 in the 1980s to 2.7 per 1,000 in 1996. First-time heroin users are getting younger. They averaged some 26 years of age in 1991, now down to 17 years of age by 1997. Some of the latest statistics on drug use and abuse of heroin.

I also have the latest DAWN interagency domestic heroin threat assessment, which was produced in February of this year, and it shows the emergency department heroin related incidents involving 12 to 17-year-olds. From 1991 it was around 182, 1992, 232, and that soared in 1997 to 1,397 mentions, again, dramatic increases. We see from CDC, we see from the DAWN heroin report, drugs across the board.

That does not take into account our most recent epidemic, which is the problem of Ecstacy. I recently conducted a hearing in Central Florida on the problem of club drugs and designer drugs, Ecstacy, and we find that now we have another raging epidemic of drug use featured in Time Magazine, which is this past week's edition. ''The lure of Ecstacy,'' one of the designer drugs of choice for our young people, which we barely had mention of a year or two ago, and now we have incredible incidence of drug use of Ecstacy and abuse of Ecstacy and other designer drugs among our young people.

The problems created by these illegal narcotics are pretty dramatic to our society. I cited the 15,973 deaths, and that in itself is serious, but the cost to our society is a quarter of a trillion dollars a year, plus incarceration of tens of thousands of individuals who commit felonies under the influence of illegal narcotics. How did we get ourselves into this situation?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY). The gentleman from Florida (Mr. MICA) is recognized for the remainder of the time.

Mr. MICA. Mr. Speaker, how did we get ourselves into this situation? How did we get the flood of illegal narcotics coming in, in unprecedented amounts, heroin, cocaine, methamphetamine, designer drugs, in a torrent which we have never before seen?

Someone mentioned to me, a visiting female constituent from Florida, ''You know, I haven't heard the President talk much about a war on drugs, and many people lately have said the war on drugs is a failure.'' In this discussion, I said, ''You know, I think you are right. I don't think we have really heard the President speak either to the Congress or to the American people about the war on drugs.''

In this little search that I had conducted by our staff, we went through all of the times that President Clinton has publicly mentioned the war on drugs since taking office. We did a search of all of his public speeches and statements. We find eight mentions in 7 years; two in 1993, March 18, 1993, and April 28, 1993, and that during the appointment primarily of his new Drug Czar, who turned out to be a disaster, or as the President was gutting the drug czar's office from some 130 positions to some less than 30 positions.

We hear other mentions, just casual mentions, about once per year of a war on drugs. That is basically because this administration has closed down the war on drugs.

Finally, the last time we can find a mention of the President, once last year, February 15, 1999, mentioning the war on drugs in casual passing.

In fact, the war on drugs was closed down by the Clinton Administration with the appointment of the chief health officer of the United States, the Surgeon General, Jocelyn Elders, who adopted the ''Just Say Maybe,'' which, again, we can look at the statistics of drug abuse and misuse by our young people reaching record proportions. They understand a message or lack of a message from the highest office of our land to the highest health office of our land.

The close-down on the war on drugs continued on the international scene. I do not have time to get into all the statistics tonight, but there is no question that this administration closed down the international programs that were so successful under the Reagan and Bush Administrations, that stopped drugs at their source, that stopped drugs before they came in to the United States and came in to our borders.

What is sad is they perpetuated a myth that the war on drugs has been a failure, and some of their policies, again, closing down the efforts to stop drugs at their source, have resulted in an incredible volume of heroin, cocaine, coming into the United States.

The most dramatic example, of course, is Colombia. For 6 or 7 years now this administration has done everything possible to stop resources, assistance, right up until the last few months, from getting to Colombia, and even the efforts to get equipment, resources, there, surplus materials, equipment authorized by the Congress, has been a bungled effort. That has had some direct impact.

Colombia in 1992–1993 almost produced zero cocaine. There was almost no coca produced in Colombia. There was almost zero, none produced, of heroin. The poppies were almost nonexistent except for floral bouquets when this administration adopted its policy of stopping assistance in aid and drug combatting resources getting to Colombia. Now we are overwhelmed with the sheer volume.

If that did not do enough damage, the policy of this administration is revealed in this Dallas Morning News article that appeared March 13, 2000, about going after drug traffickers. ''Federal drug offenders spending less time in prison, study finds.''

Now, liberal papers like the New York Times would have you believe that everyone who puffed a joint or was guilty of some minor possession would be behind bars. In fact, recently I have heard that comment after they editorialized and said we have to do away with the harsh Rockefeller laws.

Our subcommittee in fact found that you really have to work hard to get in prison on a drug offense in the State of New York; that in fact 70 percent of the people behind bars, according to the most recent and most extensive study ever taken by judicial officials in New York that was revealed to our committee, are in jail for committing two or more felonies. Of the 30 percent who remain, they have committed at least one felony, and very few of those who were in prison on lesser charges are there because of small possessions of drugs. In fact, most of them that are there on lower charges, the study found, are there because the charge was reduced. It was plea bargained down.

So we have people who have committed in fact multiple felonies and serious offenses behind bars for these offenses. Our prisons and jails in New York, in particular, this study confirms, are not there because of minor drug offenses.

Unfortunately, tonight we do not have time to get into further detail. We will try to do that in subsequent special orders and update the Congress, you, Mr. Speaker, and my colleagues on these issues, to try to separate fact from fiction and shed some light on how we can do a better job in a multifaceted approach to bringing one of the most serious social challenges we have ever faced as a Nation or a Congress under control.

With those comments, unfortunately, my time has expired, and the business of the House has been completed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARKEY (at the request of Mr. GEPHARDT) for today on account of family illness.

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SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. SANCHEZ) to revise and extend their remarks and include extraneous material:)

Ms. MCKINNEY, for 5 minutes, today.

(The following Members (at the request of Mr. BUYER) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, June 20.

Mr. BUYER, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today, June 14, and June 15.

Mr. LAZIO, for 5 minutes, today.

□

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. OBEY and to insert tables and extraneous material on H.R. 4577 in the Committee of the Whole today.

□

ADJOURNMENT

Mr. MICA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, June 14, 2000, at 10 a.m.

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EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8098. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Almonds Grown in California; Release of the Reserve Established for the 1999–2000 Crop Year [Docket No. FV00–981–1 IFR] received May 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8099. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Allocation of Funds Under the Capital Fund; Capital Fund Formula; Amendment [Docket No. FR–4423–C–08] (RIN: 2577–AB87) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8100. A letter from the Assistant Secretary, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule— Gaining Early Awareness and Readiness for Undergraduate Programs (RIN: 1840–AC82) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8101. A letter from the Associate Division Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Truth-in-Billing Format [FCC 00–111; CC Docket No. 98–170] received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8102. A letter from the Secretary, Bureau of Consumer Protection, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'')—received May 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8103. A letter from the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: Holtee HI-STORM 100 Addition (RIN: 3150–AG–31) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8104. A letter from the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: PSNA VSC–24 Revision (RIN: 3150–AG36) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8105. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: TN–68 Addition (RIN: 3150–AG30) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8106. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the quarterly report on the denial of safeguards information, pursuant to Section 147 of the Atomic Energy Act of 1954; to the Committee on Commerce.

8107. A letter from the Mayor, District of Columbia, transmitting a copy of the report entitled: ''The Comprehensive Annual Financial Report Fiscal Year 1999,'' pursuant to D.C. Code section 47—119(c) Public Law 94—399; to the Committee on Government Reform.

8108. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule To List the Alabama Sturgeon as Endangered (RIN: 1018–AF56) received May 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8109. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations; San Juan Harbor, San Juan, Puerto Rico [COTP San Juan 00–013] (RIN: 2115–AA97) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8110. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, mile 1021.9 and 1022.6, Palm Beach, FL [CGD07–00–037] (RIN: 2115–AE47) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8111. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Sacramento River, CA [CGD11–00–002] received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8112. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety of Uninspected Passenger Vessels Under the Passenger Vessel Safety Act of 1993 (PVSA) [USCG–1999–5040] (RIN: 2115–AF69) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8113. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Restricted Areas R–5117, R–5119, R–5121 and R–5123; [Airspace Docket No. 95–ASW–6] (RIN: 2120–AA66) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8114. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Repair Assessment for Pressurized Fuselages [Docket No. 29104; Amendment Nos. 91–264, 121–275, 125–33 & 129–28] (RIN: 2120–AF81) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8115. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters [Docket No. 99–SW–69–AD; Amendment 39–11695-; AD 2000–08–09] (RIN: 2120–AA64) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8116. 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. 2000–NM–97–AD; Amendment 39–11689; AD 2000–08–03] (RIN: 2120–AA64) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8117. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta Model A109C and A109K2 Helicopters [Docket No. 99–SW–28–AD; Amendment 39–11691; AD 2000–08–05] (RIN: 2120–AA64) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8118. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, -700, and -800 Series Airplanes [Docket No. 2000–NM–88–AD; Amendment 39–11694; AD 2000–08–08] (RIN: 2120–AA64) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8119. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 and -200PF Series Airplanes [Docket No. 99–NM–57–AD; Amendment 39–11667; AD 2000–07–13] (RIN: 2120–AA64) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8120. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GMBH Model MBB-BK 117 A–1, A–3, A–

4, B–1, B–2, and C–1 Helicopters [Docket No. 99–SW–73–AD; Amendment 39–11702; AD 2000–08–16] (RIN: 2120–AA64) received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8121. A letter from the Chairman, Office of the General Counsel, Federal Maritime Commission, transmitting the Commission's final rule—Ocean Common Carriers Subject to the Shipping Act of 1984 [Docket No. 99–10] received May 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8122. A letter from the Attorney General, transmitting the 1999 annual report on the number of applications that were made for orders and extension of orders approving electronic surveillance under the Foreign Intelligence Surveillance Act, pursuant to 50 U.S.C. 1807; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

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REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 525. Resolution providing for consideration of the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–675). Referred to the House Calendar.

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PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BURTON of Indiana (for himself and Mr. SCARBOROUGH):

H.R. 4642. A bill to make certain personnel flexibilities available with respect to the General Accounting Office, as for other purposes; to the Committee on Government Reform.

By Mrs. BONO (for herself and Mr. GEORGE MILLER of California):

H.R. 4643. A bill to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians, and for other purposes; to the Committee on Resources.

By Mr. FORD:

H.R. 4644. A bill to amend the Fair Credit Reporting Act to protect consumers from the adverse consequences of incomplete and inaccurate consumer credit reports, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. FRANK of Massachusetts (for himself, Mr. OBEY, Mr. DEFAZIO, Mr. NADLER, Mr. HINCHEY, Mr. OLVER, Mr. JACKSON of Illinois, and Mr. SERRANO):

H.R. 4645. A bill to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Defense; to the Committee on Armed Services.

By Mr. GOODE:

H.R. 4646. A bill to designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas, and for other purposes; to the Committee on Resources, 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. GREEN of Texas:

H.R. 4647. A bill to terminate the authority under title 5, United States Code, under which the head of an agency may fix certain age limits for an original appointment as a law enforcement officer; to the Committee on Government Reform.

By Mr. HALL of Ohio:

H.R. 4648. A bill to provide for grants to establish the Bill Emerson and Mickey Leland memorial fellowship programs; to the Committee on Agriculture, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR (for herself, Mr. BROWN of Ohio, Mr. PASCRELL, Mr. HALL of Ohio, Mr. NORWOOD, and Mr. KUCINICH):

H.R. 4649. A bill to amend the Trade Act of 1974 to establish a transitional adjustment assistance program for workers adversely affected by reason of the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China; to the Committee on Ways and Means.

By Mr. PETERSON of Pennsylvania:

H.R. 4650. A bill to amend the Federal Election Campaign Act of 1971 to require candidates for candidates for election for Federal office to report information to the Federal Election Commission on the use of aircraft of the Federal government in the course campaigns; to the Committee on House Administration.

By Mr. WISE:

H.R. 4651. A bill to amend the Social Security Act to provide additional safeguards for beneficiaries with representative payees under the old-age, survivors, and disability insurance program or the supplemental security income program; to the Committee on Ways and Means.

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MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

355. The SPEAKER presented a memorial of the General Assembly of the State of Iowa, relative to House Concurrent Resolution No. 108 memorializing the Congress of the United States to appropriate sufficient funding to the United States Naval Fleet and the United States Flag Merchant Marine Fleet; to the Committee on Armed Services.

356. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 266 memorializing Congress to pass H.R. 3293 and S1921, known as the ''Vietnam Veterans Recognition Act of 1999,'' which authorize the Vietnam War ''In Memory'' memorial plaque; to the Committee on Resources.

357. Also, a memorial of the Legislature of the State of Maine, relative to H.P. 1854 Joint Resolution memorializing the President and Congress of the United States to oppose the entry of China into the World Trade Organization and to deny China permanent normal trade relations status; to the Committee on Ways and Means.

358. Also, a memorial of the General Assembly of the State of New York, relative to Assembly Resolution No. 1747 memorializing the United States Congress to grant the President's emergency supplemental request to provide additional funds for the Low-income Home Energy Assistance Program; jointly to the Committees on Commerce and Education and the Workforce.

359. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to Resolution memorializing the Congress of the United States and the Governor of the Commonwealth to conduct an investigation and study of the shortage and cost of home heating oil in the Northeast; jointly to the Committees on Commerce and the Judiciary.

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ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 168: Ms. LOFGREN.

H.R. 303: Mr. LAFALCE, Mr. MILLER of Florida, Mr. ROMERO-BARCELO, and Mr. ADERHOLT.

H.R. 353: Mr. DOOLITTLE, Mr. SAWYER, Mr. LUCAS of Kentucky, Mr. FRELINGHUYSEN, Mr. COBLE, Mr. KASICH, Mrs. MYRICK, Mr. RADANOVICH, and Mr. CHABOT.

H.R. 460: Mr. FLETCHER, Mr. ENGLISH, and Mr. BERMAN.

H.R. 531: Mr. JONES of North Carolina, Mr. RAMSTAD, and Mr. HORN.

H.R. 583: Mr. BERMAN.

H.R. 742: Mr. LANTOS and Mr. RAHALL.

H.R. 914: Mr. LANTOS.

H.R. 920: Mr. WAXMAN.

H.R. 1037: Ms. MCCARTHY of Missouri.

H.R. 1107: Ms. DEGETTE.

H.R. 1216: Mr. PETRI.

H.R. 1227: Mr. DINGELL.

H.R. 1271: Mrs. CAPPS.

H.R. 1285: Ms. RIVERS.

H.R. 1322: Ms. GRANGER, Mr. JONES of North Carolina, and Mrs. NORTHUP.

H.R. 1731: Mr. BASS.

H.R. 1771: Mrs. BONO.

H.R. 1793: Mr. TOOMEY.

H.R. 1895: Ms. DELAURO.

H.R. 1899: Mr. SAWYER.

H.R. 1926: Mr. GIBBONS.

H.R. 2282: Mr. RAMSTAD.

H.R. 2341: Mr. METCALF, Mr. RODRIGUEZ, Mr. REYES, Mr. GIBBONS, Mr. NETHERCUTT, and Mr. FOSSELLA.

H.R. 2397: Mr. FORBES, Ms. DANNER, Mr. SAWYER, Mr. BLUMENAUER, Mr. CONDIT, Mr. DEFAZIO, Mr. DICKS, Mr. HOLDEN, Mr. SMITH of Washington, and Mr. GREEN of Texas.

H.R. 2512: Mr. KING.

H.R. 2655: Mr. DEAL of Georgia and Mr. WALDEN of Oregon.

H.R. 2817: Mr. BOEHLERT and Mr. HULSHOF.

H.R. 2980: Ms. CARSON.

H.R. 3113: Mr. BRYANT.

H.R. 3118: Mr. DICKEY.

H.R. 3144: Mr. RODRIGUEZ.

H.R. 3170: Mr. BEREUTER.

H.R. 3214: Mr. ABERCROMBIE.

H.R. 3517: Mrs. MYRICK and Ms. LEE.

H.R. 3540: Mr. GIBBONS.

H.R. 3580: Ms. KILPATRICK, Mr. PAUL, Mr. HAYWORTH, Mr. CANADY of Florida, and Mr. JONES of North Carolina.

H.R. 3594: Mr. WU.

H.R. 3663: Mr. LUCAS of Oklahoma.

H.R. 3669: Mr. MANZULLO.

H.R. 3672: Mrs. KELLY.

H.R. 3850: Mr. BOEHNER.

H.R. 3875: Mr. NUSSLE.

H.R. 4011: Mr. MOORE and Mr. BUYER.

H.R. 4013: Mr. HOLT, Mr. UDALL of Colorado, and Mr. DOOLEY of California.

H.R. 4049: Mr. MURTHA and Mrs. ROUKEMA

H.R. 4113: Mr. HUTCHINSON, Mr. DEMINT, Mr. WELDON of Florida, and Mr. CALVERT.

H.R. 4132: Ms. STABENOW.

H.R. 4162: Ms. WOOLSEY, Ms. KILPATRICK, Ms. MCKINNEY, Mr. ENGEL, Mr. HILLIARD, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SANDLIN, Ms. BALDWIN, Ms. MILLENDER-MCDONALD, Mr. BROWN of Ohio, Mr. KILDEE, Mr. HASTINGS of Florida, Ms.

BROWN of Florida, Mr. TIERNEY, Mr. MCGOVERN, Mr. CAPUANO, and Mr. DELAHUNT.

H.R. 4213: Mr. FORBES.

H.R. 4219: Mr. QUINN, Ms. SLAUGHTER, Mr. SHAYS, Mr. PRICE of North Carolina, Mr. MURTHA, Mr. WALDEN of Oregon, and Mrs. MINK of Hawaii.

H.R. 4259: Mr. DICKEY, Mr. BARRETT of Nebraska, Mr. EVERETT, Mr. FLETCHER, Mr. HASTINGS of Florida, Mr. JONES of North Carolina, Ms. WOOLSEY, Mr. WICKER, Mr. WHITFIELD, Mr. WELLER, and Mr. WAMP.

H.R. 4277: Mr. FILNER, Mr. CLAY, Mr. LANTOS, and Mr. HALL of Ohio.

H.R. 4290: Ms. DELAURO.

H.R. 4303: Mr. BLAGOJEVICH and Mr. BUYER.

H.R. 4321: Mr. KUCINICH.

H.R. 4384: Ms. CARSON, Mr. ISAKSON, Mr. MCNULTY, Mr. TANCREDO, Mr. BOSWELL, Mr. FALEOMAVAEGA, Mrs. CHENOWETH-HAGE, Mr. SISISKY, Mr. RUSH, and Ms. JACKSON-LEE of Texas.

H.R. 4390: Mr. ROMERO-BARCELO.

H.R. 4424: Mr. FROST.

H.R. 4441: Mr. LIPINSKI and Ms. BROWN of Florida.

H.R. 4442: Mr. FRELINGHUYSEN, Mr. MARKEY, Mr. JOHN, and Mr. TANNER.

H.R. 4455: Ms. LEE.

H.R. 4467: Mr. BOUCHER.

H.R. 4503: Mr. BALLENGER.

H.R. 4511: Mr. COBLE, Mr. SKEEN, Mrs. MYRICK, Mr. GREEN of Wisconsin, Mrs. EMERSON, Mr. WAMP, Mr. THUNE, Mr. LATHAM, Mr. TRAFICANT, Mr. HILL of Montana, Mr. MANZULLO, Mr. TANCREDO, Mrs. BIGGERT, Mr. MCINNIS, Mr. SIMPSON, Mr. WALDEN of Oregon, Mr. ENGLISH, Mr. SHADEGG, and Mr. ROGAN.

H.R. 4539: Mrs. KELLY, Mr. LANTOS, Mr. BILBRAY, and Mr. LATOURETTE.

H.R. 4547: Mr. GILCHREST and Mr. PETRI.

H.R. 4548: Mr. MCHUGH, Mr. LAHOOD, and Mr. GIBBONS.

H.R. 4552: Mr. RAMSTAD.

H.R. 4567: Mr. ABERCROMBIE and Mr. WEINER.

H.R. 4614: Ms. LOFGREN and Mr. WAXMAN.

H.R. 4621: Mr. METCALF.

H.J. Res. 41: Mr. KUYKENDALL.

H. Con. Res. 115: Mr. GONZALEZ.

H. Con. Res. 133: Mr. CAPUANO.

H. Con. Res. 252: Mr. CUMMINGS.

H. Con. Res. 266: Ms. MCCARTHY of Missouri and Mr. PETRI.

H. Con. Res. 297: Mr. MANZULLO.

H. Con. Res. 308: Mr. KUCINICH and Ms. WOOLSEY.

H. Con. Res. 311: Mrs. ROUKEMA, Mr. LAHOOD, Mr. FRELINGHUYSEN, and Mrs. JOHNSON of Connecticut.

H. Con. Res. 323: Mr. EHLERS, Ms. LOFGREN, Ms. CARSON, Mr. WEXLER, Ms. PELOSI, Mr. CROWLEY, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 339: Mr. WAXMAN.

H. Con. Res. 341: Mr. MCGOVERN.

H. Con. Res. 342: Mr. REGULA, Mr. MCGOVERN, and Mr. FARR of California.

H. Con. Res. 343: Mr. CUMMINGS, Mrs. MYRICK, and Mr. GONZALEZ.

H. Res. 37: Mr. KUYKENDALL.

H. Res. 107: Mr. MALONEY of Connecticut, Mr. PRICE of North Carolina, and Mrs. JOHNSON of Connecticut.

H. Res. 462: Mr. TERRY.

H. Res. 494: Mr. FOLEY.

H. Res. 500: Mr. ROYCE, Mr. GEJDENSON, Mr. BURTON of Indiana, Mr. GILLMOR, Mr. STARKS, Ms. ROS-LEHTINEN, and Mr. ROHRABACHER.

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AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

OFFERED BY: MR. CROWLEY

AMENDMENT NO. 28: Page 19, line 4, insert after the first dollar amount the following: ''(increased by $5,000,000)''.

Page 46, line 13, insert after the dollar amount the following: ''(reduced by $5,000,000)''.

H.R. 4461

OFFERED BY: MR. CROWLEY

AMENDMENT NO. 29: Insert before the short title the following title:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the amounts made available in this Act for the Food and Drug Administration may be expended to enforce or otherwise carry out section 801(d)(1) of the Federal Food, Drug, and Cosmetic Act as it pertains to the enforcement of any substance approved for use in the United States and approved by an appropriate regulatory authority in the country of sale and is solely for an individuals personal consumption given that this individual has acted in accordance with all local laws to acquire such products and had been granted a prescription for that product by a qualified medical professional.

H.R. 4577

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 208: Page 84, after line 21, insert the following:

SEC. 518. (a) Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following:

''Subchapter E—Normal Trade Relations For China Transitional Adjustment Assistance Program

''SEC. 250A. ESTABLISHMENT OF TRANSITIONAL PROGRAM.

''(a) GROUP ELIGIBILITY REQUIREMENTS.—

''(1) CRITERIA.—A group of workers (including workers in any agricultural firm or subdivision of an agricultural firm) shall be certified as eligible to apply for adjustment assistance under this subchapter pursuant to a petition filed under subsection (b) if the Secretary determines that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated, and either—

''(A) that—

''(i) the sales or production, or both, of such firm or subdivision have decreased absolutely,

''(ii) imports from the People's Republic of China of articles like or directly competitive with articles produced by such firm or subdivision have increased by reason of the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of China, and

''(iii) the increase in imports under clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm or subdivision; or

''(B) that there has been a shift in production by such workers' firm or subdivision to the People's Republic of China of articles like or directly competitive with articles which are produced by the firm or subdivision by reason of the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of China.

''(2) DEFINITION OF CONTRIBUTED IMPORTANTLY.—The term 'contributed importantly', as used in paragraph (1)(A)(iii), means a cause which is important but not necessarily more important than any other cause.

''(3) REGULATIONS.—The Secretary shall issue regulations relating to the application of the criteria described in paragraph (1) in making preliminary findings under subsection (b) and determinations under subsection (c).

''(b) ADDITIONAL REQUIREMENTS.—The provisions of subsections (b) through (e) of section 250 shall apply to the administration of the program under this subchapter in the same manner and to the same extent as such provisions apply to the administration of the program under subchapter D.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 (19 U.S.C. 2101) is amended by inserting after the item relating to section 250 the following:

''SUBCHAPTER E—NORMAL TRADE RELATIONS FOR CHINA TRANSITIONAL ADJUSTMENT ASSISTANCE PROGRAM

''Sec. 250A. Establishment of transitional program.''.

H.R. 4578

OFFERED BY: MR. BOEHLERT

AMENDMENT NO. 33: Page 108, beginning at line 9, strike section 335.

H.R. 4578

OFFERED BY: MS. BROWN OF FLORIDA

AMENDMENT NO. 34: Page 102, strike lines 10 through 19.

H.R. 4578

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 35: Page 53, line 14, insert after the dollar amount the following: ''(increased by $26,000,000)''.

Page 67, line 16, insert after the dollar amount the following: ''(reduced by $53,000,000)''.

H.R. 4578

OFFERED BY: MR. DICKS

AMENDMENT NO. 36. On page 108, line 15, after the number ''1999'', add the following section:

SEC. ____. Any limitation imposed under this Act on funds made available by this Act related to planning and management of national monuments, designation of new wildlife refuges, or activities related to the Interior Columbia Basin Ecosystem Management Plan shall not apply to any activity which is otherwise authorized by law.

H.R. 4578

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 37: Page 2, line 13, insert after the dollar amount the following: ''(reduced by $4,000,000)''.

Page 54, line 4, insert after the dollar amount the following: ''(increased by $4,000,000)''.

H.R. 4578

OFFERED BY: MR. HILL OF MONTANA

AMENDMENT NO. 38: Page 56, line 3, after ''$50,000,000'' insert ''(reduced by $500,000) (increased by $500,000)''.

H.R. 4578

OFFERED BY: MR. HILL OF MONTANA

AMENDMENT NO. 39: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 501. None of the funds made available in this Act may be used to remove or rescind a designation, in existence as of the date of enactment of this Act, of a route or water surface for use by snowmobiles under section 2.18(c) of title 36, Code of Federal Regulations, or any special regulations promulgated thereunder, in Yellowstone National Park, Grand Teton National Park, or the John D. Rockefeller National Memorial Parkway.

H.R. 4578

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 40: Page 10, line 19, insert after the dollar amount ''(decreased by $500,000)''.

Page 10, line 19, insert after the dollar amount ''(increased by $500,000)''.

H.R. 4578

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 41: Page 11, line 21, after the period add the following: ''Of the amounts made available under this heading, $500,000 shall be for preparing a report to the Congress on the scientific impacts of genetically engineered fish, including their impact on wild fish populations. In preparing the report the Secretary shall review all available data regarding such impacts and shall conduct additional research to collect any information that is not available and is necessary to assess the potential impacts. The Secretary shall include in the report a review of regulatory and other mechanisms that the United States Fish and Wildlife Service might use to prevent any problems caused by transgenic fish.''.

H.R. 4578

OFFERED BY: MR. LARGENT

AMENDMENT NO. 42: Page 72, line 2, after ''*Provided,*'' insert ''That when distributing such funds, the Secretary shall take into consideration the number of Indians being served by the program for which, or the entity to which, the funds are made available: *Provided further,*''.

H.R. 4578

OFFERED BY: MR. LARGENT OF OKLAHOMA

AMENDMENT NO. 43: Page 109, after line 23, insert the following new title:

TITLE V—ADDITIONAL MISCELLANEOUS PROVISIONS

SEC. 501. None of the funds made available under this Act may be allocated to an Indian tribe to carry out an Alcohol and Substance Abuse Program under the Indian Health Care Improvement Act unless that Indian tribe provides to the Secretary of Health and Human Services the following information on a quarterly basis:

(1) The gender of each patient treated.

(2) The substances with regard to with each patient received treatment.

(3) The rate of post-treatment abstinence from the substances with regard to with each patient received treatment at one month, three months, six months, and one year after treatment.

(4) With the consent of the patient, known criminal behavior of each patient treated.

(5) With the consent of the patient, employment records of each patient prior to and after treatment.

(6) With the consent of the patient, attendance of patients treated at self-help meetings during and after treatment.

(7) With the consent of the patient, reported change in the family relationships of each patient during and after treatment.

(8) With the consent of the patient, each patient's reported satisfaction or dissatisfaction with the treatment received.

(9) Total funding for substance abuse treatment programs with regard to which the report provides information.

(10) Total patients receiving treatment.

(11) Average per patient expenditures.

H.R. 4578

OFFERED BY: MRS. MALONEY OF NEW YORK

AMENDMENT NO. 44: Page 24, beginning line 6, strike ''transportation and gathering expenses, processing, and any contractor costs required to aggregate and market royalty production taken in kind at wholesale market centers'' and insert ''transportation to wholesale market centers and processing of royalty production taken in kind''.

H.R. 4578

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT NO. 45: Page 102, strike lines 10 through 19.

H.R. 4578

OFFERED BY MR. NETHERCUTT TO THE AMENDMENT OFFERED BY MR. DICKS

AMENDMENT NO. 46: Strike ''monuments,'' and insert ''monuments or''.

Strike '', or activities related to the Interior Columbia Basin Ecosystem Management Plan''.

H.R. 4578

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 47: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE —ADDITIONAL GENERAL PROVISIONS

SEC. . None of the funds made available in this Act may be used to publish Class III gaming procedures under part 291 of title 25, Code of Federal Regulations, unless—

(1) a final judgment is issued in the case of Florida and Alabama versus the United States (case number 4:99CV137–RH, United States District Court for the Northern District of Florida, including any appeal thereof); and

(2) all petitions for certiorari have been exhausted with respect to such case.

H.R. 4578

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 48: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE —ADDITIONAL GENERAL PROVISIONS

SEC. . None of the funds made available in this Act may be used to publish Class III gaming procedures under part 291 of title 25, Code of Federal Regulations.

H.R. 4578

OFFERED BY: MRS. WILSON OF NEW MEXICO

AMENDMENT NO. 49: Insert before the short title the following:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 501. None of the funds appropriated or otherwise made available by this Act may be used by the Bureau of Land Management, the National Park Service, or the Forest Service to conduct a prescribed burn on Federal land for which the Federal agency has not implemented those portions of the memorandum containing the Federal Wildland Fire Policy accepted and endorsed by the Secretary of Agriculture and the Secretary of the Interior in December 1995 regarding notification and cooperation with tribal, State, and local governments.

H.R. 4578

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT NO. 50: Insert before the short title the following:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. . Notwithstanding 36 Code of Federal Regulations 223.80 and associated provisions of law, the Forest Service shall implement the North Prince of Wales Island (POW) Collaborative Stewardship Project (CSP) agreement pilot for negotiated salvage permits.

H.R. 4635

OFFERED BY: MR. COLLINS

AMENDMENT NO. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ___. None of the funds made available in this Act may be used for the designation, or approval of the designation of, any area as an ozone nonattainment area under the Clean Air Act pursuant to the 8-hour national ambient air quality standard for ozone (62 Fed. Reg. 138, July 18, 1997, p.38855) that has been stayed by the District of Columbia Court of Appeals in the case, American Trucking v. EPA

H.R. 4635

OFFERED BY: MR. NADLER

AMENDMENT NO. 2: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS'', after the first dollar amount, insert the following: ''(increased by $18,000,000)''.

In the item relating to ''INDEPENDENT AGENCIES—NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES'', after the first dollar amount, insert the following: ''(reduced by $18,000,000)''.

In the item relating to ''INDEPENDENT AGENCIES—NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES'', after the second dollar amount, insert the following: ''(reduced by $18,000,000)''.

H.R. 4635

OFFERED BY: MR. NADLER

AMENDMENT NO. 3: At the end of title IV (relating to General Provisions), add the following new section:

SEC. 426. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''INDEPENDENT AGENCIES—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', and increasing the amount made available for ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND (HCF)'' for use only for incremental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), by $690,000,000.

H.R. 4635

OFFERED BY: MR. NADLER

AMENDMENT NO. 4: At the end of title IV (relating to General Provisions), add the following new section:

SEC. 426. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''INDEPENDENT AGENCIES—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', and increasing the amount made available for ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND (HCF)'' for use only for incremental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), by $344,000,000.

H.R. 4635

OFFERED BY: MR. NEY

AMENDMENT NO. 5: Under the heading ''VETERANS HEALTH ADMINISTRATION'' in title I, insert ''(increased by $5,000,000)'' after ''$20,281,587,000''.

Under the heading ''ENVIRONMENTAL PROGRAMS AND MANAGEMENT'' in title III, insert ''(reduced by $5,500,000)'' after ''$1,900,000,000''.

H.R. 4635

OFFERED BY: MR. ROEMER

AMENDMENT NO. 6: Page 9, line 8, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 10, line 10, after the dollar amount insert the following: ''(increased by $56,000,000)''.

Page 13, line 13, after the second dollar amount insert the following: ''(increased by $10,000,000)''.

Page 14, line 13, after the dollar amount insert the following: ''(increased by $30,000,000)''.

Page 73, line 3, after the dollar amount insert the following: ''(reduced by $2,100,000,000) (increased by $300,000,000)''.

Page 73, line 18, after the dollar amount insert the following: ''(increased by $290,000,000) (increased by $20,000,000) (increased by $6,000,000) (increased by $49,000,000)''.

Page 77, line 1, after the dollar amount insert the following: ''(increased by $405,000,000)''.

Page 77, line 22, after the dollar amount insert the following: ''(increased by $62,000,000)''.

Page 78, line 5, after the dollar amount insert the following: ''(increased by $34,700,000)''.

Page 78, line 21, after the dollar amount insert the following: ''(increased by $5,900,000)''.

H.R. 4635

OFFERED BY: MR. ROEMER

AMENDMENT NO. 7: Page 90, after line 16, insert the following new section:

SEC. 426. Not later than 90 days after the date of the enactment of this Act, the Administrator of the National Aeronautics and Space Administration shall terminate all contracts and other agreements with the Russian Government necessary to remove the Russian Government as a partner in the International Space Station program. The National Aeronautics and Space Administration shall not enter into a new partnership with the Russian Government relating to the International Space Station. Nothing in this section shall prevent the National Aeronautics and Space Administration from accepting participation by the Russian Government or Russian entities on a commercial basis. Nothing in this section shall prevent the National Aeronautics and Space Administration from purchasing elements of the International Space Station directly from Russian contractors.

H.R. 4635

OFFERED BY: MR. ROEMER

AMENDMENT NO. 8: Page 90, after line 16, insert the following new section:

SEC. 426. COST LIMITATION FOR THE INTERNATIONAL SPACE STATION.

(a) LIMITATION OF COSTS.—Except as provided in subsection (c), the total amount appropriated for all fiscal years for—

(1) costs of the International Space Station through completion of assembly may not exceed $21,900,000,000; and

(2) space shuttle launch costs in connection with the assembly of the International Space Station through completion of assembly may not exceed $17,700,000,000 (determined at the rate of $380,000,000 per space shuttle flight).

(b) COSTS TO WHICH LIMITATION APPLIES.—

(1) DEVELOPMENT COSTS.—The limitation imposed by subsection (a)(1) does not apply to funding for operations, research, and crew return activities subsequent to substantial completion of the International Space Station.

(2) LAUNCH COSTS.—The limitation imposed by subsection (a)(2) does not apply to space shuttle launch costs in connection with operations, research, and crew return activities subsequent to substantial completion of the International Space Station.

(3) SUBSTANTIAL COMPLETION.—For purposes of this subsection, the International Space Station is considered to be substantially completed when the development costs comprise 5 percent or less of the total International Space Station costs for the fiscal year.

(c) AUTOMATIC INCREASE OF LIMITATION AMOUNT.—The amounts set forth in subsection (a) shall each be increased to reflect any increase in costs attributable to—

(1) economic inflation;

(2) compliance with changes in Federal, State, or local laws enacted after the date of enactment of this Act;

(3) the lack of performance or the termination of participation of any of the International countries participating in the International Space Station; and

(4) new technologies to improve safety, reliability, maintainability, availability, or utilization of the International Space Station, or to reduce costs after completion of assembly, including increases in costs for on-orbit assembly sequence problems, increased ground testing, verification and integration activities, contingency responses to on-orbit failures, and design improvements to reduce the risk of on-orbit failures.

(d) NOTICE OF CHANGES.—The Administrator of the National Aeronautics and Space Administration shall provide with each annual budget request a written notice and analysis of any changes under subsection (c) to the amounts set forth in subsection (a) to the Senate Committees on Appropriations and on Commerce, Science, and Transportation and to the House of Representatives Committees on Appropriations and on Science. The written notice shall include—

(1) an explanation of the basis for the change, including the costs associated with the change and the expected benefit to the program to be derived from the change; and

(2) an analysis of the impact on the assembly schedule and annual funding estimates of not receiving the requested increases.

(e) REPORTING AND REVIEW.—

(1) IDENTIFICATION OF COSTS.—

(A) SPACE SHUTTLE.—As part of the overall space shuttle program budget request for each fiscal year, the Administrator of the National Aeronautics and Space Administration shall identify separately the amounts of the requested funding that are to be used for completion of the assembly of the International Space Station.

(B) INTERNATIONAL SPACE STATION.—As part of the overall International Space Station budget request for each fiscal year, the Administrator of the National Aeronautics and Space Administration shall identify the amount to be used for development of the International Space Station.

(2) ACCOUNTING FOR COST LIMITATIONS.—As part of the annual budget request to the Congress, the Administrator of the National Aeronautics and Space Administration shall account for the cost limitations imposed by subsection (a).

(3) VERIFICATION OF ACCOUNTING.—The Administrator of the National Aeronautics and Space Administration shall arrange for a verification, by the General Accounting Office, of the accounting submitted to the Congress within 60 days after the date on which the budget request is transmitted to the Congress.

(4) INSPECTOR GENERAL.—Within 60 days after the Administrator of the National Aeronautics and Space Administration provides a notice and analysis to the Congress under subsection (d), the Inspector General of the National Aeronautics and Space Administration shall review the notice and analysis and report the results of the review to the committees to which the notice and analysis was provided.

H.R. 4635

OFFERED BY: MR. TRAFICANT

AMENDMENT NO.9: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the first dollar amount, insert the following:

(increased by $35,000,000), of which $35,000,000 shall be derived by transfer from amounts provided in this title for ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'': *Provided*, That of the amount made available under this heading, $35,000,000 shall be for a special purpose grant to the City of Youngstown, Ohio, for site acquisition, planning, architectural design, and construction of a convocation and community center in such city

H.R. 4635

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 10: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the first dollar amount, insert the following: ''(increased by $35,000,000)''.

In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the sixth dollar amount, insert the following: ''(increased by $35,000,000)''.

In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the second dollar amount insert the following: ''(reduced by $35,000,000)''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, TUESDAY, JUNE 13, 2000 No. 73

Senate

The Senate met at 9:31 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Father Gregoire J. Fluet, Saint Bridget of Kildare Church, Moodus, CT.

We are pleased to have you with us.

The guest Chaplain, Father Gregoire J. Fluet, offered the following prayer:

Let us pray.

We read in the Scriptures: ''For the Lord gives wisdom; from His mouth comes knowledge and understanding; He stores up sound wisdom for the upright; He is a shield to those who walk in integrity, guarding the path of justice. . . .''—Proverbs 2:6–8.

Lord God, we beseech You to continue to bless our great Nation. You have from the inception of this Nation been its light and blessed it with Your grace and bounty. The men and women of this Senate again seek Your wisdom and guidance as they exercise their call to leadership. Send Your blessing upon them. Allow them to be filled with Your grace and peace. Allow them to continue to be courageous, self-giving, and dedicated to integrity and right. Allow them to recognize Your presence in this Chamber and in their deliberations.

Lord God, allow all of us never to forget that we profess as a people, as a nation, to be under Your guidance and Your love. We thank You for Your gifts, for our Nation, for the boundless blessings You send us each day. Amen.

PLEDGE OF ALLEGIANCE

The Honorable GEORGE VOINOVICH, a Senator from the State of Ohio, 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.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Connecticut.

FATHER GREGOIRE J. FLUET

Mr. DODD. Mr. President, I am deeply honored this morning to have had Father Gregoire Fluet provide us with the opening prayer in this session of the Senate. It is a particular pleasure because Father Fluet is not just a resident of Connecticut but he is my parish priest. So this morning is a moment of particular pride to welcome him to the Senate.

Father Fluet is someone I have known now for a number of years. We met each other when Father Fluet was the pastor of St. Joseph's Church in North Grosvenordale, CT. I used to, on an annual basis, speak at the communion breakfast of the Knights of Columbus, something which I enjoyed immensely and did for more than 20 years. It was a wonderful experience. The community would get together and Father Fluet would say mass and participate in the breakfast afterwards. We had a wonderful time over many, many years.

Then, to my wonderful surprise, on the retirement of my dear friend and pastor, Father Henry Dziadosz—unfortunately, we just lost Monsignor Dziadosz, a wonderful human being—Father Fluet was assigned to my home parish in East Haddam, CT, a section of Moodus, CT. You have to be very careful; it is really East Haddam. The people of my town would appreciate the distinction I am making here.

Father Fluet is a wonderful man, a spiritual leader; he has counseled and advised me on numerous occasions. He has a wonderful background in history. He is a teacher. He taught at St. Bernard's High School in the diocese of Norwich. He also was a curate at the parish in Lyme, CT. He just received his doctorate in New England studies, the history of New England.

In addition to being a great spiritual leader, he also has a deep interest in the history of this country and particularly the history of New England.

It is truly an honor to welcome my good friend, my pastor, to this wonderful Chamber. We are deeply honored that he is here. We welcome him immensely. We thank him for his wonderful words this morning. I am confident that the parish of Saint Bridget of Kildare, my home parish, is going to be blessed for many years to come with the wonderful spiritual leadership of Father Fluet. He has a wonderful mother who I have gotten to know. She is in a little ill health, but we are praying for her this hour as well. She is a woman of deep, strong French background, a delightful person to be with as well.

Senator LIEBERMAN, who was just here and wanted to stay to greet Father Fluet but had a hearing to run off to, wanted me to express to Father Fluet his deep admiration and respect and extend his words of welcome as well this morning.

With that, Mr. President, I thank the Chair and I yield the floor.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The Senator from Ohio is recognized.

SCHEDULE

Mr. VOINOVICH. Mr. President, today the Senate will be in a period of morning business until 10:30 a.m. Following morning business, the Senate will resume consideration of the Department of Defense appropriations bill, with Senator REID to be recognized to offer his amendment regarding computers, and following debate on the Reid amendment, Senator BOXER will be recognized to offer an amendment regarding medical privacy.

As a reminder, the Senate will recess from 12:30 p.m. to 2:15 for the weekly

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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party conference meetings. Upon reconvening, there will be 2 minutes of debate on the Boxer amendment regarding pesticides, with a vote scheduled to occur at approximately 2:20 p.m. It is hoped that consideration of the Defense appropriations bill can be completed by this evening, and therefore Senators can expect votes throughout the afternoon.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

Mr. DURBIN. Mr. President, it is my understanding we are in morning business?

The PRESIDING OFFICER. If the Senator will suspend, we will lay down the orders.

Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, there will now be 30 minutes under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

The Senator from Illinois.

Mr. DURBIN. I thank the Chair.

THIS WEEK'S AGENDA

Mr. DURBIN. Mr. President, I am happy to be in the Chamber this morning to address the issues that are going to be considered before the Congress this week.

One of the most important issues that I found in my home State of Illinois, and I think can be found in virtually every State in the Union, is the prescription drug benefit under Medicare. They are telling us, the people who do this for a living, that when they ask families across America what is one of the major issues you are going to look to when it comes to electing the President of the United States or electing a Member of Congress, one of the major issues that comes forward is the prescription drug benefit. It is understandable because the Medicare program, as good as it is—in fact, it has been there for 40 years as the health insurance program for the elderly and disabled—does not have a prescription drug benefit. You would not buy a health insurance plan for your family today that didn't include one because you never know when you are going to be subjected to an illness that a doctor will need to treat with an expensive prescription drug. They can become very expensive. It is not uncommon to spend $50, $100, even several hundred a month to maintain a certain drug that keeps you healthy.

When we constructed Medicare, we didn't put a prescription drug benefit in the plan. That was 40 years ago. Today, seniors are finding themselves extremely vulnerable. They will go to a doctor and say: I have a problem. The doctor says: I know just the thing; here is a prescription. They will find out they can't afford to fill the prescription. So a lot of seniors on limited, fixed incomes, make a hard choice and say, I may not be able to take this prescription or maybe I will fill it and only take half. The net result, of course, is that the senior doesn't get well, doesn't get strong. In fact, they can see their health deteriorate simply because they can't afford to fill their prescriptions.

The irony, of course, is that if a senior can't buy the drugs they need to stay healthy and they end up in the hospital, guess what. The taxpayers step in and say Medicare will pay for that. In other words, if someone gets sick because they don't have prescription drugs, we will pay for it. If seniors have to go to the hospital, taxpayers pay for it.

We on the Democratic side believe that we need to do two things. We need to put a prescription drug benefit in Medicare that gives to senior citizens and the disabled peace of mind that when they need these prescription drugs, they will have help in paying for them. That is something everyone expects from a health insurance plan. It should be the bottom line when it comes to Medicare, as well.

The Democratic side has been pushing this literally for years. We believe that is something this Congress should have done a long time ago. Sadly, we have had no cooperation, none whatever, from the Republican side of the aisle. They do not believe this is a critical and important issue. We have tried our very best to bring this issue to a vote on the floor. We have tried both in the House and the Senate. They have blocked us every single time.

Who would oppose a prescription drug benefit? On its face, why would anybody oppose that? It will help seniors. It will mean they will buy prescription drugs.

There is another issue. If we just passed a prescription drug benefit and did not address the pricing of drugs, the system would clearly go bankrupt in a hurry. In other words, if the drug companies can continue to raise their prices—as they are doing now almost on a monthly basis—and we say we will pay whatever they charge, no program will last.

We have to combine with the prescription drug benefit program a pricing program, as well. Americans know this. I go to senior citizen gatherings in my State and they understand what is going on in the world. They know if they happen to live in the northern part of the United States and can drive across the border into Canada, they can buy exactly the same drug—made in the United States, by the same company, subject to the same Federal inspection—for a fraction of the cost. What costs $60 for a prescription in the United States costs $6 in Canada because the Canadian Government has said to American drug companies: If you want to sell in our country, we are not going to let you run the prices up. There is a ceiling. You have to keep your prices under control. We will make sure you don't gouge the customers in Canada.

We don't have a law such as that in the United States. Therefore, the seniors in this country pay top dollar for prescription drugs. People in Canada, people in Mexico, people in Europe, get the same drugs from the same companies at a deep discount. I might add, as well, in this country the health insurance companies bargain with the same drug companies, saying, if you want to have your drugs prescribed by our doctors in our plan, we will not let you keep raising the prices on them. Of course, that is part of the reality.

Every group in America has a price mechanism, a price competition, except for the most vulnerable in America—the senior citizens and the disabled on Medicare. They pay top dollar for prescription drugs. When they can't pay it and they can't fill the prescription, they can't maintain their health as they should.

We believe, on the Democratic side, that we need a prescription drug benefit plan. We need to also address the question of pricing to make sure these drugs are affordable, so that the drug companies treat Americans at least as fairly as they treat Canadians. I don't think that is unreasonable.

Many times, we taxpayers, through the National Institutes of Health, have put the money on the front side of research to find these drugs. The drug companies profit from the research, as they should, but they also have an obligation to the people of the United States to price these drugs fairly.

We have an obligation to create a prescription drug benefit under Medicare. But this has been a one-sided discussion to this date. The Democrats have pushed this plan, and the Republicans have resisted it.

Lo and behold, the people on the Republican side of the aisle have decided to start asking American families, what do they think is important? I have in my hand polling data provided to the Republican conference in the House of Representatives. They went on to find in the course of their polling that they have been dead wrong on this issue, that the American people consider this to be one of the most important issues in America today and in this election. The Republicans, in resisting the Democratic plan, have missed the most important issue for seniors and their families.

What are they proposing? They want to change it in a hurry. They don't want to come on board and work out a bipartisan plan based on what the Democrats have been pushing for, for

years. No. Their plan is to come forward with a so-called prescription drug plan that buys them enough time to get through the election, a plan that is a sham and a phony, a plan that does not address the real needs for prescription drug benefits for seniors. They are not offering prescription drugs. They are offering sugar pills. They are offering placebos. That will not keep America healthy.

As you read the things they have recommended to the people involved in this on the Republican side of the aisle, they say one of the things you have to do is make sure you keep talking about this issue, make sure you empathize and tell people how much you feel for this issue.

It isn't ''feel good'' politics that Americans need. They need results. They need a bipartisan plan that really does help seniors. In the next few days, if you see, as we expect, this presentation by the Republican leadership in Congress that they have finally discovered the prescription drug benefit issue and they have finally come up with a plan, you have an obligation, as I do, to ask them to prove it will work, prove it will make certain that senior citizens who need help in paying for prescription drugs get that assistance. Make certain it isn't a phony that is just buying time until the election.

If you hear the Republican leadership, new-found convert to this issue, coming up with rhetoric that we haven't heard for years, don't be surprised. Their polling data has told them they are dead wrong, the Democrats are right on this issue and the Republicans have missed the boat.

It is our obligation in Congress to work with those people who have been involved on this issue for years, to make certain that any prescription drug benefit plan is real, it addresses the needs of seniors and disabled across America, it is affordable, and it will work to maintain the quality of care we expect in this country.

These health care issues will turn out to be the biggest issue in this Presidential campaign. Yesterday, the Supreme Court decided again that managed care companies don't have an obligation to their patients to find out that they get the best quality care as doctors recommend. Their obligation is to profit and bottom line because of existing Federal law. On this case, as well, on prescription drug benefits, the families across America are the ones who are vulnerable.

Mrs. BOXER. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mrs. BOXER. I thank my friend for again putting this issue of prescription drugs into context.

I am sure my friend would agree it isn't unusual for political parties to take polls. However, I think what my friend is trying to say—and I hope every American can see this document I am holding in my hand, this poll. This so-called ''research,'' done with the Republicans over on the House side, is a document that says it all. It is the most cynical document I have ever seen since Newt Gingrich had the same thing done when he took over the House, when they told the Republicans what words to use, not what bills to pass, not what would make a good piece of legislation to help the millions of Americans who need help, no, but how to get them reelected and kowtow to their friends in the insurance business, the HMOs, and so on. If the American people could just read this document, things would change around here. I am hoping they will read this document.

I ask unanimous consent to have this document printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[A Presentation to the House Republican Conference, June 8, 2000]

A PRESCRIPTION DRUG PLAN FOR STRONGER MEDICARE

(By Glen Bolger, Public Opinion Strategies)

PASSING A BILL IS A POLITICAL IMPERATIVE

Prrescription drug coverage is one of the Democrats' ''Four Corners: offense for winning back the House—along with health care, education, and Social Security.

We have a good messages on the other issues.

It is imperative that Republicans hang together on this issue and pass a bill. It is helpful if we can be bi-partisan in our approach.

On a list of 18 issues that might decide how people plan to vote for president, ''helping elderly Americans get access to prescription drugs'' might appear to be a mid-tier issue as ''only'' 73% say it is one of the most important/very important in deciding how they might vote.

However, the issue has enormous appeal for Democrat candidates:

Democrats enjoy a huge generic advantage as the party best perceived as being able to handle this issue.

The prescription drug issue allows the Democrats to not only mobilize key subgroups that are part of their political base, but the issue also is of importance to key sub-groups who are ''up for grabs'' in the 2000 election.

Of course, chief among these ''up for grab'' sub-groups are seniors who rank this issue in the top three or four that they say will determine their vote.

Top issues for the 2000 Presidential election

	Percent
Preserving Social Security and Medicare	83
Stopping insurance companies from making health care decisions	82
Improving the quality of public education	81
The economy and jobs	80
Keeping students safe	76
Crime and illegal drugs	76
Controlling federal spending	76
Improving the access to affordable health care	76
Restoring respect to the office of president	73
Helping elderly Americans get access to affordable prescription drugs	73
Pushing for higher academic standards	73
Keeping taxes lower	66
Reducing the power of big money in Washington	61

Top issues for the 2000 Presidential election—Continued

	Percent
The environment	59
Guns	54
Dealing with moral values	54
Defending America's interests around the world	51
Abortion	38

The issue of ''helping elderly Americans get access to affordable prescription drugs'' favors the Democrats because the issue is very important to their core base as well as to groups that are ''up for grabs'' to both parties (swing voters).

TOP SUB-GROUPS ON ISSUE

Core Democratic Base	''Up For Grabs'' Voters
HS or Less	Rural Residents.
Women Less Than College	Rural Women.
Conservative Democrats	White Women.
Moderate/Liberal Democrats	South Residents.
Clinton '96 Voters	New England Residents.
Urban Residents	Women.
Urban Women	Working Women.
Democrats	Homemakers.
African Americans	Age 55–64.
Environmentalists	Age 65+.
Not on the Internet	Women 18–34
	60+ Retired Women.

DEMOCRATS HAVE A CLEAR ADVANTAGE ON THESE ISSUES

[. . . tell me if you think as President . . . the Republican candidates or the Democratic candidates would do a better job of handling this issue, or if there is no difference between them on this particular issue]

Issue	In percent	
	Republican–Democrat	Difference score
Improving the quality of public education	33–39	−6
Reducing the power of big money in Washington	25–37	−12
Stopping insurance companies from making health care decisions	21–41	−20
Preserving Social Security & Medicare	26–47	−21
The environment	18–48	−30
Helping elderly Americans get access to affordable prescription drugs	20–53	−33
Improving the access to affordable health care	19–53	−34

FOCUS GROUP FINDINGS

Seniors trust Medicare. They don't believe it is in financial danger—they perceive that claim to simply be a scare tactic.

Democrats will want to position Republicans as allied with the pharmaceutical companies and insurance companies against senior citizens. That's a positioning you need to aggressively reject.

Upset seniors don't believe politicians (especially Republicans) understand how important and concerning this issue is to them. Message: ''I care'' (but say it better than that). It is more important to communicate that you have a plan as it is to communicate what is in the plan.

KEY POINTS FROM THE FOCUS GROUPS

The main concern seniors have with a prescription drug plan is the impact on cost. Many seniors know the medicinal equivalent of HMO horror stories—they know other seniors who have to choose between paying for food or for prescription drugs.

''Republicans aren't doing anything to help seniors.''

Seniors like the idea of a voluntary plan, and do NOT want to lose their own plan. They also want to have choices.

Catastrophic coverage is very important to communicate. Even seniors who currently have a good plan are worried about what might happen down the road.

DEMOCRATIC ATTACK MESSAGES

We tested multiple messages for the Democrats to attack Republicans on this issue. Here are the most salient attack messages:

''Republicans are putting more seniors into HMOs. HMOs provide terrible care, and this isn't fair to seniors.''

''Republicans are in the back pocket of HMOs, insurance companies, and pharmaceutical companies. Republicans are out to protect these special interests, not the real interests of senior citizens.''

Don't ignore these charges.

MESSAGES TO ATTACK DEMOCRATS

The Democrat plan has some potentially fatal weaknesses:

It is politicians and Washington bureaucrats setting drug prices.

It is a one-size-fits-all plan that is too restrictive, too confusing, and puts the politicians and Washington bureaucrats in control.

It will take most seniors out of the good private drug coverage they have today.

PHRASES THAT WORK

Too many senior citizens are forced to choose between putting food on the table and being able to afford the prescription drugs they need to stay alive. In our great nation, this is morally wrong.

We must take action to strengthen Medicare by providing prescription drug coverage for all seniors so nobody gets left behind.

While ensuring that all Medicare recipients have access to prescription drug coverage, we must make sure that our senior citizens also maintain control over their health care choices.

We should not force seniors into a federal government-run, one-size-fits-all prescription drug plan that's too restrictive, too confusing, and allows politicians and Washington bureaucrats to make medical decisions.

Our plan gives all seniors the right to choose an affordable prescription drug benefit that best fits their own health care needs.

Our plan protects low-income seniors by giving them prescription drug coverage, and offers ALL other seniors a number of affordable options to best meet their needs and protect them from financial ruin.

By making it available to everyone, we're making sure that no senior citizen or disabled American falls through the cracks.

Because our plan is voluntary, we protect seniors already satisfied with their current prescription drug benefit by allowing them to keep what they have, while expanding coverage to those who need it.

We will not force senior citizens out of the good private coverage they currently enjoy—that's why our plan gives individuals the power to decide what's best for them.

A stronger Medicare with prescription drug coverage is a promise of health security and financial security for older Americans and we're working to ensure that promise is kept. America's seniors deserve no less.

Mrs. BOXER. I ask my friend if he has read the page that says ''Focus group findings.'' Again, focus groups aren't unusual. You bring people together and ask them to respond. I ask my friend about a couple of these points.

They say: Upset seniors don't believe politicians, especially Republicans. They don't believe that, especially Republicans, understand how important and concerning this issue of prescription drugs is to them.

This pollster, I am sure, made a lot of money to produce this document for my friends on the other side says. The pollster says:

Message: I care.

That is the message he wants Republicans to make:

I care (but say it better than that). I care (but say it better than that).

Then he says:

It is more important to communicate that you have a plan as it is to communicate what is in the plan.

What I want to say to my friend is this. After reading this, I expect they are going to come up with some phony deal that looks like a prescription drug plan. My friend has made a point: If that plan does nothing to make these prescription drugs affordable, what does it do for our people other than turn them off?

I say to my friend, he knows people in this country are going to Canada to get prescription drugs. He discussed that. I know some are going on the Internet and trying to get drugs from Mexico, prescription drugs, because they cannot afford them here.

The ultimate question, after making my comments, is this. This document goes through the fact that the Democrats are doing really well on these issues. Do you know why? Because the American people know we have a real plan on this. They don't think we are perfect because nobody is perfect, but we have a plan on this. The Republicans know they are going to lose this election unless they get a plan. So they tell their people to use certain expressions.

Can my friend share with us some of his expressions? It says: How to talk about this issue. Our friends on the other side are told how to talk about the issue, what expressions to say in addition to ''I care.'' Maybe my friend will share some of that with the people?

Mr. DURBIN. I am happy to. I say to the Senator from California, this is not unusual. I don't want to mislead people. Democrats take polls as well. We took polls years ago and found out that families really cared about the issue, and we came up with a plan, and literally for years we have been trying to bring this issue to a vote in the Senate and House of Representatives. The Republican leadership has stopped us. They stopped us because the drug companies want to continue to make the money from the seniors and others across this country who pay top dollar for their prescription drugs.

So as we pushed this, year after year, we could never find cooperation on the Republican side of the aisle. The deathbed conversion we are witnessing here now reflects the fact that an election is looming and the Republicans understand they are in a bad position. They have taken a position that is unpopular, unwise, and just plain wrong.

Take a look at some of the polling data: Preserving Social Security and Medicare is the top issue in the Presidential election campaign.

Stopping insurance companies from making health care decisions is the No. 2 issue in the Presidential campaign, according to Republican polls.

They have been on the wrong side on both of these. In addition, the No. 2 issue for the Republicans in terms of the Presidential election is helping elderly Americans get access to affordable prescription drugs. Now that they realize they are wrong on the issue and it is going to be a major issue in every campaign, they are rushing to come up with a strategy.

The American people don't want a political strategy; They want a law passed that will help these families. They understand these seniors go into their pharmacies on a daily basis and make a life-and-death decision about filling a prescription drug. The Republicans have said in this polling document that they have to attack the Democrats. That is part of this. Say you have a plan, even though you don't tell people what it is, and then turn around and attack the Democrats. Say it is politicians and Washington bureaucrats who are trying to set drug prices.

That language is straight out of the pharmaceutical companies' own platform on this issue. They don't want to have their prices affected. When the prices are in any way controlled or regulated, you have a Canadian situation where Canadian citizens pay a fraction of what we pay in the United States for the same drugs. So create this image, according to the Republican strategy, in the minds of Americans, that anytime we talk about pricing, it is just too much of Washington bureaucrats and politicians.

Then they say attack the Democrats plan as a

a one-size-fits-all plan that is too restrictive, too confusing, and puts the Washington bureaucrats in control.''

The one-size-fits-all language is because the Democrats believe this should be a universal plan so people really have a chance to receive help in paying for prescription drugs. You will find the Republican plan cuts off people at levels where, frankly, they are vulnerable and cannot afford to pay for prescription drugs. It also says: Attack the Democrats and say most seniors will be taken ''out of the good private drug coverage they have today.''

Let me concede something. About a third of seniors do have good private drug coverage, a third have mediocre coverage, and a third have no protection at all. I think we can take that into account. But the bottom line is, if you happen to be a fortunate senior because, for example, you worked for a company with a union that gave you good health care benefits when you retired, that is good for you. I have met those folks. But so many others, two out of three, do not have that benefit. We want to make sure everybody in America is protected. Take a close look, a careful look, at the Republican alternative. You are going to find they leave literally millions of seniors behind.

The drug companies want it that way. They don't want prices affected. They don't want a major plan. They believe they can create some kind of insurance protection for the seniors. I can tell you pointblank, insurance

company executives have met with us and said already the Republican proposal will not work. That is the bottom line.

Mrs. BOXER. Will my friend yield further?

Mr. DURBIN. I will be happy to yield.

Mrs. BOXER. The other interesting number here is that the Republicans have found out, much to their chagrin, that Democrats have a 34-percent advantage—in the Republicans' own poll here—on improving the access to affordable health care and a 33-percent advantage on prescription drugs. So they take this information but they don't say, You know what, the Democrats are right on these issues. Let's go over to their side of the aisle. Let's call on President Clinton. He has been talking about protecting Medicare and so has Vice President GORE, and prescription drugs. Let's work together now.

They don't do that. They set out a document here that instead of saying: We just found out President Clinton is right; We just found out the Democrats have been right; We have just found out that AL GORE is right when he says we need a Medicare lockbox. So maybe they cross the aisle? Maybe they come over here and visit us, we join hands, and go down the aisle together here and cast some votes for the people for a change? No. That is not the way they see it.

They get this information and they basically do what my friend suggested. They are going to use the right words. They are going to attack us, they are going to scare people, and they are going to go home and say they have done something.

I hope every American family can see this document today. In a way, I feel badly about it because it will build cynicism, but I will say this: The information in this document could be used to do the right thing. It is quite unfortunate that our friends on the other side of the aisle, instead of taking this information, recognizing they are wrong and joining us and President Clinton and Vice President GORE, they are going to create a sham plan for prescription drugs. They are going to say they are protecting Medicare while doing nothing. Sadly, the American people will lose, unless they make some changes around here.

I thank my friend.

Mr. DURBIN. I say to my friend from California, this phrase says it all. This is the advice given by the pollsters and consultants for the Republican leadership when it comes to the prescription drug issue. It has already been made part of the CONGRESSIONAL RECORD, but it is there for the world to see, and I want to quote one line and one line only to tell you what the bottom line message is:

> It is more important to communicate that you have a plan as it is to communicate what is in the plan.

If you talk about the cynicism people feel about politicians and campaigns, that hits the nail on the head. In other words, don't describe it, don't tell people what it is going to do for families across America, just tell them you care, tell them you have a plan. That is the thing I think turns people off the most.

If the Republicans have a better idea, for goodness' sake, come forward with it. Let's debate it. That is what this is supposed to be about.

We have a plan. We are willing to debate it. We are willing to stand up for it on the floor. I believe in it. I will campaign for it in Illinois and any other place. But to come up with an idea, a few words to try to gloss over this so people forget before the election what this is about, is really a mistake.

Here is something else I want to note in the Republican consultants' document to the Congressional Republican leadership:

> Prescription drug coverage is one of the Democrats' ''Four Corners: offense for winning back the House—along with health care, education and Social Security.

That is a quote directly. Yes, it is true. I would say that pollster has really hit the nail on the head. This is exactly what we are trying to do. We are trying to focus this election campaign, not on negative slam ads, not on personal attacks, but on four basic issues. For goodness' sake, we are willing to stand up and say this is what our vision of America will be. We look at this country and we feel blessed. We live in one of the greatest nations in the history of the world.

We feel doubly blessed that we are living in such good times for most Americans. This is a period of economic prosperity unparalleled in our history. One cannot find this long a string of good economic progress in the history of the United States.

Who can take credit for it? First and foremost, Americans and families can take credit for it because they work hard every day. They start the businesses. They teach the kids. Those things have paid off. That is where the credit belongs, first and foremost.

From a policy viewpoint, credit also has to be given to those people who make good decisions when it comes to our economy. We made a good decision in the Senate and in the House as well in 1993 when President Clinton said: The first thing we will do is reduce the deficit. Once we bring that deficit under control, we think the economy will move forward.

We could not get a single Republican in the House or the Senate to vote with us on that. Only the Democrats voted for it and Vice President GORE, sitting in the Presiding Officer's chair, cast the tie-breaking vote to reduce the deficit and move us forward. And it worked.

Critics on the other side of the aisle, a Republican Senator from Texas, said this was going to create an economic disaster for America. He has a little egg on his face today because for 7 years it has created just the opposite: economic prosperity. That was a good decision.

Tough decisions from the Federal Reserve Board regarding interest rates, for example, have kept inflation under control.

We are moving forward. We believe on the Democratic side that we cannot stand back and say we deserve election and reelection because of all the good things we did in the past. That is not good enough. If any party deserves election or reelection, it is because they learned the lessons of history and they have a vision of the future.

The vision tells us to take the surplus we are generating in our Treasury and pay down the national debt, a debt of almost $6 trillion that cost us taxpayers $1 billion a day in interest payments. That is right, the payroll taxes they are taking out of your paycheck and taking away from businesses and families across America to the tune of $1 billion a day do not educate a kid, they do not buy anything to enhance the security of America. That money is used exclusively to pay interest on old debt.

Think about it. We are paying interest on the debt for things we bought years ago that we have already built and maybe have used. We on the Democratic side believe that the fiscally prudent thing to do, the responsible thing to do is to take our surplus and reduce that $6 trillion debt. I want to say to my kids and my grandson: The best legacy I can leave you is less of an American debt so that you do not have to carry my burdens into your generation.

I believe that makes sense, and that is what Vice President GORE has stood for: To reduce America's national debt and to strengthen Social Security and Medicare as we do that to make sure those two systems are there for years to come.

If we just stop at that point, we would not be doing enough. We have to have a vision for this next century and ask, What decisions can we make as leaders of Government in Washington today to create opportunities for tomorrow?

It comes down to the four basic issues already identified by the Democrats and acknowledged by the Republicans.

First, health care in America. It is disgraceful in America that we still have tens of millions of people who have no health insurance. Think about their vulnerability: an accident, an illness, and all the plans they have made for their life just fall apart. They have medical bills they cannot possibly pay. People are in a vulnerable position because we have not addressed health care in America. We believe we need to address health care when it comes to not only coverage of health insurance but prescription drug benefits for the elderly and disabled under Medicare and, most basically to make sure medical decisions are made by doctors and not by insurance companies.

Yesterday, the Supreme Court of the United States ruled in an important

case involving an HMO, a managed care company, in my State of Illinois at the Carle Clinic. A woman called the Carle Clinic in Bloomingdale, IL, and reported she was having pains in her stomach. They said: We would like to examine you. Why don't you come in in 8 days.

Before she could go to the clinic her appendix burst, and she went through a terrible situation and a terrible recuperation in the hospital.

She came to learn that this plan, as so many other managed care plans, actually rewarded doctors financially if they showed more profit for the company as opposed to providing quality health care. The bottom line was making money. The bottom line said let the lady wait at home for 8 days and see if she still complains instead of bringing her into the office for an examination.

She sued them. She said: I thought I could trust you. I thought that was the bottom line when it comes to the health insurance company. The bottom line was profit, and it was made at my expense. I paid for it in a hospital stay.

The Supreme Court said: You cannot do anything about it. Congress passed legislation that said managed care companies can do that and you cannot sue them. Your right against these companies is extremely limited. That is a Federal decision.

That is a decision that should be changed. That is one Democrats have pushed for on Capitol Hill for years and the Republican leadership has blocked it. These insurance companies are making big dollars. They are big special interest groups. They are big players on the Washington political scene. They do not want anybody changing these rules. That is why they have resisted, and that is why we have done literally nothing in the Senate and the House to deal with these abuses.

Education: Can anyone think of anything in the 21st century more important than education in America? I cannot. We are going to have a debate in the near future on trade. It is a hot issue. There are many who believe globalization and free trade are part of America's future, part of the future of the world. To resist trade is to resist gravity: It is going to happen.

The question is, How will we respond to it? Many workers are concerned that if there is expanded trade, they might lose their jobs. Companies will take their plants and move them overseas, and folks who have good jobs today will not have them tomorrow. Shouldn't we as a nation acknowledge that, whether the jobs are lost to trade or technology? Shouldn't we be putting in place transition training and education so workers do not have to fear this inevitable change in the economy?

We are not hearing any suggestions on this from the Republican side. They do not believe there should be a Federal role when it comes to education and training. They talk about it being State and local. It has been historically, but we have had Federal leadership that has made a difference on these issues. We believe on the Democratic side we should continue to do that.

I will tell my colleagues about another related issue. We know from the best companies in America that the single biggest problem they have today is not estate taxes; it is not a tax burden under the code. The single biggest problem they have today is jobs they cannot fill with skilled workers.

I hear that in Illinois everywhere I go. I was in Itasca yesterday with the Chamber of Commerce. That is their concern as well. We have to acknowledge the fact there are good paying jobs unfilled in America because we do not have skilled workers to fill them.

What do we do about it? Wait for the market to create an answer? I hope we will do more. In 1957, when the Russians launched Sputnik and we were afraid we were going to lose the space race, this Congress responded and said: We will respond as a nation. We will create the National Defense Education Act. We are going to encourage young people to get a college education to be scientists, to be engineers, to compete with the Russians. We did it. It was an investment that paid off handsomely. We created an engine for growth in the American economy that not only made certain the private sector had the people they needed but also sent a man to the Moon and so many other achievements unparalleled in the history of the world.

Why are we not doing the same thing today? Why are we not acknowledging we need to make an investment at the Federal level to help pay for college education so kids have a chance to become tomorrow's scientists and engineers, leaders of the 21st century so we do not have to import computer experts from India and Pakistan?

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator's time has expired.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I am going to take 15 minutes of the time set aside for the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY

Mr. SANTORUM. Mr. President, I rise today to address the issue of Social Security. Last week I got up toward the end of our time and did not have a chance to talk about the issue, but I briefly mentioned my strong admiration and support for Gov. George W. Bush's courageous and bold proposal in offering to the American public an opportunity to meet the Social Security crisis head on and deal with it in a responsible way through investment as a way to try to bridge the gap that now exists in the Social Security system—''the gap'' meaning not enough money coming in to pay benefits down the road once the baby boom generation begins to retire.

I have been out for the past 4 years talking about this issue and have talked in front of every conceivable group you can imagine. Yesterday I was in Harrisburg, PA, talking to the State AARP about Social Security and the importance of having politicians face up to the issue and explain to the American public how we are going to fix the problem.

The problem is very simple. Right now, there are about 3.3 people working for every retiree on Social Security. Social Security is a pay-as-you-go system. So those 3.3 working people have to pay enough in Social Security tax to pay for the benefits to that 1 retiree.

Just to give you a comparison, back in 1950 we had 17 workers paying into the system for every 1 retiree. That is why, in 1950, we had a payroll tax of 2 percent on the first $3,000 you earned, because there were 17 people paying and you could pay a relatively low rate of taxation to pay for the benefits. Now you pay 12.4 percent of every dollar you earn, up to, I believe it is, $72,000.

So it is a dramatic increase in taxes that has occurred because we went from 17 workers to every 1 retiree to 3.3 workers to every 1 retiree. In the next 20 years, we will go from 3.3 workers to every 1 retiree, to around 2 workers or maybe even a little less than 2 workers to every 1 retiree.

It is pretty obvious what is going to have to happen. We are going to have to make a change in the system because the current flow of revenue from 3.3 workers to support 1 retiree will be dramatically reduced when you only have 2 workers. You cannot keep the current rate of taxation and support that 1 retiree.

So the question is, What do we do about it? Do we wait, knowing it is going to happen? Everybody who is going to be working 20 years from now has been born, and everybody who is going to retire in 20 years from now has been born. So we know what the demographics are going to look like. The question is, What are we going to do about it?

There are three things you can do to fix the Social Security problem and only three things. There are only three things you can do.

No. 1, you can do what we have done 20-some times in the past; that is, increase taxes, from what started out as 2 percent on the first $3,000 to now 12.4 percent on up to $70,000 of income. So you can increase taxes.

The second thing you can do is reduce benefits. We have done that in the past, too. We raised the retirement age. We adjusted some of the benefit numbers. You can reduce benefits.

How much would we have to do of either raising taxes or cutting benefits? According to the Social Security trustees, the actuaries there, we are looking at a payroll tax increase, if we wait 15

or 20 years—which is what some here at the national level, the Vice President, for example, and some on the other side of the aisle have suggested; that if we wait, everything is going to be fine, that there will be no problem for another 30 or 35 years. Just wait. What if we wait? If we wait 20 years to fix this problem, we are looking at a payroll tax increase of roughly 40 percent, going from 12.4 to about an 18- or 19-percent payroll tax for the next generation.

So if you are a politician today and you do not plan on being around 20 years from now, I guess the answer of waiting is a pretty good option: Put it on to the next group of politicians and the next generation of people, and let them pay those taxes. They may say: ''As for me, I would rather just get elected and not make any tough decisions and not have to tell anybody about what pain is going to be in the future because under my watch there will not be any.'' That is the kind of leadership we do not need in America, in my opinion. But that is an option.

The first option is to increase taxes dramatically down the road. The second option is to cut benefits. By the year 2035, I think it is, Social Security taxes coming in will cover about 70 percent of what is needed to be paid out in benefits. So what does that tell you? We will have to cut benefits by about a third; that if we do not increase taxes, then we will have to cut benefits by a third. I suspect you will not find one vote in the Senate to do that today. And I do not believe you will find any votes in 20 years to do that. So that option is pretty much off the table, I suspect.

So those are the two options that are available, unless you take the third option. This is where Governor Bush has come out. I give him a lot of credit for doing so. The third option is investment, increase the rate of return on the money that is actually going into the system now to make up the shortfall in the long run. This is not a view that is a partisan viewpoint; this has broad bipartisan support in the Senate.

Many on the other side of the aisle believe in personal retirement accounts. Even more Members on the other side of the aisle and the President agree with investment where the Government actually takes the money and invests it.

So there are two kinds of investments. We can do it two different ways. The way I suggest and Governor Bush suggests is that every individual get a portion of their payroll tax to be put in a personal retirement account, which they own, they control, they invest, but they cannot touch until they retire. That is how I suggest the investment be done: The individual owning it, the individual investing it, the individual controlling it.

The President's suggestion, in two of his budgets in this current term of office, is that, yes, a portion of Social Security trust funds can be invested, but the Government invests it. There would be no individual ownership. It would be Government ownership. The Government would invest a portion of the Social Security trust funds in stocks and corporate bonds. Why? The President pretty much gave the same speech I am giving where he said there are three options: You can increase taxes, cut benefits, or invest; and the President chose investment.

The President, in his budget, chose investment. But the investment he chose was the Government ownership of that investment. We choose investment and say the individual should own the investment, and the individual should benefit from the investment; that the Government should not ''benefit'' from the investment.

There are a whole host of reasons the Government should not own corporations or stocks. We already regulate corporations. We tax corporations. Now we have gotten in the business of suing corporations. We should not also own them. That is the Government owning the means of production. For those of you who have not been in your political science class recently, the Government owning the means of production comes right out of the books of Karl Marx. We do not need the Government of the United States owning corporations.

By the way, I think most Americans believe very strongly about that, that Government ownership of stocks and bonds is not something that is particularly desirable, but the idea of investment is desirable.

The biggest criticism I hear from the Vice President, and the critics of Governor Bush's idea, is that this is a ''risky scheme.'' Contrast that with what their proposal is. Their proposal has, I would agree, less risk and more certainty. I would agree with that. There is less risk and more certainty. The certainty, though, is not a particularly desirable one. The certainty is we will have to raise taxes or cut benefits.

So you can argue that the Gore plan is less risky, is much more certain. We will have to raise taxes or we will have to cut benefits, or do a little of both. So in that respect there is certainty. But it is not certainty that I think the American public is looking for.

He suggested the Bush plan is risky because it involves investment. I did not hear that criticism of the President's plan to invest in the equities market. He did not criticize his own President's plan when he suggested that money from Social Security should be invested in the equities market. I guess some believe it is not risky if the Government invests it, but it is risky if you do. I am not too sure that holds a lot of water. Either investment in the market is risky or it is not risky.

Sure, obviously, there are risks in investment in the market. But every other retirement system in America is financed through investment. The people who are doing basically pretty well in America have 401(k) plans and IRAs and Keogh plans and other plans where they take money that they are earning. Here in the Federal Government, Federal employees have a thrift savings plan, all of which is invested in stocks and bonds. And we use the miracle of compound interest, over time, to be able to then afford to pay the benefits for those retirees once they hit retirement. Every person who is doing pretty well in America has one of those plans at their disposal. It is the folks who are not doing so well who don't get a piece of the American pie. What the Vice President is saying is: For you folks who have these plans, that is OK; we think that is a good idea.

In fact, you will find the Vice President and others who are opposing personal retirement accounts for Social Security are at the same time encouraging people to go out and develop 401(k)s and invest and save for retirement; that it is a good idea. ''So if you have your own money and you make enough money, we encourage you to invest it. But if you are low income and you can't put money aside, we don't want you to have a piece of this. We don't want you to have your own personal retirement account within Social Security. We are just going to reserve that for people who have enough money to do it on their own. We will allow you to participate in the growth of the American economy, in the increase in the markets and economy, in the dynamism of the American dream that is going on in our capital markets today. If you have money, you go ahead and participate, and we will encourage you. We will provide tax incentives for you to do that. But if you are lower income and you are making ends meet and all you have for your retirement is Social Security, sorry, we will not allow you. It is too risky for you to do this.'' How paternal; how discriminatory.

What we support is to give every working American a very small piece at first. Maybe in years to come it will be larger, but at first a very small piece of the American pie, 2 percent, 3 percent of every dollar they earn for low and middle-income people to be put in a personal retirement account for them to invest; so as America grows and prospers, they won't be sitting on the sideline watching the rich get richer while they do not prosper from the growth in America. That is cruel.

We have an opportunity to reach out to moderate and low-income individuals and allow them to participate in the American dream of ownership, of investment, of participating in the growth of America, not just their own growth with respect to their wages. I think it is a tremendous opportunity. It is the first and biggest chance to bridge what I see as one of the biggest problems facing America today, which is the growing gap between the rich and the poor in this country.

I will never forget back in 1992, then-candidate Clinton would talk about the

decade of greed of the 1980s, how the rich got richer and the poor didn't get it. ''The 1980s, under Reagan, was the decade of greed.'' We don't hear President Clinton talking about that now. Does anybody ever wonder why he doesn't talk about that anymore? The reason he doesn't talk about it anymore is because during the 1990s, the rich got far richer than they did in the 1980s, and the poor didn't do that much better than they did in the 1980s. In fact, the gap between the rich and the poor widened more in the 1990s than it did in the 1980s. If the 1980s was the decade of greed, the 1990s, under the Clinton-Gore administration, was the decade of supergreed.

Why did that happen? It is pretty obvious why it happened. It happened because those who were wealthy, who owned and invested as the markets went up, as the value of assets went up, their income went up. Their wealth went up. If you are a worker who doesn't have wealth, doesn't have savings, doesn't have investment, then your wealth only goes up by the wage increase you get, which is 3 or 4 percent. So while the NASDAQ goes up or the Dow Jones goes up 10, 15, 20 percent or higher, your wages go up here at the bottom 2 or 3 percent, the gap grows.

One-third of all income in this country comes from investment. Yet the average person in America, someone right in the middle, has a total savings of $1,385. Half of America or more is left behind.

What we want to do with personal retirement accounts for Social Security is say to those Americans: Welcome to the American economy; participate in the American dream of growth and ownership of investment. With that, we will not only fix Social Security, but we will begin to do something that is fundamental, which is to bridge the wealth gap in America.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, will the Chair advise the Senate with regard to the standing order?

The PRESIDING OFFICER. There are 4 minutes remaining in morning business.

SECURITY BREACH AT LOS ALAMOS

Mr. WARNER. Mr. President, America awakened in the last 24 hours to another very distressing disclosure of an alleged breach of security practices at the Los Alamos Laboratory, again relating to what is the greatest threat every hour, every minute of the day to this Nation; that is, from nuclear weapons. We are not here to prejudge any facts at the moment.

From the standing rules of the Senate, rule XXV, I read:

> The Committee on the Armed Services has jurisdiction over national security aspects of nuclear energy.

Clearly, this problem falls within our domain. As chairman, in consultation with the ranking member, we will move very swiftly. We will establish a hearing date as soon as we can to develop those facts that can be publicly disclosed and such facts as must remain classified. The Armed Services Committee has dealt with this issue for over a year. In the authorization last year, we had a hard fought debate on this floor about establishing a new entity within the Department of Energy. Indeed, we did it. It was signed into law, and it is ready to go.

Our committee also has jurisdiction over the nominees to head this new entity. I refer the Senate to item 1010 in Nominations, Gen. John H. Gordon, United States Air Force, to be Under Secretary for Nuclear Security, Department of Energy. That was May 24.

I am writing a letter to the majority leader today and, indeed, to the distinguished Democratic leader, asking that this nomination be brought up immediately. There are allegations that certain Senators think that the law that was passed last year has to be changed. That is a matter that can be brought up before the Senate at any time. But I do not think this Nation should sit 1 minute, 1 hour, 1 day longer on the nomination of this outstanding American, who has impeccable credentials, to take over this whole problem of security in the Department of Energy and is waiting to do so. Let us act on this nomination. I am certain the distinguished majority leader, in consultation with the Democratic leader, will move to see that this is done at the earliest opportunity. I hope it is done today.

I will advise the Senate later today with regard to the hearing of the Senate Armed Services Committee.

This is a matter of serious concern. At the hearing, we intend to call Secretary Richardson, General Habiger, who is the Chief of Security Operations, and Mr. Ed Curran, Chief of Counterintelligence. It may or may not be a counterintelligence matter. We don't want to prejudge the facts. But action is needed by this body, first on the nomination, and then to look into this situation. There is nothing that poses a greater threat to the United States of America, indeed, to our allies, than that from nuclear weapons.

It is ironic. This particular alleged security breach is basically in the same location of the previous incident involving Wen Ho Lee, as I understand it, probably the same floor, same corridor. We have testimony in the record, which I will add to the record, of the Secretary of Energy, who has appeared repeatedly before the committees of the Congress. This incident is clearly on Secretary Richardson's watch; let there be no mistake about that. He has repeatedly advised the Congress that he has put in place such regulations and other measures as to protect the United States, protect this Department from such alleged security breaches it faces this morning.

Mr. President, I am speaking after consultation, of course, with the majority leader's office and Senators DOMENICI and KYL, who have worked with me on this matter for some 18 months.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 4576, which the clerk will report.

The assistant legislative clerk read as follows:

> A bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

> Boxer/Reid amendment No. 3308, to prohibit the use of funds for the preventative application of dangerous pesticides in areas owned or managed by the Department of Defense that may be used by children.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. 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. REID. 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. REID. Mr. President, it is my understanding that the unanimous consent agreement that we are now operating under in the Senate means that I am next in order to offer an amendment.

Is that true?

The PRESIDING OFFICER. The Senator is to offer an amendment at 10:40.

Mr. REID. Mr. President, the amendment which I will offer shortly deals with a very unique situation. We certainly control the building of computers in the United States. We are the great superpower. We are also the superpower of computer development. But in spite of that fact, about 60 percent of the computers manufactured in the United States are sold overseas. Only 40 percent of the computers manufactured in this great country are sold internally.

The problem is there is now a provision requiring a 180-day review period to sell a computer, meaning that we are slowly but surely losing our ability to control the computer market. Why is that?

I ask unanimous consent to have printed in the RECORD a letter to me from the Information Technology Industry Council which represents generally the technology industry.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INFORMATION TECHNOLOGY INDUSTRY COUNCIL,
Washington, DC, June 13, 2000.

Hon. HARRY REID,
U.S. Senate, Washington, DC.

DEAR SENATOR REID: I am writing to let you know that ITI strongly supports legislative relief addressing the current 180-day waiting period whenever US computer export thresholds are updated. ITI is the leading association of U.S. providers of information technology products and services. ITI members had worldwide revenue of more than $633 billion in 1999 and employ an estimated 1.3 million people in the United States.

We are grateful for your efforts to secure relief in the defense bills currently before the Senate and wanted you and your colleagues to know we anticipate that votes pertaining to computer exports will be included in our annual High Tech Voting Guide. As you know, the High Tech Voting Guide is used by ITI to measure Members of Congress' support for the information technology industry and policies that ensure the success of the digital economy.

ITI has endorsed your legislation (S. 1483) to shorten the Congressionally mandated waiting period to 30 days. While we strongly support our country's security objectives, there seems no rationale for treating business-level computers that are widely available on the world market as inherently more dangerous than items being removed from the nation's munitions list—an act that gives Congress just 30 calendar days to review.

Computer exports are critical to the continued success of the industry and America's leadership in information technology. Computers today are improved and innovated virtually every quarter. In our view, it does not make sense to have a six-month waiting period for products that are being innovated in three-month cycles. That rapid innovation is what provides America with her valuable advantage in technology, both in the marketplace and ultimately for national security purposes—an argument put forth recently in a Defense Science Board report on this very subject.

As a good-faith compromise, ITI and the Computer Coalition for Responsible Exports (CCRE) backed an amendment to the House-passed defense authorization bill that established a 60-day waiting period and guaranteed that the counting of those days would not be tolled when Congress adjourns sine die. The House passed that amendment last month by an overwhelming vote of 415–8.

Further, as you know, the current provision in law was understandably aimed at protecting the highest performing computers from being exported to countries of particular foreign policy concern. Yet, just last year, a late threshold adjustment coupled with the six-month waiting period led to American companies Apple and IBM being effectively denied the ability to sell single-processor personal computers in some markets because technology has advanced so rapidly that yesterday's supercomputers had literally become today's personal computers.

We have been heartened in recent weeks by the bipartisan agreement that the waiting period must be shortened. The Administration has recommended a 30-day waiting period. The House, as mentioned above, endorsed a 60-day waiting period. And Gov. George W. Bush has publicly endorsed a 60-day waiting period as well in recognition that commodity computers widely available from our foreign competitors cannot be effectively controlled.

We thank you for your strong and vocal leadership in this matter and look forward to working with you and other Senators to achieve a strong, bipartisan consensus on this and other issues critical to continuing America's technological pre-eminence.

Best regards,

RHETT B. DAWSON,
President.

Mr. REID. Mr. President, they set forth the problem in this letter. Among other things, this letter says:

> . . .the current provision in law would understandably be aimed at protecting the highest performing computers from being exported to countries of particular foreign policy concern. Yet just last year, a late threshold adjustment coupled with the 6-month waiting period, led to American companies, Apple and IBM, being effectively denied the ability to sell single-processor personal computers in some markets because technology has advanced so rapidly that yesterday's supercomputers had literally become today's personal computers.

It wasn't many years ago that I went to the fifth floor of the Clark County Courthouse in Las Vegas. I took a tour of the fifth floor. On the entire fifth floor of this big building was a big computer that handled all of the processing for Clark County. The temperature had to be perfectly controlled. That floor is now gone. It is used for other things. That same processing of information can now be accomplished with a computer the size of a personal computer.

I was able, fortunately, to work with Congress and obtain a supercomputer for the University of Nevada at Las Vegas. We had a big celebration. At that time, the computer was very large. It was probably the size of two of these Senate desks. That supercomputer is now 10 years old. A supercomputer today is not a big piece of equipment.

We are living in the Dark Ages. We have to change the law.

In an effort to compromise, the House established a 60-day waiting period. It passed by a vote of 415–8.

We worked very hard to get a bill in the Senate. We have been stymied, quite frankly.

There has been a bipartisan effort by Senator GRAMM of Texas, Senator ENZI, Senator JOHNSON, and I. We worked very hard last year.

The amendment that I am going to offer today is cosponsored by Senator BENNETT of Utah, a Republican. This is not a partisan issue. It shouldn't be. But it is being held up for reasons that are so antiquated. The cold war is over. There is no need to have this legislation stymied. We are hurting the American manufacturing base.

We are going to get letters from the Chamber of Commerce. Literally all business in America wants this to pass. But in the Senate, two or three people are holding this up and preventing it from moving forward.

As I indicated, this amendment has the broad support from the high-tech industry.

I would bet, if we get a chance to vote on this, that 90 Senators will vote for it.

This amendment will shorten the congressional review period for high-performance computers from 180 days to 30 days.

On the Appropriations Committee alone, just to pick out one committee, Senators BENNETT, MURRAY, and GORTON are cosponsors of this legislation introduced in the Senate, and there will probably be more today.

We are operating, as I have said, under cold-war-era regulations. If we want to remain the world leader in computers and the high-tech arena, we must make this change immediately.

As I have indicated, I worked for the past year to try to get an amendment up so we could do this. We started debate on one measure. It was pulled from the floor. The congressional review period is six times longer than the review period for munitions.

If there is a company that wants to sell rockets, tanks, warships, or high-performance aircraft under the foreign military sales program, it requires a 30-day review period. But if you want to sell a laptop computer such as the one I have in my office, you have to wait 6 months. In that period of time, American industry could not meet the demand. We are falling behind. Manufacturing is already beginning in other places. We don't have a lock on how to manufacture computers. We are ahead of the world right now.

I repeat that 60 percent of the computers we manufacture in the United States are sold outside the United States. The review period for computers is six times longer than for selling to another country a battleship, a high-performance aircraft, or a rocket.

In February, the President, at the urging of Members of Congress, proposed changes to the controls on high-performance computers, the so-called MTOPS, but because of the 180-day review period, the changes have yet to be implemented. The U.S. companies are losing foreign market share to many different entities. This is a bipartisan effort, and we should pass it. We are stifling U.S. companies' growth.

Last week, I had a meeting in my office with a number of CEOs of big companies—IBM, Compaq, and others. This is their No. 1 agenda item. It is the base of their business. They make computers, and they want to be able to sell them. A strong economy and a strong U.S. military depend on our leadership. U.S. companies have to be given the opportunity to compete worldwide in order to continue to lead the world in technological advances. Our export regulations are the most stringent in the world, giving foreign competitors a head start, to say the least.

U.S. industry faces stiff competition as foreign governments allow greater export flexibility, placing America at a greater disadvantage. Many of the manufacturers have no export controls. The current export control system interferes with legitimate U.S. exports because it doesn't keep pace with technology. The MTOPS level of microprocessors increased fivefold from 1998 to 1999. This is the speed of computers for my base description.

From 1998 to 1999, there has been a fivefold increase. Today's level will

more than double in 6 months because they are introducing something called the Intel Itanium chip. In a period of 2 years, there is going to be a tenfold increase in the ability of these microprocessors. New export controls will not take effect until the completion of the required 6-month waiting period. By then, the thresholds will be obsolete and American companies will have lost considerable market share again to foreign markets. The current export control system doesn't protect U.S. national security.

The ability of American defense systems to maintain technological advantages relies increasingly on the U.S. computer industry's ability to be on the cutting edge of technology. We need to move forward with this legislation. Protection of capabilities and technologies readily available in the world market is, at best, unhelpful for maintenance of military dominance and, at worst, counterproductive, according to the final report of the Defense Science Board Task Force on Globalization Security that came out in December of last year.

It doesn't make sense to impose a 180 waiting-day period for products with a 3-month innovation period that are available for foreign countries. We have to keep changing.

Right now, American companies are forbidden from selling computers in tier III countries, while foreign competitors are free to do so.

The removal of items from export controls imposed by the munitions list, such as tanks, rockets, warships, and high-performance aircraft, requires a 30-day waiting period. We need to put our priorities in order; 180 days is too long. It is way too long.

The new Intel microprocessor will be available very soon, with companies all over America already signed on to use this microprocessor. Foreign countries have signed on to using it, including Hitachi and Siemens. They will be so far ahead of us in sales to other countries that we will never catch up unless we change this law.

The most recent export controls announcements made by the administration on February 1 will therefore be out of date in less than 6 months.

Lastly, a review period, comparable to that applied to other export control and national security regimes, will still give Congress adequate time to review national security ramifications of change in the U.S. computer export control regime.

I urge my colleagues to support this amendment. There is no doubt in my mind that this amendment would pass overwhelmingly. I hope the managers of this bill will allow this amendment to go forward. It would be too bad if we were stymied, once again, from allowing something that has the overwhelming support of the American people, including the American business sector, whether they are in the computer industry or not. It has the total support of the computer industry. It also has the support of Members of Congress, as I have indicated. It passed the House of Representatives overwhelmingly. The vote was 415–8. In the Senate, it will get 90 votes. It would be a shame that a point of order, some technicality, would prevent the Senate from going forward on this legislation. This is a Defense appropriations bill. There could be no finer vehicle to consider this amendment. I hope some technicality does not prevent me from having this voted upon.

AMENDMENT NO. 3292

(Purpose: To amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers)

Mr. REID. I send the amendment to the desk on behalf of Senators REID and BENNETT.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. BENNETT, proposes an amendment numbered 3292.

Mr. REID. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. ____. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE.

Section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence, by striking ''180'' and inserting ''30''; and

(2) by adding at the end, the following new sentence: ''The 30-day reporting requirement shall apply to any changes to the composite theoretical performance level for purposes of subsection (a) proposed by the President on or after January 1, 2000.''.

Mr. STEVENS. Mr. President, I am constrained to raise a point of order that this amendment contains legislative matter and therefore is in violation of rule XVI.

The PRESIDING OFFICER. In the opinion of the Chair, the amendment is legislation on appropriations and is in violation of rule XVI.

Mr. STEVENS. Therefore, the amendment is not in order; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. 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. STEVENS. 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. STEVENS. For the information of the Members of the Senate, we have a list now of the amendments that have been reviewed by the Parliamentarian and have an indication of those that violate rule XVI. It is our intention to raise rule XVI for those amendments that are in violation of rule XVI. We do have a list that the staff says we may modify so they are not in violation of rule XVI, which we would then be willing to accept, if the sponsors are willing to accept the modification.

There are other amendments that have been offered that are not in violation of rule XVI that we intend to oppose. For those, I urge Senators to have their staffs discuss these amendments with the staff of Senator INOUYE and myself. It is my understanding we are in agreement on the position on these amendments that we find unacceptable, even though they are not in violation of rule XVI.

I do think we can proceed in a very rapid fashion to determine how many votes we will have today if Members will state whether or not they are going to accept our modification. If they accept the modification, we will put them in a managers' package that we will offer around 11:30 as being acceptable under the unanimous consent request we obtained yesterday, to give the managers the right to modify amendments to make them acceptable under rule XVI.

It is my understanding the Senator from California is now going to offer an amendment. Could I inquire of the Senator if she intends to ask for a vote on this amendment?

Mrs. BOXER. Yes, I do.

Mr. STEVENS. We are prepared to accept the amendment of the Senator. Does she still want a vote?

Mrs. BOXER. On the medical privacy?

Mr. STEVENS. Yes.

Mrs. BOXER. I need to think about it for a couple of minutes.

Mr. REID. If the Senator from Alaska will yield?

Mr. STEVENS. I am happy to yield.

Mr. REID. We now have 61 amendments not subjected to rule XVI, 25 Democrat, 36 Republican amendments. We want to make sure the majority understands we will do everything we can to cooperate with the majority. We would like to move this bill along as quickly as possible and get back to the Defense authorization bill at an early time. But I suggest, as I have indicated, there are more Republican amendments than Democratic amendments. We are going to do what we can to work on this side. I have spoken to Senator INOUYE and he has indicated the two managers would accept a number of these amendments. Throughout the day we will work on these to see what we can do to move this bill along. I hope the same will happen on the Senator's side if we are to complete this legislation.

Mr. STEVENS. I say to my distinguished friend, the Democrat whip, we have reviewed these and there are a series on both sides. It is true there are more on our side than on the Democratic side that we intend to oppose, but the majority of the ones we would oppose are subject to rule XVI.

Mr. REID. None of the 36 are subject to rule XVI, I say to the manager of the bill. Regarding the 36 Republican amendments, the Parliamentarian has preliminarily indicated they are not subject to rule XVI. We, through the efforts of the staffs, working with the Parliamentarian, believe there are some 35 or so amendments that are knocked out because of rule XVI. But we do have 61 remaining, 36 Republican and 25 Democrat.

Mr. STEVENS. Mr. President, I regret to say I have a 5-page list and I didn't have 2 pages in front of me. The Senator is right. We are working on those now, to notify Members on our side that we will oppose the amendments as listed on the basis we do not feel we can accept them because of the provisions of the existing bill and because of the availability of funds.

We will proceed to do just as the Senator has indicated. If Members, however, will accept our modifications—the Senator is aware of the modifications list? We again repeat, if they accept our modifications, although we oppose the amendments in the present form, we will include them in the managers' package. We hope to get a reply back from Members. Of course, Members have the right to offer their amendments and request a vote of the Senate. We are indicating, regarding those that we have not put on the acceptable list, we will oppose those amendments.

Mr. REID. We will also try to work with the manager of the bill to make sure we have people available to offer these amendments so there is not a lot of time in quorum calls.

Mr. STEVENS. I yield the floor.

AMENDMENT NO. 3363

(Purpose: To protect the privacy of an individual's medical records)

The PRESIDING OFFICER. Under the previous order, the Senator from California, Mrs. BOXER, is recognized to call up an amendment.

Mrs. BOXER. Mr. President, I call amendment No. 3363.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3363.

At the appropriate place, insert the following:

SEC. . PRIVACY OF INDIVIDUAL MEDICAL RECORDS.

None of the funds provided in this Act shall be used to transfer, release, disclose, or otherwise make available to any individual or entity outside the Department of Defense for any non-national security or non-law enforcement purposes an individual's medical records without the consent of the individual.

Mrs. BOXER. Mr. President, I believe anyone who listens to us will agree this issue of privacy of medical records is really moving to the forefront of American public discourse. I think we all believe certain things should be private. Certainly our medical records should be private unless we are very willing to discuss them or have them discussed. I am very pleased Senator STEVENS and Senator INOUYE support this amendment, and having received assurances they will work for it in the conference, I am not going to ask for a recorded vote. But I think it is a breakthrough that the managers have accepted this amendment.

I wish to make a point here about privacy of medical records. The Department of Defense is no better or no worse than any other Federal agency because all the Federal agencies have been going by the rules that were set forth in 1974. I do not know how old you were in 1974, Mr. President, but it was a long time ago. That is when we wrote the rules surrounding privacy, the Privacy Act of 1974, that really govern all the rules of privacy surrounding Federal employees, be they in the military or in the nonmilitary.

A cursory reading of the Privacy Act of 1974 will make your hair stand on end. It governs the privacy of medical records, but it says that no one can get your record unless you give prior written consent ''unless''—and here is the part you have to hear:

Unless the records are disclosed within an agency to a person who needs it in the performance of the job.

So anyone can get your record if they decide they want to see it as they do a job performance. Then it says an agency can get your record without your approval if it is for a routine use specified in the Federal Register. They can get your record, and listen to this, give it to the Census Bureau with your name attached: BARBARA BOXER, this is her medical record. The Census Bureau needs your record so they can carry out a census survey. Maybe they want to find out which Federal employees had what disease. They can get those records for the census for statistical purposes, but they say the records would not be individually identifiable, so I suppose that is OK.

Listen to this. The National Archives can get your record without your permission if your record has a sufficient historical value. So I say to the Presiding Officer, maybe someone in the National Archives is interested in his dad, the great Senator who preceded him, because they feel his records have sufficient historical value. That is absurd; they could get them if the agency released them.

Then there is a big loophole:

* * * because of a compelling circumstance affecting the health or safety of an individual.

Imagine, someone decides there is a compelling circumstance to know any Senator's or any employee's or any clerk's disabilities, what medicines they are on. Oh, they can get it if there is a compelling circumstance. That is not defined. Congress can get your record. Congress has a right to get the record of every clerk sitting here, any person in any Federal agency, without their consent. Talk about Big Brother or Big Sister, as the case may be. They have the right to find out anybody's record, their medical record. What a stunning revelation this is, to read the 1974 Privacy Act.

How about this one? The General Accounting Office, the GAO, doing a study—and we know we ask them to do many studies—can, in fact, get the record of any Federal employee with their name attached.

A consumer reporting agency can go ahead and get that information.

So here we have the Privacy Act of 1974. I have gone through it. Out of the 12 provisions, the exceptions, only 2 of them make sense. They have to do with criminality, but everything else makes no sense.

I am very pleased Senators STEVENS and INOUYE understand this. I say to my friend from Alaska, under the Privacy Act that applies today, it is not just the military; it is all Federal agencies. I am just doing it here because this bill came out first. The DOD is absolutely no worse than any other agency. They are just following the Privacy Act of 1974. It is chilling to see how Congress can get an individual's medical record with their name attached or how the Census Bureau can get an individual's medical record with their name attached, without approval.

In our amendment we simply say that, in fact, an individual needs to give permission, unless it is for a national security or law enforcement purpose. Then we say: Fine, you give up your rights in that particular case.

Again, I am pleased; we are breaking fine new ground. We should apply what we are doing here to every agency. I will do that, by the way, on every appropriations bill I can because this is absolutely critical.

I am delighted we are going to have a voice vote on this. I would like to have it accepted. A voice vote will be fine. This is not a complicated issue. This is a question of people in the military having peace of mind, knowing their records are secure. I will go away very pleased on this one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from California is correct in regard to the defense operations. I do note the exemption, where necessary, in the interest of national security. There are situations in which a commander has to know the medical conditions of people whom they might dispatch. That exception makes it acceptable for the Department of Defense.

However, I do not think we are going to proceed with having a piece-by-piece amendment to the Privacy Act on the appropriations bills. This is very much acceptable on this bill. With the conditions that are being applied, it is a step in the right direction.

I urge the Senator from California not to consider a piece-by-piece amendment to the Privacy Act on these appropriations bills as they come through because this Senator is not going to

support that. It becomes legislation on an appropriations bill on other matters, I can say that.

With regard to military records, it is an entirely different circumstance. Military records are part of the Department of Defense operation, and this is a step in the right direction. I am happy to accept the amendment on that basis.

I know of no other agency that has access to the medical records of the individuals who are employed by the agency as this one does. The Department of Defense does, and I think the Department of Defense will welcome this guidance. I am pleased to accept it on that basis.

The PRESIDING OFFICER (Mr. ENZI). The question is on agreeing to amendment No. 3363.

The amendment (No. 3363) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER. Mr. President, I will not offer amendment No. 3309 which was a backup amendment in case I was unsuccessful. I will be offering this when it is appropriate, not when it is inappropriate. I am absolutely delighted. I make the point, this is the first time we protected medical records. I could not be more pleased. I thank the managers for their support.

Mr. STEVENS. Mr. President, we are awaiting additional amendments. Does the Senator from California intend to offer amendments Nos. 3310 or 3311?

Mrs. BOXER. Mr. President, I do plan to offer amendments Nos. 3310 and 3311, but I need a little more time to get all my ducks in a row on them. I will be back as soon as I can do that.

Mr. STEVENS. 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. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3346

(Purpose: To provide for an additional payment from the surplus to reduce the public debt)

Mr. ALLARD. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD], for himself, Mr. VOINOVICH, Mr. GRAMS, and Mr. ENZI, proposes an amendment numbered 3346.

The amendment is as follows:

At the appropriate place, insert the following:

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(b) of title 31, United States Code, to reduce the public debt, $12,200,000,000.

Mr. ALLARD. Mr. President, I thank Senators VOINOVICH, GRAMS, and ENZI for agreeing to cosponsor this particular amendment.

As everybody in the Senate knows, I have been working for some time to put a plan before the Senate that would pay down the debt over a period of time. I have always been a strong proponent of paying down the debt. I believe Congress needs to live within its own spending restraints.

In 1961, Congress established within the Department of Treasury the Bureau of the Public Debt. It is an account for citizens to repay the public debt. Our amendment relates to the surplus from fiscal year 2000. The surplus projected by the Congressional Budget Office has been projected to be $26.5 billion; that is over and above what was provided for when we passed the budget last year.

There was an emergency resolution that provided for some spending, so we have already spent part of the $26.5 billion: $14.3 billion went to reversing the payday delays and moving appropriation spending back into fiscal year 2000, which was a procedural issue early on in the year. It took $7.2 billion to do that. We took $5.5 billion for agriculture relief and $1.6 billion for natural disaster relief, Kosovo, and assistance to the Government of Colombia for drug relief. That totals $14.3 billion. That leaves $12.2 billion that has not been obligated that is going to be surplus in this year's budget.

We have another estimate that will be coming in later on in the year. Very likely, there will even be additional dollars at some point in time over and above the $12.2 billion on which the Senate can make a decision. Basically, what we are asking with this amendment is that the $12.2 billion ought to go towards paying down the public debt. It is based on figures released by the Congressional Budget Office, and it is within the budget resolution that was passed earlier this year. It takes care of emergency spending needs.

I am asking Members of the Senate to support me in helping to pay down the debt. In recent years, we have had an unprecedented amount of surplus. The surplus has illustrated the importance of showing some fiscal restraint. Actually, the budget resolution we passed earlier, in both the House and Senate, is an agreement between the House and the Senate to stay within certain spending parameters. This falls within those guidelines. The only enforcement mechanism is our willingness to live by our own rules.

We are saying with this amendment that we ought to live by the agreement that was earlier arranged between the House and the Senate, and passed. And if there is any spending, instead of increasing spending, we ought to be paying down the debt.

The emergency spending is not counted for under the budget caps or the 302(b) allocation. In my view, the spending privilege that we had in the past years has been abused. We have spent more and not worked hard enough to hold down and stay within the caps.

The increased spending may ultimately threaten the Social Security surplus. We have all talked about how important it is to save Social Security. I have been of the view that if you pay down the debt, you can free up resources so that we can work at Social Security reform in future years. Obviously, it is not going to happen this year.

In my view, we cannot, in good conscience, continue to spend when we have such huge obligations that are facing us in future years, particularly in Social Security trust funds. The Congressional Budget Office, again, has scored this as a no-cost transfer.

The amendment appropriates $12.2 billion to an already existing account at the Bureau of Public Debt, which we set up in past years for taxpayers to pay into because this Congress thought it was important to the American taxpayers.

I am saying to the American taxpayer that you have shown a commitment to want to pay down the public debt. Members of the Senate and the House need to carry forward with their desire and their commitment and show an equal desire to pay down the public debt. This transfers money away from spending and locks it into debt owed to the public.

New estimates will be coming later on in the year and promise to offer similar opportunities for dedicating more of the fiscal year 2000 money to repay debt owed to the public.

I have an article that was written by Peter B. Sperry of the Heritage Foundation entitled ''Making Sure Surplus Revenue Is Used To Reduce The National Debt.'' I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Heritage Foundation Backgrounder, June 13, 2000]

MAKING SURE SURPLUS REVENUE IS USED TO REDUCE THE NATIONAL DEBT

(By Peter B. Sperry)

Although most Americans assume that a federal budget surplus in any year is automatically used to reduce the national debt, or at least the debt held by the public, this actually is not the case. The U.S. Department of the Treasury must implement specific financial accounting procedures if it is to use a cash surplus to pay down the debt held by the public. If these procedures are not followed, or if they proceed slowly, then the surplus revenue just builds up in the Treasury's operating cash accounts.

This excess cash could be used in the future to further reduce the debt, but only if it

is protected from other uses in the meantime. Until the excess cash if formally committed to debt repayment, Congress could appropriate it for other purposes. Consequently, the current surplus will not automatically reduce the publicly held national debt of $3.54 trillion unless Congress acts now to make sure these funds are automatically used for debt reduction and for no other purpose.

There is a parallel to this in household finance. When a family with a large mortgage, credit card debt, and several student loans receives an unexpected financial windfall, it usually deposits the funds in a checking account and takes a little time to consider how best to allocate the revenue—whether to refinance the mortgage, pay off credit cards, or establish a rainy day fund. Meanwhile, the family's debt remains, and will not be reduced until the family formally transfers funds to one or more of its creditors. If the family does not take some action in the interim to wall off the cash, it often ends up frittering away the money on new purchases, and the debt remains.

The federal government faces a similar situation. Surplus revenues are accumulating in the Treasury Department's operating cash accounts faster than the Bureau of the Public Debt can efficiently dedicate them to reducing the public debt. Consequently, surplus balances in these accounts have reached historic levels, and they are likely to accumulate even faster as the size of the surplus grows. Unless Congress takes formal action to protect these funds, they are available to be used or misused at any time in the appropriations process. Fortunately, the House soon will consider a bill (H.R. 4601) that would protect the budget surplus from being raided by appropriations until prudent decisions can be made about its use.

WHY DEBT REDUCTION NEEDS A BOOST

Thanks to unexpected budget surpluses, the U.S. Department of the Treasury issued less new debt than it redeemed each year. It conducted several ''reverse'' auctions to buy back old high-interest debt. And it successfully reduced the amount of federal debt held by the public in less than three years by $230 billion, from $3.77 trillion in October 1997 to $3.54 trillion in April 2000. *Chart 1* clearly shows that its efforts have been successful and impressive.

[Charts not reproducible in the RECORD.]

Despite this effort, the Treasury still is awash in cash. Examining the Treasury Department's monthly reports over this same period (see Appendix) reveals that, after accounting for normal seasonal fluctuations, the closing balances of its operating cash accounts have grown dramatically and, more important, the rate at which cash is accumulating in them has accelerated. The linear trend line in Chart 2 shows both the growth in the closing balances in the cash accounts and the projected growth under current conditions. Essentially, if no provisions are made to protect these balances, in August 2002—two months before the midterm elections—appropriators would have access to almost $60 billion in non-obligated cash.

Unfortunately, even this projection may be too conservative. Examination of month-to-month changes in the closing balances indicates that the rate of cash accumulation has started to accelerate, which will cause the closing balances to grow even faster. The trend line in chart 3 shows that the amount of positive monthly change in closing cash balances has, after accounting for normal fluctuation, increased since October 1997, and cash balances could start to increase by an average of $20 billion per month within two years.

The Treasury Department faces extraordinary cash management challenges as it attempts to repay the debt held by the public steadily and without destabilizing financial markets that depend on federal debt instruments as a standard of measurement. By protecting accumulated cash balances from misuse, Congress could provide the Treasury Department with the flexibility it needs to do its job more effectively.

TREASURY'S LIMITED DEBT MANAGEMENT TOOLS

The Treasury relies on three basic debt management tools to reduce the debt held by the public in a controlled manner.

Issuing less debt

As old debt matures and is redeemed, the Treasury Department issues a slightly smaller amount of new debt in return, thereby reducing the total debt held by the public. This is the federal government's most cost-effective and preferred method of debt reduction. However, it is not a simple process to determine how much new debt should be issued. If the Treasury Department returns too much debt to the financial market, it misses an opportunity to retire additional debt. If it returns too little to the markets, the cost of federal debt instruments will rise, driving down their yields and disrupting many private-sector retirement plans.

Reverse auctions

The Treasury Department periodically conducts reverse auctions in which it announces that it will buy a predetermined amount of specific types of debt instruments from whoever will sell them for the best price. This method quickly reduces debt held by the public, but it can be expensive. Investors holding a T-bill that will be worth $1,000 in 20 years may be willing to sell it for $995 if they need the money now and believe that is the best price they can get. However, if they know the Treasury Department has made a commitment to buy a large number of T-bills in a short period of time, investors may hold out for $997—a premium of $2 million on every $1 billion of debt the Treasury Department retires.

Purchasing debt instruments

The Treasury Department can use private-sector brokers to purchase federal debt instruments on the open market without having it revealed that the client is the federal government. This method is slow, but it allows the Treasury Department to take advantage of unpredictable fluctuations in financial markets to buy back federal debt instruments for the best possible price. This method must be used carefully and discreetly to avoid having investors, upon realizing that the true buyer is the federal government, hold out for higher prices.[1]

WHY TIMING AND FLEXIBILITY ARE IMPORTANT

The Treasury Department needs time and flexibility to use debt management tools effectively. It often will need to allow large balances to accumulate in the operating cash accounts while it waits for the opportunity to buy back federal debt instruments at the best possible price. If these balances are unprotected, they may prove irresistible temptations for appropriators with special-interest constituencies.

A prudent Secretary of the Treasury would not risk disrupting financial markets by recklessly reducing the amount of new debt issued each year, but might increase the number and size of reverse auctions to ensure that surplus revenues are used for debt reduction rather than remain available to congressional appropriators. The taxpayers would, at best, pay more than necessary to retire the federal debt, and they might find that appropriators have spent the surplus before it could be used to pay down debt

MAKING DEBT REDUCTION AUTOMATIC

Fortunately, Congress has the opportunity to ensure that the Treasury's large cash balances are not misused in the appropriations process. The U.S. House of Representatives will soon consider H.R. 4601, the Debt Reduction Reconciliation Act of 2000, recently approved by the House Ways and Means Committee. This legislation, sponsored by Representative Ernest Fletcher (R–KY), is designed to give the Treasury Department the time and flexibility it needs to use debt management tools most effectively. It would protect the on-budget surplus revenues collected during the remainder of fiscal year (FY) 2000 and appropriate them for debt reduction by depositing them in a designated ''off budget'' Public Debt Reduction Account.

Although the surplus revenues could still cause an increase in cash balances, the cash would be dedicated in the Debt Reduction Account rather than in the Treasury Department's operating cash account. Appropriators would be able to reallocate these funds only by first rescinding the appropriation for debt reduction in legislation that would have to pass both houses of Congress and gain presidential approval. Once surplus revenues are deposited in the Debt Reduction Account, appropriators would have very limited ability to increase spending without creating an on-budget deficit, which many taxpayers would perceive as a raid on the Social Security trust fund.

H.R. 4601 would effectively protect the surplus revenues that are collected during the remainder of FY 2000; moreover, it serves as model for how Congress should allocate unexpected windfalls in the future. It does not preclude tax reform because it is limited to the current fiscal year and therefore affects only revenues that have already been collected or that will be collected before any tax reform legislation takes effect. Nevertheless, once the Debt Reduction Account is established, Congress could continue to appropriate funds to the account at any time. Consequently, Congress would retain the option to reduce revenues through tax reform and still have a mechanism to prevent unexpected surplus revenues, once collected, from being used for any purpose other than the debt reduction.

H.R. 4601 would give the Treasury flexibility to use its debt reduction tools in the most effective manner. Surplus revenues deposited in the Debt Reduction Account would remain available until expended, but only for debt reduction. The department would be able to schedule reverse auctions at the most advantageous times, make funds available to brokers buying back debt on the open markets, or decrease the size of new debt issues—depending on which mechanism, or combination of tools, proves most cost effective.

HOW TO IMPROVE H.R. 4601

Although H.R. 4601 demonstrates a real commitment of members of the House to fiscal discipline, the legislation could be improved. Congress should consider requiring the Secretary of the Treasury also to deposit all revenue received from the sale of Special Issue Treasury Bills (which are sold only to the Social Security Administration) in the Debt Reduction Account. This would preclude the possibility of any future raids on the Social Security trust fund.

Congress should also consider adding language to H.R. 4601 to automatically appropriate future real (rather than projected) surplus revenues to the Debt Reduction Account. This would allow Congress the flexibility to implement tax reforms while also guaranteeing that surplus revenues, once collected, could be used only for debt reduction.

CONCLUSION

Many Americans assume that if surplus revenues are not used for spending or tax

cuts, they automatically reduce the national debt. Indeed, this has become an unstated premise in discussions of fiscal policy, whether in the press, academia, or Congress. Unfortunately, the premise is incorrect.

To make the premise true, the Treasury Department should be able to make specific provisions for retiring debt. If it is not given the power and obligation to do so, the surplus revenues accumulating in its operating cash accounts will be subject to misuse by appropriators. Congress has an opportunity and obligation to give the Treasury Department the time and flexibility it needs to utilize its debt management tools effectively when it considers H.R. 4601. This bill offers an effective first step toward the goal of making sure that budget surpluses do not disappear in new spending programs.

WHAT IS THE NATIONAL DEBT?

The national debt consists of Treasury notes, T-bills, and savings bonds that were sold to raise cash to pay the ongoing operational expenses of the federal government. National debt held by the public consists of debt instruments sold to anyone other than a federal trust fund, such as the Social Security trust fund. Most federal debt held by the public is owned by state and local governments, pension plans, mutual funds, and individual retirement portfolios.

Most investors consider federal debt instruments to be cash equivalents that pay interest, and they are strongly motivated to hold them until maturity—up to 30 years in the case of T-bills. Many institutional investors, particularly pension funds, are required to maintain a certain portion of their portfolio in cash equivalents, and they depend on the federal government to issue new debt when their old investments mature and are redeemed. In addition, many lenders, particularly mortgage companies, use the market price of federal debt instruments as a measurement device to determine appropriate rates of return on alternative investments. These lenders rely on the federal government to maintain enough federal debt in circulation to make this measurement valid.

APPENDIX

U.S. TREASURY OPERATING CASH AND TOTAL PUBLIC DEBT: OCTOBER 1997—APRIL 2000

[In millions of dollars]

Date	Treasury operating cash: opening balance	Treasury operating cash: closing balance	Change	Total borrowing from the public: opening balance	Total borrowing from the public: closing balance	Change
1997:						
October	43,621	20,261	−23,360	3,771,141	3,777,456	6,315
November	20,261	19,778	−483	3,777,456	3,806,564	29,108
December	19,978	31,885	12,107	3,806,564	3,804,792	−1,772
1998:						
January	31,885	40,307	8,422	3,804,792	3,779,985	−24,807
February	40,307	16,280	−24,027	3,779,985	3,810,549	30,564
March	16,280	27,632	11,352	3,810,549	3,830,686	20,137
April	27,632	88,030	60,398	3,830,686	3,770,099	−60,587
May	88,030	36,131	−51,899	3,770,099	3,761,503	−8,596
June	36,131	72,275	36,144	3,761,503	3,748,885	−12,618
July	72,275	36,065	−36,210	3,748,885	3,732,515	−16,370
August	36,065	36,427	362	3,732,515	3,766,504	33,989
September	36,427	37,878	1,451	3,766,504	3,720,092	−46,412
October	38,878	36,217	−2,661	3,720,092	3,735,422	15,330
November	36,217	15,882	−20,335	3,735,194	3,757,558	22,364
December	15,882	17,503	1,621	3,757,558	3,752,168	−5,390
1999:						
January	17,503	57,070	39,567	3,752,168	3,720,919	−31,249
February	57,070	4,638	−52,432	3,720,919	3,722,607	1,688
March	4,638	21,626	16,988	3,722,611	3,759,624	37,013
April	21,626	58,138	36,512	3,759,624	3,674,416	−85,208
May	58,138	25,643	−32,495	3,674,416	3,673,865	−551
June	25,643	53,102	27,459	3,673,865	3,651,619	−22,246
July	53,102	39,549	−13,553	3,651,619	3,652,812	1,193
August	39,549	36,389	−3,160	3,652,812	3,679,282	26,470
September	36,389	56,458	20,069	3,681,008	3,633,290	−47,718
October	56,458	47,567	−8,891	3,632,958	3,638,712	5,754
November	47,567	6,079	−41,488	3,639,079	3,645,212	6,133
December	6,079	83,327	77,248	3,645,212	3,680,961	35,749
2000:						
January	83,327	62,735	−20,592	3,680,961	3,596,976	−83,985
February	62,735	21,962	−40,773	3,596,570	3,613,071	17,131
March	21,962	44,770	22,808	3,653,701	3,653,447	39,746
April	44,770	92,557	47,787	3,653,447	3,540,781	−112,666

Sources: U.S. Department of the Treasury.

ENDNOTE

1. There is no way to know whether this particular debt management tool is being used by the Treasury Department at the time. If such knowledge were available, it would demonstrate a lack of discretion that would make this tool ineffective.

Mr. ALLARD. Mr. President, I think Senator VOINOVICH is going to be on the floor shortly. I would like to be briefed on what our time restraints are. How much time do we have on the amendment?

The PRESIDING OFFICER. There is no time limitation. We have the usual unanimous consent agreement to recess at 12:30 for the policy luncheons.

Mr. ALLARD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I am pleased to join my colleague, Senator ALLARD, in offering this amendment. It is an important amendment if we are ever going to make a dent in our tremendous national debt.

Like all of my colleagues, I am thrilled that the United States is in the midst of the greatest economic expansion in the history of our nation. It has provided opportunity and prosperity for millions of Americans.

However, even with all of our good fortune, we cannot ignore the tremendous debt that we owe, and we certainly cannot allow the booming economy to blind us to this reality.

For nearly a year and a half now, Mr. President—throughout my service in this body—I have made it my mission to remind my colleagues of the size of our national debt. Right now, the debt of the United States of America stands at $5.7 trillion. Right now, it costs us more than $224 billion a year to service that debt—which is more than $600 million a day in interest costs alone.

Thirteen cents out of every Federal dollar goes to pay interest on the national debt, at a time when 16 cents goes for national defense, 18 cents goes for nondefense discretionary spending and 53 cents goes for entitlement spending. We currently spend more on interest to the national debt than we spend on Medicare.

I agree with General Accounting Office (GAO) Comptroller General David Walker, who, in testimony before the House Ways and Means Committee last year, said:

> This generation has a stewardship responsibility to future generations to reduce the debt burden they inherit, to provide a strong foundation for future economic growth, and to ensure that future commitments are both adequate and affordable. Prudence requires making the tough choices today while the economy is healthy and the workforce is relatively large—before we are hit by the baby boom's demographic tidal wave.

That is a wonderful quote.

We should also listen to other experts, such as CBO Director Dan Crippen, who, earlier this year, testified before the Senate Budget Committee that ''most economists agree that saving the surpluses, paying down the debt held by the public, is probably

the best thing that we can do relative to the economy.''

And then there is Federal Reserve Chairman Alan Greenspan, who has testified that ''my first priority would be to allow as much of the surplus to flow through into a reduction in debt to the public. From an economic point of view, that would be, by far, the best means of employing it.''

Logic dictates that the money we are spending for our debt interest payments could be better spent elsewhere, and in my view—as well as the experts' view—the sooner we can pay down that debt, the sooner we will be able to use tax dollars where they are most needed.

In other words, if we pay down the debt and get rid of the interest, we can use that money to reduce taxes or to address some of the priorities that we continue to talk about every day on the floor of the Senate.

That is why I believe our top fiscal priority should be reducing the national debt. It is the best thing we could do with our on-budget surplus. And as I have said a number of times on the Senate floor, if families and businesses use their surplus cash to pay off debts, then our Nation should do the same thing.

If I have big credit card debt, or if I am in business and I owe debt, and I have an opportunity to pay off that debt, most families and most businesses would do so.

It is also interesting to note that if you look at the companies today on the New York stock exchange, the ones whose values have held up are those companies that do not have a substantial amount of debt. I think we know that if families in America were in the same position we are in, they would pay off that debt and get rid of that interest cost.

The amendment that Senator ALLARD and I propose would take the first step in putting us on a course of fiscal responsibility.

According to the latest estimates put forth by the Congressional Budget Office (CBO), the United States is projected to achieve an on-budget surplus of $26 billion in fiscal year 2000.

We are talking about fiscal year 2000 money. For my colleagues who want to cut taxes, we are talking about the on-budget surplus for the year 2000. We can't use it to reduce taxes. The only thing we can do with it is to spend it or use it to pay down the debt. There is no other alternative. We have already set aside $14 billion in the budget resolution to pay for military operations in Kosovo, natural disaster relief in the U.S., Colombian drug eradication assistance, and other supplemental spending.

Under the Allard-Voinovich amendment, the remaining $12 billion on-budget surplus would be applied towards debt reduction, not more spending. In addition, when the CBO releases its re-estimates of the FY 2000 on-budget surplus in July, Senator ALLARD and I intend to offer another amendment that will allocate any additional on-budget surpluses to debt reduction.

I remind my colleagues that this money can't be used to reduce taxes. It can only be spent. We want to get it off the table before it is spent.

Of the $26 billion on-budget surplus that we have today, $22 billion of that is overpayment into Part A of Medicare. This extra money we have is Medicare money that has been paid into Part A.

The concern that I have is if we don't pay down the national debt with whatever on-budget surplus we achieve, Washington will spend the money. Ever since the CBO first projected we would have a budget surplus back in 1998, Congress and the administration have looked for every possible way to spend the money.

I remind my colleagues, if you include the supplemental appropriations, fiscal year 2000 discretionary spending will increase by $37 billion, a 6.4 percent increase over fiscal year 1999. When compared to the Consumer Price Index, that is nearly three times the rate of inflation. This is tremendous growth in Government spending. We have to stop it. We have to put a lid on our spending.

Our amendment strikes a fair balance that allows us to use a portion of the on-budget surplus for debt reduction instead of just spending the entire on-budget surplus for the sake of spending. We have to show discipline and use our on-budget surplus to pay down our debts.

I am proud we have worked in the last couple of years in the Senate to rein in spending. I believe we must use whatever on-budget surplus that we have to pay down the debt. When we reduce the national debt, we send a positive signal to Wall Street and Main Street. Lowering the debt encourages more savings and investment, the kind that fuels productivity and continued economic growth. It also lowers interest rates, which is a real tax reduction. In addition, it ensures we won't return to deficit spending.

If we can't at this time with the economy booming do something about reducing the national debt, we will have missed a golden opportunity. We will have said to the young people of this country: We don't care about your future; we are going to let you pay for those things that we weren't willing to pay for or do without during the last number of years.

Mr. ALLARD. Will the Senator yield?

Mr. VOINOVICH. I yield.

Mr. ALLARD. I compliment the Senator from Ohio for his hard work on this particular issue. It is a pleasure to work with the Senator on looking at fair alternatives to pay down the debt. This is important to future Americans.

People ask, how will it affect me personally? If you buy a new car, the Government is not competing with you for that money; or if you go to pay for college education, the Government is not competing with you for that money; if you buy a home, the Government is not competing with you for that money. It tends to hold down interest rates. That means it costs less. It costs less to get a college education, costs less to pay for your home, and it costs less to buy a new car.

It is important not only to the security of this country, but to Americans individually.

I thank Senator VOINOVICH from Ohio for his steadfastness in fighting this issue. It has been a pleasure to work with him and the other cosponsors on this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this bill becomes effective on October 1 of this year. I am pleased to accept the amendment. It will affect the budget surplus that is in effect at that time.

We accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3346) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. ALLARD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. 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. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3304, AS MODIFIED

(Purpose: To set aside $43,000,000 for research, development, test and evaluation for the extended range conventional air-launched cruise missile program of the Air Force)

Mr. ASHCROFT. Mr. President, I call amendment No. 3304 and send a modification to the desk that I believe has been cleared by both sides, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself and Mr. BOND, Mr. CONRAD, Mr. BREAUX, and Ms. LANDRIEU, proposes an amendment numbered 3304, as modified.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by this Act for the Air Force for research, development, test and evaluation, up to $43,000,000 may be made available for the extended range conventional air-launched cruise missile program of the Air Force.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this is one of the amendments we have indicated, under the authority we received yesterday, Senator INOUYE and I have modified, and, as modified, we are prepared to agree with the Senator and ask for him to proceed on that basis.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I thank the chairman for his continuing support for this amendment and his continuing support for our national defense. I also thank my cosponsors, Senators BOND, CONRAD, LANDRIEU, and BREAUX.

This amendment will provide an additional $23 million, bringing the total to $43 million, for the development of an extended-range cruise missile, which is the successor to what is known as the CALCM, the Conventional Air-Launched Cruise Missile.

The Defense authorization bill contains $86.1 million for this project. This amendment increases the appropriation to half of the authorized amount. According to the Air Force and their officials, this new total, $43 million, is needed to start this program.

This cruise missile will be launched from the B–52 bomber to accurately strike strategic targets deep inside enemy territory without significant risk to our pilots or our planes. It will provide the Air Force its only air-launched, long-range, all-weather, precision weapon with a range of over 600 miles. I believe this amendment has been approved by both sides, and I thank the chairman and ranking member for their support.

It is important we have this kind of capacity. We have found that our ability to have precision capacity for striking the enemy is very important to the maintenance of our own independence and the protection of our own fighting individuals in our Armed Forces. I am grateful for the cooperation in this respect, and I yield the floor.

Mr. CONRAD. Mr. President, I am pleased to rise today to offer with my colleague from Missouri, Senator ASHCROFT, an amendment which increases the appropriation for a new, more advanced cruise missile for the B–52 from $20 million to $43 million.

As my colleagues are aware, the B–52 is the sole carrier of the Conventional Air Launched Cruise Missile [CALCM], a conventional variant of the nuclear-capable Air Launched Cruise Missile [ALCM]. Our nation has relied on the CALCM in all recent conflicts and it has become the weapon of choice for theater commanders. The CALCM offers range, payload, and accuracy that are superior to any other conventional stand-off munition in service today, including the Navy's Tomahawk.

A year ago, as Operation Allied Force was underway, we had a tremendous problem. The United States had expended more than 200 CALCMs against Iraq and Yugoslavia and we had less than 100 remaining.

I asked the Pentagon what they were going to do about this situation and they recommended that we convert the remaining, ALCMs not needed by the United States Strategic Command for nuclear missions to CALCMs. I was pleased to work with the Air Force and the defense committees to secure funding to do just that. Today, the remaining unneeded 322 ALCMs are being converted to CALCMs.

However, conversion will only give us around 400 CALCMs, and to meet future threats our nation will require around 1,000 of these missiles. In May 1999 I was informed that there was no plan to make up the shortfall.

I went to Senators WARNER and LEVIN, the chairman and ranking member of the Armed Services Committee, and asked them to adopt my amendment requiring the administration to come up with a plan to replace the CALCM. That amendment passed on May 27, 1999, and I was pleased to have my friend from Missouri, Senator ASHCROFT, as an original cosponsor.

The result of the Air Force's study was inclusion in General Ryan's unfunded priority list of $86.1 million in fiscal year 2001 and $689.7 million throughout the future years defense plan for research and development and production of more than 600 extended range cruise missiles (ERCMs), also referred to as extended range CALCMs (CALCM–ERs). The ERCM will offer all of the advantages of the CALCM and dramatically extend its range, to beyond 1,000 miles.

I am pleased that both the Senate and House Defense authorization bills fully support General Ryan's request for $86.1 million in Fy01. However, the Senate Defense appropriations bill provides only $20 million and the House Defense appropriations bill includes no funding.

Consequently, I am very pleased that the chairman of the Appropriations Committee, Senator STEVENS, and the ranking member of the Defense Subcommittee, Senator INOUYE, have agreed to support the amendment that Senator ASHCROFT and I have brought to the floor today. This amendment will increase the ERCM appropriation to $43 million, enough for the Air Force to begin work on this important program during the coming fiscal year.

A quick start to ERCM program will ensure that the B–52 remains relevant and our nation retains the capability to strike vital targets with tremendous accuracy at long range in the coming years. I appreciate the cosponsorship of Senators BOND and BREAUX and look forward to continuing to work with Senator ASHCROFT, the Senate's defense committees, and the Air Force to make the ERCM a reality.

I thank the chairman and ranking member again for their support, and yield the floor.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3304), as modified, was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote.

Mr. ASHCROFT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. 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. INOUYE. Mr. President, section 8118 of H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, refers to the National Center for the Preservation of Democracy. What is the National Center for the Preservation of Democracy? What is the rationale and purpose of the National Center for the Preservation of Democracy?

I will do my best to respond to the above questions.

The history of America demonstrates the vision and intent of its Founding Fathers when framing the Constitution. As a living document the Constitution has proven over time its capacity to meet the changing needs of the United States, ensuring the protection of all of its people. The story of Americans of Japanese ancestry represents a complete lesson of democracy in action and exemplifies the American dream. From immigration in the late 1800s, to issues of citizenship in the early 1900s, to the incarceration of citizens and the heroics of Japanese-American soldiers during World War II, and to redress in the 1980s, the Japanese-American story is about the struggles and victories of individual freedoms in the United States. Through their experiences, Japanese-Americans have validated all that is possible and all that is right with our constitutional guarantees. The Japanese-American story celebrates the triumphs of American democracy.

The National Center for the Preservation of Democracy will be headquartered in the renovated and transformed Historic Building of the Japanese-American National Museum in Los Angeles, CA. The Historic Building is a National Historic Landmark as designated by the National Trust for Historic Preservation. This space will keep alive and teach about a remarkable time in U.S. history, a period of shame and sacrifice and insult that ended with a burst of glory demonstrating the majesty of our government to recognize its errors and make a public apology and some restitution.

The Japanese-American story illustrates the splendor of the United States and the magnificence of the Constitution. Since their initial immigration in the late nineteenth century, Japanese-Americans have believed

strongly in the American dream and have sought to make America their home. Although confronted by prejudice and discrimination, Japanese-Americans have utilized that very democratic process in the spirit intended by the Framers of the Constitution. The story of Japanese-Americans is about democracy in action.

Like other immigrants, Japanese journeyed to the United States seeking opportunity and dreams of a better life. From the moment they arrived in the late nineteenth century, however, they were confronted with social prejudice and discriminatory laws already in place. The Naturalization Act passed by Congress on March 26, 1790, which restricted naturalization to ''free white men,'' was unavailable to persons of Japanese ancestry. Designated as ''aliens ineligible for citizenship'' (the only racialized group so defined until 1952), Japanese immigrants were rendered as perpetual aliens, a condition that prevented their full enjoyment of life, liberty and property. Nonetheless, the Issei—Japanese immigrants—courageously maintained their belief in America and moved forward to establish their new lives in the United States. More than that, through hard work and perseverance, Japanese enterprise prospered in the face of indifference.

Without citizenship, Japanese immigrants were subject to alien land laws, which prohibited ownership of land by ''aliens ineligible for citizenship.'' Although denied full participation as Americans, Japanese immigrants consistently sought, through non-violent legal efforts, to undo the intent of discriminatory laws through public campaigns, litigation, and other peaceful strategies. Their hopes in becoming citizens were further hindered, however, when on November 13, 1922 the U.S. Supreme Court ruled on the Ozawa case, definitively prohibiting Japanese immigrants from become naturalized citizens on the basis of race. Moreover, the future of the Japanese in the United States was further restricted when President Calvin Coolidge signed the Immigration Law of 1924, which was based on race and omitted Japanese from the quota system.

When Japan bombed Pearl Harbor on December 7, 1941, America was stunned and angered. For Japanese Americans, who had been subject to discrimination because of their ancestry, the whole world turned dark. However, as the United States confronted the threat of fascism in Asia and Europe, American democracy itself was put to a challenge and, for Japanese Americans, it fell short. Because they ''looked like the enemy'' and were thought to be a military threat, 120,000 individuals of Japanese ancestry, two-thirds of whom were American born citizens, were excluded from the West Coast, forcibly removed, and incarcerated in concentration camps. These prison camps were at first operated by the Army, and then the War Relocation Authority. This event has become the largest violation of constitutional rights in American history.

For Japanese-American males, the beginning of the war was especially humbling and painful as the Selective Service designated them as, IV–C, enemy aliens. Although they were loyal to the United States, these American born citizens were rendered ineligible to enlist in the armed services. Nonetheless, when the government announced the formation of the 442nd Regimental Combat Team, a segregated unit of Japanese-Americans, thousands of young Japanese-American men enthusiastically volunteered to serve. Stigmatized by the classification as enemy aliens, they were eager to prove their loyalty to the United States. Government officials were surprised by the overwhelming response. While family and friends were incarcerated behind barbed wire, the soldiers of the 100th Infantry Battalion and the 442nd Regimental Combat Team, as well as the Military Intelligence Service fought and died for the United States and for the preservation of democracy with no guarantee that their civil rights would be restored. There service demonstrates the ultimate in patriotism and love of country.

In 223 days of combat, the 100th Infantry Battalion and 442nd Regimental Combat Team became one of the most decorated units in United States military history. Among the many awards and decorations received by the men of the 100th Infantry Battalion and the 442nd Regimental Combat Team are 20 Congressional Medals of Honor, 354 Silver Star Medals, 33 Distinguished Service Crosses and over 3600 Purple Heart Medals. Their distinguished record includes the rescue of the ''Lost Battalion'' and participation in the assault that cracked the Gothic Line of Nazi strongholds. Affirming the unending truth that loyalty to one's nation is not modified by racial origin, these soldiers fought two wars, one for democracy overseas and the other for racial discrimination back home in the United States. As President Harry Truman said, ''You fought not only the enemy but you fought prejudice—and you have won.'' Indeed, these brave and courageous young men believed that their sacrifices would make life better not only for Japanese-Americans but for all Americans. The privileges of democracy that Americans enjoy today are the result of the blood shed by these American heroes. The sacrifices of officers and men of the 442nd Regimental Combat Team, the 100th Infantry Battalion, the Military Intelligence Service, and others have helped to make America a more democratic nation, and their valiant service continues to be a source of pride for all Americans.

In response to their heroic achievements, President Harry Truman challenged ''Keep up the fight and we will continue to win and to assure that this republic stands for what the Constitution says it stands for: the welfare of all of the people, all of the time.'' Many members of the 442nd Regimental Combat Team took President Truman's words to heart. Several soldiers went on to fight for democracy through their service as elected officials while others continued to serve in the armed forces. Eventually Japanese-Americans went on to fight in the Korean War and later the Vietnam War. Unlike Japanese-American soldiers during World War II who, after being designated as ''enemy aliens,'' served to prove their loyalty, Japanese-American soldiers in the Korean war and the Vietnam war served in the Armed Forces as Americans, full-fledged citizens of the United States. Without the need to prove their status as Americans, the reason for these courageous men to serve was purely for the love of country.

Inevitably, the impact of the heroic service of Japanese-American soldiers during World War II went on to enhance the civil liberties of all Americans. In 1948, segregation in the armed services ended in large part from the efforts of the 442nd and in 1952 the Walter-McCarran Act made all races eligible for naturalization and eliminated race as a bar to immigration. Thus, Japanese immigrants, many of whom were parents of World War II veterans, were able to finally attain their citizenship as Americans.

One of the more magnificent examples of American democracy at its most powerful form is the passage of the Civil Liberties Act of 1988, signed into law by President Ronald Reagan, in which the United States recognized its grave and fundamental injustice of violating the civil liberties of its own citizens. Advanced by many Japanese-American war veterans, the law makes a formal apology and provides token restitution to former internees. No other country in the world can make the claim of acknowledging and apologizing for its mistakes—a point that further illustrates the grand majesty of the United States. More importantly, to demonstrate its commitment of assuring that similar events do not happen, the Civil Liberties Act of 1988 provided funds to educate all Americans about the lessons from the incarceration.

While $50 million was authorized in the Civil Liberties Act of 1988 for educational purposes, the appropriations were significantly reduced because of the lack of funds available to pay the eligible individual claimants. The Civil Liberties Public Education Fund received only $5 million to fulfill its congressional mandate to educate the public about the lessons learned from the incarceration. With limited funding, the education of the exclusion, forced removal, and incarceration of Japanese-Americans during World War II was dramatically compromised and the government's commitment to educating the public has yet to be effectively fulfilled. The National Center

for the Preservation of Democracy established in the Historic Building of the Japanese-American National Museum will achieve that objective.

Through their efforts since the late 19th century, Japanese-Americans have secured the civil rights of all Americans, contributing to the most basic tenets of America's foundational ideals and promises—of life, liberty, and property. Although clearly denied many of those freedoms at various times throughout history, Japanese-Americans consistently sought, through nonviolent legal efforts, to secure Constitutional guarantees and the promise of the American dream. With that, they deepened and enriched the meaning of the American identity—the notion of who is an American—and the rights, privileges, and obligations that comprise the Republic's very core.

The National Center for the Preservation of Democracy will be assisted by the Japanese-American National Museum in the examination of the rights and freedoms of Americans in the United States through the Japanese-American experience. Because its mission is dedicated to the study, preservation, and interpretation of democratic issues, the National Museum maintains extensive expertise that will enable the National Center for the Preservation of Democracy to:

Develop and exhibit nationwide programs about the issues of democracy;

Have ready access to significant collections relating to these issues, especially the legacy of Japanese-American military service, including artifacts of the 442nd Regimental Combat Team and other military units;

Benefit from the relationships established and maintained by the National Museum, especially with federal institutions and related community organizations; and

Provide a dynamic visitor experience in a historic building.

The National Center for the Preservation of Democracy will be created as a dedicated space where visitors can learn about the enduring fragility and ultimate success of individual and constitutional rights. The headquarters will be established in a renovated and transformed historic building provided by the Japanese American National Museum.

Some of the historical highlights of the building, which was constructed in 1925, include:

Served as the first Buddhist temple in Southern California and as a center for social and religious life for the immigrant community;

Site where priests, who lived in the building, were arrested without due cause immediately following the bombing of Pearl Harbor;

Used as one of the sites where the Army instructed "aliens and non-aliens of Japanese ancestry to assemble for transportation to Santa Anita Racetrack, which had been transformed into an Assembly Center;

Served as a storage site for personal articles that could not be taken by those forced to leave; and

Served as a hostel for many returning from camp and had no where to go.

The National Center for the Preservation of Democracy will provide educational programming that includes exhibitions, media arts presentations, public programs, conferences, and civic dialogue/public forums. The National Center for the Preservation of Democracy will:

Present a permanent, audience-focused exhibition addressing American democracy through the Japanese-American experience, including the military service of Japanese-Americans (in World War I, World War II, the Korean war, and the Vietnam war);

Maintain and pursue key civil and military materials for a comprehensive collection;

Create and esttablish new opportunities for civil and military research, especially through collaboration with federal institutions such as the National Archives and the Smithsonian Institution to make documents more accessible;

Conduct education and public programs examining democracy in action; and

Produce educational media arts productions that present and interpret related issues of democracy for broad national and international broadcast and distribution as well as for on-site exhibitions.

I respectfully believe that the National Center for the Preservation of Democracy is most worthy of our support.

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. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3175, AS MODIFIED, 3284, AS MODIFIED, 3288, 3289, 3291 AS MODIFIED, 3298, 3299, 3300, AS MODIFIED, 3301, AS MODIFIED, 3305, 3312, 3314, AS MODIFIED, 3315, AS MODIFIED, 3316, 3321, 3323, 3324, 3325, 3326, 3329, 3331, 3332, AS MODIFIED, 3334, 3335, AS MODIFIED, 3336, AS MODIFIED, 3337, 3338, 3339, AS MODIFIED, 3342, 3343, 3344, 3352, 3357, AS MODIFIED, AND 3293, AS MODIFIED, EN BLOC

Mr. STEVENS. Mr. President, I am now prepared to present the first managers' package that we worked out with my good friend from Hawaii. These amendments have now been cleared in a modified form, or in the original form. But I call attention of the Chair to the numbers of the amendments that are included in our package.

It is: 3175 by Senator COLLINS; 3284 by Senator BINGAMAN; 3288 and 3289 by Senator SHELBY; 3291 by Senator KYL; 3298 and 3299 by Senator HELMS; 3300 and 3301 by Senator ROBB; 3305 by Senator ABRAHAM; 3312 by Senator LEAHY; 3314, 3315, and 3316 by Senator KENNEDY; 3321 by myself; 3323 by Senator ROBERTS; 3324 and 3325 by Senator SNOWE; 3326 by Senator LANDRIEU; 3329 by Senator GREGG; 3331 and 3332 by Senator FEINSTEIN; 3334 and 3335 by Senator WARNER; 3336 and 3337 by Senator NICKLES; 3338 by Senator ALLARD; 3339 by Senator COVERDELL; 3342 by Senator BINGAMAN; 3343 and 3344 by Senator INHOFE; 3352 by Senator ROTH; 3357 by Senator ROBERTS; 3293, as modified, by Senator LANDRIEU.

I send a modification to the desk of the last item, amendment No. 3293, which I just mentioned, of Senator LANDRIEU.

Mr. President, I believe all of those amendments are before the desk. To the extent they be modified, they have been agreed to by Senator INOUYE and myself pursuant to the unanimous consent agreement last night.

I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. I ask unanimous consent that they be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 3175, 3284, 3288, 3289, 3291, 3298, 3299, 3300, 3301, 3305, 3312, 3314, 3315, 3316, 3321, 3323, 3324, 3325, 3326, 3329, 3331, 3332, 3334, 3335, 3336, 3337, 3338, 3339, 3342, 3343, 3344, 3352, 3357, 3293, and 3293, as modified) were agreed to, as follows:

AMENDMENT NO. 3175, AS MODIFIED

(Purpose: To provide for the continued design and analysis under the reentry systems applications program for the advanced technology vehicle)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading "Research, Development, Test and Evaluation, Navy", up to $2,000,000 may be made available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

AMENDMENT NO. 3284, AS MODIFIED

(Purpose: A substitute to amendment No. 3284, offered by Mr. Bingaman that provides for the conversion of the configuration of certain AGM–65 Maverick missiles)

At the appropriate place in the bill, insert the following new section.

SEC. . Of the funds made available in Title III of this Act under the heading "Missile Procurement, Air Force", up to $5,000,000 may be made available for the conversion of Maverick missiles in the AGM–65B and AGM–65G configurations to Maverick missiles in the AGM–65H and AGM–65K configurations.

AMENDMENT NO. 3288

(Purpose: To increase funding for carrier modifications)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available under the heading "Weapons and Tracked Combat Vehicles, Army" in Title III of this Act, up to $10,000,000 may be made available for Carrier Modifications.

AMENDMENT NO. 3289

(Purpose: To increase funds for End Item Industrial Preparedness)

At the appropriate place in the bill, insert the following:

SEC. . Of the fund available under the heading ''Research Development Test and Evaluation, Army'' in Title IV of this Act, under ''End Item Industrial Preparedness'' up to $5,000,000 may be made available for the Printed Wiring Board Manufacturing Technology Center.

AMENDMENT NO. 3291, AS MODIFIED

(Purpose: To provide, with an offset, $6,000,000 for research, development, test, and evaluation Defense-Wide for the Arrow Missile Defense System (PE603875C) for enhanced interoperability of the system between the United States and Israel)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $6,000,000 may be made available for the Ballistic Missile Defense Organization International Cooperative Programs for the Arrow Missile Defense System in order to enhance the interoperability of the system between the United States and Israel.

AMENDMENT NO. 3298

(Purpose: to provide funding for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory)

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Army'', up to $3,000,000 may be made available for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory.

AMENDMENT NO. 3299

(Purpose: to provide funding for the Innovative Stand-Off Door Breaching Munition (ISODBM) technology)

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading ''Research, Development, Test and Evaluation, Navy'', up to $4,500,000 may be made available for the Innovative Stand-Off Door Breaching Munition.

AMENDMENT NO. 3300, AS MODIFIED

(Purpose: To make available $3,000,000 for high-performance, non-toxic, inturnescent fire protective coatings aboard Navy vessels)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $3,000,000 may be available for high-performance, non-toxic, inturnescent fire protective coatings aboard Navy vessels. The coating shall meet the specifications for Type II fire protectives as stated in Mil-Spec DoD–C–24596.

AMENDMENT NO. 3301, AS MODIFIED

(Purpose: To make available $2,000,000 for advanced three-dimensional visualization software with the currently-deployed, personal computer-based Portable Flight Planning Software (PFPS))

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, AIR FORCE'', up to $2,000,000 may be available for advanced three-dimensional visualization software with the currently-deployed, personal computer-based Portable Flight Planning Software (PFPS).

AMENDMENT NO. 3305

(Purpose: modification of H.R. 4576, Department of Defense Appropriations Bill, 2001)

At the appropriate place, insert the following:

SEC. . Of the funds appropriated in title IV under the heading RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY; up to $15,000,000 may be made available to continue research and development on Silicon carbide research (PE 63005A).

AMENDMENT NO. 3312

(Purpose: To make available $5,000,000 for Other Procurement for the Army for the development of the Abrams Full-Crew Interactive Skills Trainer)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title III under the heading ''OTHER PROCUREMENT, ARMY'', $5,000,000 shall be available for the development of the Abrams Full-Crew Interactive Skills Trainer.

AMENDMENT NO. 3314, AS MODIFIED

(Purpose: To make available $5,000,000 for the Environmental Security Technical Certification Program (PE603851D) for technologies for the detection of unexploded ordinance from live-fire activities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $5,000,000 may be available for the Environmental Security Technical Certification Program (PE603851D) to develop and test technologies to detect unexploded ordinance at sites where the detection and possible remediation of unexploded ordinance from live-fire activities is underway.

AMENDMENT NO. 3315, AS MODIFIED

(Purpose: To make available $5,000,000 for the Strategic Environmental Research and Development Program (PE603716D) for technologies for the detection and transport of pollutants resulting from live-fire activities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' up to $5,000,000 may be available for the Strategic Environmental Research and Development Program (PE6034716D) for the development and test of technologies to detect, analyze, and map the presence of, and to transport, pollutants and contaminants at sites undergoing the detection and possible remediation of constituents attributable to live-fire activities in a variety of hydrogeological scenarios

AMENDMENT NO. 3316

(Purpose: To make available $5,000,000 for Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature superconductor electric motor)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $5,000,000 may be available for Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature super-conductor electric motor.

AMENDMENT NO. 3321

(Purpose: To provide $1,000,000 from Operation and Maintenance, Navy to continue a public service initiative)

At the appropriate place, insert the following:

SEC. . Of the funds provided in Title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $1,000,000 may be available to continue the Public Service Initiative.

AMENDMENT NO. 3323

(Purpose: To provide research and development funds for a chemical and biological defense program)

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $3,500,000 may be made available for Chem-Bio Advanced Materials Research.

AMENDMENT NO. 3324

(Purpose: to set aside $3,000,000 for the Navy for operation and maintenance of a Navy benefits center)

At the appropriate place in the bill, insert:

SEC. 8126. Of the total amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, NAVY'', up to $3,000,000 may be available only for a Navy benefits center.

AMENDMENT NO. 3325

(Purpose: To clarify that the authority to enter into contracts for LPD–17 class ships on an incrementally funded basis is to provide for two such ships)

On page 25 of the substituted original text, line 9, insert ''two'' after ''and''.

AMENDMENT NO. 3326

(Purpose: to add funding to the Navy Information Technology Center)

At the appropriate place in the bill, insert the following:

SEC. .Of the funds available in Title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'', up to $8,000,000 may be made available for the Navy Information Technology Center.

AMENDMENT NO. 3329

(Purpose: To provide research and development funds for the Solid State Dye Laser project)

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $7,000,000 may be made available for Solid State Dye Laser project.

AMENDMENT NO. 3331

(Purpose: To make available $1,000,000 for Middle East Regional Security Issues)

At the appropriate place, insert:

SEC. . Of the amount available in Title II under the heading ''OPERATIONS AND MAINTENANCE, DEFENSE-WIDE'', $1,000,000 shall be available for Middle East Regional Security Issues.

AMENDMENT NO. 3332, AS MODIFIED

(Purpose: To make available $5,000,000 for research, development, test, and evaluation for the Navy for continuation of the Compatible Processor Upgrade Program (CPUP))

At the appropriate place in the bill, insert the following new section:

SEC. . Of the total amount available under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', up to $5,000,000 may be made available for continuation of the Compatible Processor Upgrade Program (CPUP).

AMENDMENT NO. 3334

(Purpose: To provide, with an offset, funds for five additional Weapons of Mass Destruction Civil Support Teams (WMD–CST) and for additional equipment for the Weapons of Mass Destruction Civil Support Team program)

At the appropriate place, insert the following:

SEC. ____. (a) ADDITIONAL FUNDS FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.—The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' is hereby increased by $3,700,000, with the amount of the increase available for the activities of five additional Weapons of Mass Destruction Civil Support Teams (WMD–CST).

(b) ADDITIONAL FUNDS FOR EQUIPMENT FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM PROGRAM.—(1) The amount appropriated under title III under the heading ''OTHER PROCUREMENT, ARMY'' is hereby increased by $11,300,000, with the amount of the increase available for Special Purpose Vehicles.

(2) The amount appropriated under title III under the heading ''PROCUREMENT, DEFENSE-WIDE'' is hereby increased by $1,800,000, with the amount of the increase available for the Chemical Biological Defense Program, for Contamination Avoidance.

(3) Amounts made available by reason of paragraphs (1) and (2) shall be available for the procurement of additional equipment for the Weapons of Mass Destruction Civil Support Team (WMD–CST) program.

(c) OFFSET.—The amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' for the Defense Finance and Accounting Service is hereby reduced by $16,800,000, with the amount of the reduction applied to the Defense Joint Accounting System (DJAS) for fielding and operations.

AMENDMENT NO. 3335, AS MODIFIED

(Purpose: To add $30,000,000 for information security initiatives; and to provide offsets)

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. (a) Of the funds available in title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', $30,000,000 may be available for information security initiatives: *Provided*, That, of such amount, $10,000,000 is available for the Institute for Defense Computer Security and Information Protection of the Department of Defense, and $20,000,000 is available for the Information Security Scholarship Program of the Department of Defense.

AMENDMENT NO. 3336, AS MODIFIED

(Purpose: To provide funds for a live-fire side-by-side test of the air-to-air Starstreak and Stinger missiles)

At the appropriate place in the bill, insert the following new section:

Of the funds provided in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'' up to $12,000,000 may be made available to commence a live-fire, side-by-side operational test of the air-to-air Starstreak and air-to-air Stinger missiles from the AH64D Longbow helicopter, as previously specified in section 8138 of Public Law 106–79.

AMENDMENT NO. 3337

At the appropriate place in the bill, insert the following new section:

Of the funds appropriated in the Act under the heading ''OPERATIONS AND MAINTENANCE, DEFENSE-WIDE'' up to $5,000,000 may be made available to the American Red Cross for Armed Forces Emergency Services.

AMENDMENT NO. 3338

(Purpose: To set aside for the XSS–10 micro-missile technology program $12,000,000 of the amount appropriated for RDTE, Air Force)

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'', up to $12,000,000 is available for the XSS–10 micro-missile technology program.

AMENDMENT NO. 3339, AS MODIFIED

(Purpose: To provide for a demonstration project for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', up to $3,000,000 may be made available for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps.

AMENDMENT NO. 3342

(Purpose: To provide support for the Bosque Redondo Memorial)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', $2,000,000 may be made available for the Bosque Redondo Memorial as authorized under the provisions of the bill S. 964 of the 106th Congress, as adopted by the Senate.

AMENDMENT NO. 3343

(Purpose: To make available, with an offset, $300,000 for research, development, test, and evaluation Defense-Wide for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', $300,000 shall be available for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $300,000.

AMENDMENT NO. 3344

(Purpose: To make available, with an offset, $5,000,000 for research, development, test, and evaluation Defense-Wide for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', $5,000,000 shall be available for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $5,000,000.

AMENDMENT NO. 3352

(Purpose: to make available $92,530,000 for C–5 aircraft modernization)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'', $92,530,000 may be available for C–5 aircraft modernization, including for the C–5 Reliability Enhancement and Reengining Program.

AMENDMENT NO. 3357, AS MODIFIED

(Purpose: To increase by $2,000,000 the amount available for Military Personnel Research (PE61103D); and to offset that increase by reducing the amount available for the AFCC engineering and installation program (PE65123D) by $2,000,000)

On page 110 of the substituted original text, or at the appropriate place, insert the following:

SEC. . Of the total amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE WIDE'', up to $4,000,000 may be made available for Military Personnel Research.

AMENDMENT NO. 3293, AS MODIFIED

(Purpose: To make available an additional $21,000,000 for the Information Technology Center and the Human Resource Enterprise Strategy)

At the appropriate place in the bill insert the following new section:

SEC. . Of the amounts appropriated under title II under the heading ''OPERATION AND MAINTENANCE, NAVY'' up to $7,000,000 may be available for the Information Technology Center.

Mr. STEVENS. Mr. President, I ask unanimous consent that it be in order to move to reconsider the vote en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that Senators LOTT and COCHRAN be added as original cosponsors to the Leahy amendment, No. 3312.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, we are going now to our respective party

luncheons. We expect to have additional items to present to the Senate upon our return.

I again call attention of Members to the report of the Parliamentarian on those amendments that are subject to rule XVI. It will be my intention when we return to ask that the Chair rule that rule XVI applies to those amendments, and that they be declared out of order.

RECESS

Mr. STEVENS. Mr. President, pursuant to the previous order, I ask that we stand in recess.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001—Continued

AMENDMENT NO. 3308

Mr. STEVENS. Mr. President, I believe the pending business is the Boxer amendment, with 4 minutes equally divided

The PRESIDING OFFICER. Four minutes equally divided.

Mr. STEVENS. Senator BOXER.

Mrs. BOXER. I thank the chairman for his graciousness. I urge my colleagues to vote affirmatively on this. I hope we can get a very overwhelming vote.

My amendment simply protects children at the Department of Defense housing or playgrounds, day-care facilities, schools, from poisonous and toxic materials. It is consistent with the DOD guidelines. Frankly, it seems to me we should all support it. Basically, the guidelines say they will stay away from these poisons when they do routine spraying.

We ought to codify this because there is a little bit of ambiguity. I am very proud of the Department of Defense in so many areas that deal with children. For example, child care centers at the Department of Defense are the best in the world, truly, and certainly are a model for so many other child care centers in our country. However, it did take some horrible mistakes before that was straightened out. We don't want to have a horrible mistake, a mistaken spraying. We want to make sure it is done right.

I am very pleased that the EPA is supporting this amendment. They helped with it. We spoke a number of times with Colonel Driggers who said he believed this was, in fact, consistent with the DOD written guidelines. It could be that they would rather not have us do this. I think it would be good for this Senate to go on record stating that for routine spraying against pests in these areas, let's use the less toxic materials. If there is an emergency, an outbreak of something horrible such as encephalitis, we make room for that. We certainly have a clear exception in emergency situations. We are talking about routine situations.

We have seen Administrator Browner, with bipartisan support, ban some of the very harsh pesticides. I think we can work very well together in a bipartisan way to stop the routine spraying of these dangerous toxins.

Mr. STEVENS. Mr. President, last evening I did offer to accept this amendment. It does have some problems, and in conference we will try to work out those problems.

I do believe that the use of pesticides approved by the U.S. Environmental Protection Agency should be assured so that military children and those on military bases can have the same protections, protecting the food supplies of the commissaries and populated facilities on a military base. I think the preparation of homes, for instance, before they are occupied certainly requires the type of spraying approved by the EPA.

We will make certain there is full protection for those in the military. As I understand it, this is an amendment that is designed to prevent the use of the pesticides that would not be subject to approval by the EPA. I intend to support the amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessary absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 14, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—84

Abraham	Dorgan	Lincoln
Akaka	Durbin	Lott
Ashcroft	Edwards	Lugar
Baucus	Feingold	Mack
Bayh	Feinstein	McCain
Bennett	Fitzgerald	McConnell
Biden	Frist	Mikulski
Bingaman	Gorton	Moynihan
Boxer	Graham	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Reed
Bryan	Gregg	Reid
Bunning	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Roth
Campbell	Hollings	Santorum
Chafee, L.	Hutchison	Sarbanes
Cleland	Inouye	Schumer
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thurmond
Daschle	Lautenberg	Torricelli
DeWine	Leahy	Warner
Dodd	Levin	Wellstone
Domenici	Lieberman	Wyden

NAYS—14

Allard	Hutchinson	Sessions
Bond	Inhofe	Smith (NH)
Enzi	Kyl	Thompson
Gramm	Landrieu	Voinovich
Hagel	Nickles	

NOT VOTING—2

Rockefeller	Specter

The amendment (No. 3308) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, we are awaiting the offering of other amendments on the Defense appropriations bill. There is no order, as I understand it, agreed upon between the leaders for another amendment to be offered at this time. So for any Senator who has an amendment to this bill, this is a good time to come and offer the amendment. We can have a debate on it.

The leadership has announced—at least the Republican leader has announced he wants to complete action on this bill tonight. To do that, we are going to have to make progress with the amendments. There are several pending amendments on both sides. So we urge Senators to come and cooperate with the managers of the bill so we can dispose of this legislation by the end of this session tonight.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I say to my friend, we have done a pretty good job on our side of the aisle. We literally only have a handful of amendments left. I think you should spend more time urging Members on your side of the aisle. We only have one amendment that is going to take any amount of time. The Senator offering that amendment has been tied up in hearings all day and has been unavailable.

Senator BOXER has offered three amendments. She has said she will be back in an hour to offer her last one. As I say, we have just a few amendments. So I think if you can get rid of a lot on your side, we might be able to make some more progress. We are literally down to maybe seven or eight amendments on our side.

Mr. COCHRAN. Mr. President, I thank the Senator for his explanation and his cooperation with the managers in the handling of the bill. We are equal opportunity expediters here. We want to expedite action on both sides of the aisle. I am sure the Senator understands that.

So we are working hard to try to get Senators to come to the floor now to continue the presentation of amendments, if they have them, on the bill.

In the meantime, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3366, AS MODIFIED

(Purpose: To reduce the total amount provided for procurement by $1,000,000,000 in order to provide $922,000,000 for grants under part A of title I of the Elementary and Secondary Education Act of 1965)

Mr. WELLSTONE. Mr. President, I send a modified amendment to the desk, and I ask unanimous consent I be allowed to modify amendment 3366.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 3366, as modified.

Mr. WELLSTONE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. The total amount appropriated by title III for procurement is hereby reduce by $1,000,000,000.

(b) There is hereby appropriated for the Department of Education for the fiscal year ending on September 30, 2001, $922,000,000 to enable the Secretary of Education to award grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

Mr. WELLSTONE. Mr. President, this Defense appropriations bill before us is a $3 billion increase over the administration's request. It is almost $20 billion more than we appropriated last year. Although for the past 2 years we have been focused on the readiness crisis—I think an important focus—the largest increase this year is not for personnel or operations or maintenance but for the procurement of weapons. This bill increases the amount of money for procurement of weapons almost 11 percent over last year. Let me just remind my colleagues that at the end of the cold war, a somewhat different era, this appropriations altogether is 2.5 times the military budgets of Russia and China and the six countries deemed to be the greatest threats to our Nation.

At a time when others recognize that the potential military threats to national security have declined dramatically, we have not. At a time when others want to put more emphasis on not just military readiness, which we must have, but other diplomatic solutions, multilateral efforts, we have not.

What I am doing in this amendment altogether is calling for a transfer across the board from this additional money for procurement, the 11-percent increase—a budget, again, that is $3 billion above what the President himself requested. I am saying we ought to take about $922 million, not quite $1 billion —I am trying to keep this amendment consistent with budgetary rules—and transfer that to education for kids. It is not a lot of money, but it would make a huge difference. Part of what I am talking about is basically a transfer of a little less than $1 billion from the Pentagon to the Department of Education, specifically focused on the title I program.

By transferring to title I this $1 billion, which ends up to be about $922 million after taking into account the costs of this reduction, this amendment is one step toward restoring some Federal funding for education that I think is very consistent with the definition of national security.

I define national security as, for sure, military readiness. But I also define national security as the security of our local communities. That includes making sure we do the very best by our children. That includes making sure that we as a nation do everything we can to live up to our national vow of equal opportunity for every child.

This amendment is all about our priorities. I look at the budget and I see a mismatch between some of our national ideals and goals in the speeches we give of what we say we care about and our actual spending priorities. The Senate committee reported out an education bill that would increase overall appropriations for education by $4.65 billion from fiscal year 2000 to fiscal year 2001. At the same time, the Department of Defense appropriations bill increased spending by $20 billion— Education, $4.65 billion; Department of Defense, $20 billion.

We lead the world in our spending on defense, which is fine, but at the same time, we rank tenth in the world when it comes to education spending. Over the past 20 years, the Department of Education share of the Federal budget has shrunk from 2.5 to 2 percent. During the same time, the Federal share of education dollars has shrunk from 12 cents to 7 cents on the dollar. This is not the direction in which we need to be moving.

People we represent in our States are focused on education. They think we ought to be doing better. I understand full well, I say to my colleagues, Democrats and Republicans, much of K–12 is State government spending. But we can be and should be a real player in certain decisive areas. We should be putting much more into early childhood development so children come to kindergarten ready to learn. We should be doing much better by way of funding the IDEA program. There is probably not a school board or school district in the country that does not believe this is an unfunded mandate, where they are called upon to meet children's special needs or called upon to support children with special needs but they do not get the Federal funding to which they are entitled.

The other critical program is the title I program. Actually, there is not a more important program than title I. We had an amendment to double the authorization for title I, part A, to $15 billion. Senator HARKIN was one of the leaders on that. It passed the HELP committee with the support of every Democrat and every Republican Senator, but I think we were only able to raise the appropriation by several million dollars, as I remember it, I say to my colleague Senator HARKIN.

I want to transfer $1 billion to the title I program, and I want to talk about why. But first of all, when it comes to our priorities, when it comes to our commitment to education as opposed to just a commitment on the Pentagon budget, let me remind my colleagues, in a recent bipartisan poll: 60 percent of the American people say we spend too little on education; 40 percent of the people in our country say education should be the top funding priority in this year's budget; 75 percent of the American people say they would be willing to pay higher taxes to improve education; and 83 percent of Americans say we should equalize funding across districts, even if it means we should transfer funds from wealthy to poor districts.

It is absolutely amazing, the support that is out there. The title I program is a key investment, and we ought to be doing much better. Title I provides assistance to students who face the greatest educational barriers. They are the students whose parents have not had the educational opportunities or the luck in their life that many of us have had. Many of their parents are illiterate. Many of the parents of the students are poor. These are the students struggling to meet academic challenges. These are the children, the most vulnerable children, who need and deserve the support. Title I is used to fund the types of programs for these kids, for just such youth. We know they work.

As an example, 100 percent of major city schools use title I funds to provide professional development and new technology for students. We have been saying on the floor of the Senate and back in our States that the most important thing we can do to improve education is to have good teachers. That also includes good teachers for these children who are in the title I program.

We have been talking about the digital divide. We have been saying it is not right that in this country, those school districts, those wealthy communities, can be wired; they have access to the best technology. Those students will be equipped and they will be ready to do well. Students who come from poor districts and come from lower-income families, in those lower-income districts with less property wealth, they do not have access to this kind of technology. Title I money is used for that. Mr. President, 97 percent of the major city schools use title I money to support afterschool activities.

We have been through this debate. You can go to any neighborhood. I do

not think, I say to Senator HARKIN, it is just in the cities. I think it also applies to the smaller towns and rural communities. You can talk to the religious community; You can talk to the law enforcement community; You can talk to parents; You can talk to teachers; You can talk to support staff; You can talk to youth workers; They will all say: We need to have some positive programs and activity and support for kids after school, especially when many of them go home and both parents are working. We need to do that. Ninety percent of these schools use title I funds to support family, literacy and summer school programs, and 68 percent use title I funds to support preschool programs. Title I has shown some strong success, despite its underfunding.

I point out to my colleagues that this amendment is a matter of priorities.

Again, there is an 11-percent increase in procurement, $3 billion more in this budget than the administration even asked. I am not talking about readiness programs. I am talking about a different world in which we live. When are we going to reorder some of our priorities and put just a little bit more of this investment in our children? When are we going to do better by children in our country?

Right now this title I program—which can be so important for educational development, can be so important in making sure these kids get the help they need, can be so important in making sure their parents become literate so they can help them read at home, can be so important for after-school programs, can be so important in trying to make sure that when these kids come to kindergarten they are ready to learn—right now we fund the title I program at a 30-percent level. That is to say, over 70 percent of the kids who could benefit do not benefit because there is no money. In my State of Minnesota, in our cities, after you get to schools that do not have 65 percent of the kids who are low income but only have 60 percent of the kids who are low income, they do not get title I money whatsoever because we have run out of funds.

Yet consider this: The largest gains in test scores over the past 30 years have been made by poor and minority students. One-third to one-half the gap between affluent whites and their poor minority counterparts has closed during this time—again because of the special help from the title I program.

A study by the Rand Corporation linked these gains to title I and other investments in these programs that give these kids more assistance. The final report of the ''National Assessment of Title I'' by the U.S. Department of Education showed that the NEAP, National Assessment of Educational Progress, scores for 9-year-olds in the Nation's highest poverty schools have increased over the past 10 years by 9 points in reading and 8 points in math. The Council of Greater City Schools shows that 24 of the Nation's largest schools were able to decrease the number of fourth grade title I students achieving in the lowest quartile by 14 percent in reading and 10 percent in math in part due to the support of title I dollars.

In my State of Minnesota, for example, the Brainerd Public School District has a 70- to 80-percent success rate in accelerating students in the bottom 20 percent of their class to the average of their class following 1 year of title I-supported reading programs.

This is a successful program that directs resources to the poorest school districts in America. Forty-six percent of title I funds go to the poorest 15 percent of all schools in our country, according to a GAO report. Seventy-five percent of title I funds go to schools where the majority of children are poor, according to the U.S. Department of Education report.

The General Accounting Office estimates that title I has increased funding to schools serving poor children by 77 percent, and yet we fund this at about one-third of the level that is needed and it is unconscionable.

Yesterday I was in New York City. I went to a school, P.S. 30, in the Mott Haven community in the south Bronx, one of the poorest communities in the United States of America. I went there because I have such great respect for the work of Jon Kozol. Jon Kozol wrote a book called ''Amazing Grace: The Lives of Children and the Conscience of a Nation.'' Now he has written another book, ''Ordinary Resurrections.'' It is a book full of hope. It is about three children and it is about this special school. The principal's name is Miss Rosa, Aida Rosa, who came from Puerto Rico 3 years ago. Her friends keep telling her to retire, but this woman will not give up on these children.

When one visits such a school, part of the trip is inspiring and part of it is indignation swelling inside, which is why I am here.

It is inspiring that Miss Rosa will not give up on these kids. I say to my colleagues, not one child in the classes I visited was white. Not one child I met comes from a family with an income over $10,000 a year. There are families in America—maybe some of our families—who spend that much on one vacation. These children come from families with incomes of less than $10,000 a year. They are Latino Latina. They are African American. They are poor. About 30 percent of these children suffer from asthma. One can see the pumps they carry because they have these asthma attacks. Thirty to 35 percent of these children suffer from asthma. It is no wonder. There is an incinerator a block away. The air is so polluted. This happens in a lot of poor communities.

Miss Rosa does not give up on these children, the teachers do not give up on these children, and Jonathan Kozol does not give up on these children. My point is it is inspiring, but these children could do much better if we would get the resources to the schools.

In my state of Minnesota, it is the same thing with Jackson Elementary School in St. Paul. I can think of elementary schools, junior high schools, and high schools I have visited. I visit a school every 2 weeks in my State. Over and over what these teachers say and what these principals say is: We are doing our best. Do not give up on any of these children. We know what works. We make sure when these children come to school they know they are loved. We hold them to high standards and expect them to do well. Never give up on them. Make sure that teachers are free to teach, and make sure we have an environment that emphasizes education and does not sell one child short.

We sell these children short. I do not understand our priorities. I do not understand why our commitment to education is such a small percentage of our Federal budget.

I do not understand how we can take a program such as the title I program—which is so important for low-income children and could make such a positive difference in their lives, would get more resources to some of these schools and some of these men and women who are teachers and principals and should be famous for the work they do—and fund it at a 30-percent or 35-percent level. I do not think it does any harm to who we are or what we are about as a nation to take less than $1 billion out of the procurement budget across the board and put it into the title I program.

We ourselves, as I said, in the Health, Education, Labor, and Pensions Committee, voted to double the amount of money for title I. Yet we barely added any additional dollars to this critically important program.

The Nation's poorest schools are dramatically underfunded, they are dramatically understaffed, and they are dramatically under resourced. Title I helps get some of those resources to these communities. If title I was fully funded, Minnesota would receive about $160 million more to educate needy students and almost 240,000 more students could be served. I am on the floor of the Senate to fight for these children in my State. Whatever the final vote is, if I can speak for a program that could make a difference in the lives of 240,000 more students in the State of Minnesota who are low-income kids, then I am going to do so, whether there is 1 vote for this amendment or whether there are 100 votes for this amendment.

I do not understand our priorities. Whatever happened to our national vow of equal opportunity for every child? How can we be talking today about how we are going to have tests and we are going to hold everybody accountable, but we do not make sure these children have the same opportunity to do well on these tests?

Why are we not investing in the achievement and the future of all the

children in our country? It is heartbreaking to visit these schools. It is inspiring but, at the same time, I come back to the Senate and say to myself: What can I do? When I visit these schools and meet these kids in any given class—yesterday I said to a lot of the teachers, to Miss Rosa, and others in the Mott Haven community in south Bronx, New York City: In the State of Minnesota—they did not believe it—in the cities of St. Paul and Minneapolis, we have many of the same populations.

The majority of our students are not white, Caucasian. In any given class, kids come from homes where different languages are spoken. Four or five different languages are spoken in the homes from which these kids come. There are some 90 different languages and dialects that are spoken in children's homes in Minneapolis and 70 in St. Paul. These children are also disproportionately low income, and they need the additional support if they are going to make it. It would seem to me we ought to make sure of that.

I am heavily influenced by the work of Jonathan Kozol. I love Jonathan's work over the years. He said something in his book that I am going to say on the floor of the Senate in my own words because I do this all the time. I will come to the floor of the Senate, and I will say: Come on, less than $1 billion to the title I program, which is so underfunded in all of our States and, I say to my colleague from Montana, the rural communities.

I made a big mistake of not talking about greater Minnesota or rural America. We do not have the funding. Every teacher and every educational assistant and every principal and every parent who cares about education in these communities will tell you they do not have the funding and that we should do better.

But here is my point today. I could come out here on the floor and say: With this additional money for title I, if we make the investment in these children, who are, by definition, low-income children, then we will save money later on because fewer of them will drop out of school—and that is true—and we will save money because fewer of them will turn to alcohol and drugs—and that is true—and we will save money because they will be more economically successful and more productive—and that is true—and we will save money by investing a little more money in the title I program because fewer of these children will wind up dropping out of school and ending up in prison—and that is true. But you want to know something. We ought to spend this additional money, $1 billion, or a little less than $1 billion, in title I for another reason: Many of these children are little children; They are under 4 feet tall, and we should be nice to them. We should care about them. We should get some resources into these schools, even if it is not in our self-interest. We should do it because it is the right thing to do. That is why we should do this.

Forget all the arguments about investment and how it will help our economy. I came out here earlier and said: We should consider this in a national security framework. No. I scratch everything I said, though keeping it in the CONGRESSIONAL RECORD. We should transfer this small amount of money from this Pentagon budget to the title I program because we should care about these children. We should care about them. We should be nice to them. We should want them to do well.

Many of them come from neighborhoods with some pretty difficult circumstances in their lives. I say to my colleagues, you might have wanted to spend a little time in the Mott Haven community yesterday. It is incredible, some of the difficult conditions in which children not only survive but flourish. Why don't we just give them a little more assistance?

I really believe this is an important amendment. I want to again summarize for my colleagues a little bit of what I am trying to say. Again, please remember that it is one thing to talk about a readiness crisis. The big increase was in procurement. Less than a $1 billion cut in procurement is hardly anything when it comes to the Pentagon budget. This appropriations bill is $3 billion more than the administration's budget request.

This year, the education bill has an overall appropriation for education of $4.65 billion—an increase. At the same time, the Pentagon budget goes up $20 billion.

I say to all of my colleagues, I think this is an important amendment. All of us know of the title I program. All of us know the difference it can make in children's lives. All of us say we care about these children. This is an opportunity to basically match our vote with our rhetoric. This is, I will admit, a reordering-of-priorities amendment on a small scale because, after all, this is $3 billion the administration didn't want. This bill is close to $300 billion. Can't we take $1 billion of this and do a little bit better by way of title I?

I will not end my remarks because I want to wait to hear what my colleagues say. But I will kind of finish up this part of my statement with a point that I do not like to make but I believe strongly about. So I am going to do it. I will say, some of my colleagues that I see on the floor—Senator INOUYE and Senator BURNS—and Senator INOUYE I especially believe I know well and know what he cares about—I do not think this applies to either one of my colleagues, regardless of how they vote; it can't because I know what Senator INOUYE, in particular, is about. But, in general—so let me say this is not exactly just in relation to this amendment—I find that people in politics, in both parties, will relish having a chance to have a photo taken of them reading with a child. We are all for the children, and we say they are 100 percent of our future, but we are a dollar short when it comes to making the investment in their lives.

In particular, the unfinished agenda is poor children in America. It is incredible, but we have some 14 million poor children in our country today with its booming economy. Many of them, disproportionately, are of color. Many of them are in our inner cities. Some are in our inner suburbs, and some are in our rural areas. Many of the parents of these children didn't have the money to put them into the best developmental child care. They didn't have the great prekindergarten teachers. Some children did. And their parents—a single parent or both parents—are both working long hours. They don't have the money.

They can't spend $10,000, $12,000, $14,000 a year for great child care. They come to kindergarten behind. They have not had some of the benefits that come from a family where your parents have more of an education and a much higher income. But you want to know something. I saw it yesterday in P.S. 30. I saw it yesterday in the Mott Haven community. I see it in Minnesota. Those children have the most beautiful eyes. They have the greatest determination. They are full of excitement and they are full of hope. They believe in the American dream, even though they never say it that way. By the time they are in high school, most of it is gone. I think we ought to be doing better. I think these children ought to figure into our priorities.

We all know the title I program is vastly underfunded. It is an embarrassment. Can't we at least put another $922 million in this next year? Can't we do a little bit better by these children?

Mr. President, for now, I yield the floor.

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WELLSTONE. 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. WELLSTONE. Mr. President, I ask unanimous consent that Senators BOXER and HARKIN be added as cosponsors of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. 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. WELLSTONE. 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. WELLSTONE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I have a parliamentary inquiry. If Senator STEVENS wishes to make a motion to table, that would still be in order; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. HUTCHISON. I thank the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that the pending amendment be set aside temporarily so I may offer my amendment.

Mrs. HUTCHISON. Reserving the right to object, I didn't hear the request.

Mr. HARKIN. I ask unanimous consent that the pending amendment be set aside so I might offer another amendment.

Mrs. HUTCHISON. Mr. President, I object. I would like to work with the Senator, but I suggest the absence of a quorum.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa maintains the floor.

Mr. HARKIN. Mr. President, is the pending amendment the Wellstone amendment?

The PRESIDING OFFICER. That is correct.

Mr. HARKIN. Mr. President, I ask unanimous consent that it be set aside and I call up my amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa is recognized.

AMENDMENT NO. 3355

(Purpose: To limit the use of funds for purchase and modification of Army High Mobility Trailers, and for modification of High Mobility Multipurpose Wheeled Vehicles (HMMWVs) to tow the trailers, until the trailers are fully tested)

Mr. HARKIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER (Mr. GORTON). The clerk will report.

The bill clerk read as follows:

The Senator from Iowa (Mr. HARKIN) proposes an amendment numbered 3355.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) None of the funds appropriated by this Act may be obligated or expended for the purchase or modification of high mobility trailers for the Army before the Secretary of the Army has determined that the trailers have been thoroughly tested as a system with the High Mobility Multipurpose Wheeled Vehicles that tow the trailers, satisfy the applicable specifications, are safe and usable, do not damage the vehicles that tow the trailers, and perform the intended functions satisfactorily.

(b) None of the funds appropriated by this Act may be obligated or expended for the modification of Army High Mobility Multipurpose Wheeled Vehicles to tow trailers before the Secretary of the Army has determined that, with respect to the towing of trailers, the vehicles have been thoroughly tested as a system, satisfy the applicable specifications, are safe and usable, are not damaged by the towing of the trailers, and perform the intended functions satisfactorily.

Mr. HARKIN. Mr. President, I am proposing a very simple amendment. All it says is the Department of Defense thoroughly test its trailers and the trucks that pull them before they spend more money to modify them or to buy new ones.

I understand there is a rule XVI point of order against the amendment. So I will ask that it be withdrawn. But I wanted to take the time to at least let Senators know about and become aware of a very interesting problem in the Department of Defense which I think is indicative of some larger problems that we have in terms of testing and making sure that our weapons systems actually work before we spend our taxpayers' hard-earned dollars to buy them.

For the next several minutes, I would like to tell the story of the Army trailers and why this amendment basically just says we ought to test them to make sure they work before we buy them.

You would think this would be common sense. But 6,550 trailers that the Army has purchased for more than $50 million are sitting in storage right now. That is right, 6,550 trailers are now in storage because the Army never bothered to make sure they worked. The fact is that this amendment, which I think is necessary, says a lot about how waste and abuse continues to thrive at the Pentagon. I get nervous about some of these skyrocketing procurement budgets when I think about how some of the money gets thrown away. Let's go through the story of the trailers.

Most of what I am about to relate is in a GAO report, which I requested last year and which was published last year.

In the 1980s, the Pentagon decided it needed some trailers. I am talking about trailers that you load up with equipment, goods and stuff, and you pull them behind a truck. In 1980, the Pentagon decided that it needed some trailers for its high mobility multipurpose wheeled vehicles, otherwise known to all of us as humvees. That is all these are—trailers to be pulled behind some all-terrain trucks. I wouldn't think that would be too difficult. The Army found that the older M101 trailers they had were unstable with the humvees. So they set out to buy some new trailers. In 1993, they signed a contract for $50.6 million to buy 7,563 new trailers.

In 1995, after a couple of years, they tested the trailers and found a serious problem. The trucks, as it turns out, were never designed to pull trailers. When they tested the trailers, the rear crossmembers of the trucks tended to crack. They refer to this as ''catastrophic failure.'' Despite this problem of the trucks' rear crossmembers cracking, the Army decided that the trailers had successfully completed testing.

You may wonder: How could that possibly be? Well, it was because they met the contract performance requirements. Mind you, they didn't work. They destroyed the trucks that pulled them. But they met the contract performance requirements. So the Army agreed to pay the contractor for the trailers and to pay for the modifications that would be needed. You would think in the contract specifications they would have said that the trailers should not damage the trucks pulling them. But evidently they didn't.

Then in late 1996, the Army faced a dilemma. The contractor was more than a year behind schedule in delivering them, and the Department decided not to buy more trailers in fiscal year 1997—not because they didn't work, which they didn't, but because they said they were now a lower priority.

In the contract that the Army negotiated, there was an escape clause which provided that during the fourth and fifth years, if the Army didn't want any more trailers, all they had to do was pay $1 million in liquidated damages and they would be out of the contract. Did the Army pay the $1 million and get out of the old contract? No. They renegotiated the contract and extended it another year. Not only that but the Army also agreed to pay the increased costs of the contractor and agreed also to increase the profit margin of the contractor in spite of the poor performance of these trailers. The net result was a 57-percent increase in the cost of the trailers. Instead of getting the 7,563 trailers for $50.6 million, which was agreed upon in the contract, the Army ended up getting 6,700 trailers for $57 million—$6 million more for 900 fewer trailers.

That is not the end of it. From there, the story continues downhill.

In 1997, the Army modified the truck crossmembers—the one that was cracking all the time, and the bumpers—so the trucks could pull the trailers. But as they were modifying the truck, the trailer drawbar broke. They discovered that the drawbar design had no margin of safety; it bent every time the humvee went over a bump. Nonetheless, since the Army had already accepted the design, the Army figured it was their own problem and they let the contractor off the hook.

The Army continued to accept more of these trailers that they couldn't use. They couldn't use them. So the contractor kept making them and the Army kept accepting them; and they just put them in storage.

In 1998, they tested the trailers a third time with a new steel drawbar.

But now they found that the new, stiffer drawbar damaged the brakes on the trailers and again damaged the trucks.

In 1999, they made more modifications and tested the trailers a fourth time. Again, the trailers didn't work. Meanwhile, the units still don't have the trailers they have needed for more than a decade.

Now, the Army thinks they finally have the solution. They will use the steel drawbar on the trailers. They will install a more durable brake actuator on the trailers, and they will modify the trucks with reinforcement for this towing pintle. But they haven't even tested these modifications yet. So they don't even know if they will work.

Furthermore, their ''conservative cost estimate'' for the modification is $22 million.

Let's add it up. We were going to pay $50 million. We have already paid $57 million. Now we are going to pay $22 million on top of that. That would pay to modify only 6,700 trucks, one for each of the trailers.

I can only assume that the Army does not want to dedicate a truck for each trailer. That means the Army will have to modify all 19,564 trucks that are in the units to get the trailers. The 22 million they want is only for 6,700 trucks. But they are going to need another 13,000 trucks modified.

So are we looking at another $44 million, maybe another $50 million on top of it? I don't think they will dedicate one truck to each trailer. That would be foolish. I don't think we are through with the price increases yet. Somewhere down the line, the Army says, they will need another 18,412 high mobility trailers on top of the 6,700 they already have.

This is a story of mismanagement, a story of misprocurement, a story of whacky contracts, a story of piling one mistake upon another, a story of letting contractors off the hook, all at the expense of taxpayers and the expense of readiness and mobility for our troops in the field.

My amendment simply requires that before we dump more money down this rathole, before we modify the trailers and trucks or buy more trailers, we test them. We test the final product to see if it will meet the requirements for the all-terrain vehicles that are pulling them. We should make sure that they work, that they are safe, that they don't damage the truck, and that they can perform their intended mission.

I don't know when the end is in sight. We have already spent $57 million. They want another $22 million. That is $79 million. If they are going to modify all the trucks, we are probably looking at another $44 million on top of that, and they say they want 18,000 more of them. I don't know if there is an end in sight. Whether $57 million or $79 million or $100 million, that may not in a $300 billion budget for defense seem to be a lot but it is a lot of money to me. It is a lot of money to the taxpayers in my home State of Iowa.

I am afraid it is a symptom of a larger problem. If we cannot design a simple trailer that works, and test it adequately, how can we expect to build an advanced fighter plane that works or a missile defense that will hit a bullet with a bullet?

We never seem to learn our lesson. Today we are buying 10 F–22 fighter planes, the most advanced and most expensive in the world, even though they haven't been fully tested and have shown problems in the tests that have been done. We are talking about spending $1 billion a year for national missile defense, even though it has had only two flight tests—one lucky strike and a near miss—and has never been tested against countermeasures that it would surely face.

If we are going to spend all this money, the public should at least demand weapons that work. My amendment would set that demand in writing for the trailers. I am not getting into the fighter planes and missile defense. I am only talking about simple trailers, so that never again will we pay three times for trailers—once to buy them, again to store them, and a third time to try to make them work right.

I wanted to take this time to talk about the trailer problem. I have been involved in this for some time. I think it is indicative of a larger problem. We should make sure we test all of our systems, make sure they work and are safe and meet the requirements we need before we shell out our taxpayers' dollars to buy them.

AMENDMENT NO. 3355 WITHDRAWN

Mr. HARKIN. Having said that, I understand there is a rule XVI point of order against my amendment, so I withdraw my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3355) was withdrawn.

AMENDMENT NO. 3366, AS MODIFIED

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Parliamentary inquiry: Are we now back to the Wellstone amendment numbered 3366?

The PRESIDING OFFICER. The Senator is correct.

Mrs. HUTCHISON. Mr. President, I rise to speak against the Wellstone amendment.

I think it would be the height of irresponsibility to reduce this defense budget by $1 billion, for any purpose. Obviously, for the Elementary and Secondary Education Act, which has not yet been reauthorized, there will be billions spent—correctly so—for the improvement of the education of our children. To withdraw the funds from the Department of Defense and put money into a bill that has not yet been reauthorized, I think would be shirking our responsibility to support our troops in the field and make sure they have the equipment they need to do the job we are asking them to do.

Whether it be the missile defense system, the F–22, the F–16, the ships that we need so badly, or whether it is a quality-of-life issue, we are trying to increase the pay levels and the quality of housing for our military. We are trying to provide the health care that is deserved for the people in the service and for their families.

Where would we take the $1 billion? Which part of our military budget that is already underfunded would we withdraw? I think it is very important we continue to finish this bill, that we allocate the resources we need to stop the flight from our military that we see occurring as we speak. We are having a very hard time retaining the good people who are serving in the military. They are leaving the military. They are leaving the military for a variety of reasons, some of which we can do something about: pay, types of housing, health care, and making sure they have the training and the equipment they need to do the job we are asking them to do. We need to make sure we do retain our best people.

Second, I think it is very important we let potential recruits know we are going to take very seriously these quality-of-life issues. That is exactly what this bill, the underlying appropriations bill for the Department of Defense, is designed to do.

I object to any reduction of the Department of Defense bill to reallocate resources to other areas that have already had their budgets approved by this Congress. We have set the levels of spending in Congress. We have allocated money for the Elementary and Secondary Education Act. We have allocated money for all of the other agencies to be able to do their jobs. We need to set up a firewall in defense. We need to say we are going to put the money into defense to keep our security in this country.

If we start adopting amendments such as the Wellstone amendment that would start taking $1 billion out and allocating it to some other cause, I think we would be walking away from our responsibility to strengthen our national defense. When we are 6,000 below the congressionally mandated troop strength level, as we are today, I think it is most certainly the responsibility of Congress to say, why do we have 6,000 fewer troops than we have allocated to do the job of keeping the security of the United States? I think once we determine the cause, we need to address that cause and we need to correct the problem. The way we do it is to make sure we are fully funding the equipment, the training, and the quality-of-life issues for our military personnel. We are asking them to do a pretty tough job. We need to give them the tools to do it.

I am very fortunate to be able to visit so many of our troops around the world. I am very privileged to be on the Appropriations Defense Subcommittee and, before that, on the Armed Services Committee. I have visited our troops in Saudi Arabia, Italy, Bosnia, Kosovo, Germany, as well as, of course,

throughout the United States of America. It lifts your heart to go to a base or to an outpost and talk to our military personnel. They are dedicated. They believe in our country. They believe in what they are doing. They are out there and they are going to do the job given to them to do.

In the 7 years that I have been in the Senate and have made it a point to visit our troops wherever they may have been, I have never yet met one who did not inspire me, who did not make me believe that the security of our country was being handled by these young people and these generals and these admirals. They are dedicated and they are doing a terrific job. But it is the responsibility of Congress, it is the responsibility of the Senate, it is the responsibility of this body to make sure every one of those young men and women out in the field, who are patrolling as we speak, who are walking along the lines between Kosovo and the former Yugoslavia, who are in Bosnia trying to keep Bosnia in a peaceful condition, who are in the deserts of Saudi Arabia right now, or in Kuwait, trying to keep some stability in the Middle East, get the support and the equipment and the training they need to do the job.

If we start voting for amendments that take $1 billion out of an already short defense budget and start allocating that to other programs—worthy programs, but we have already set the spending limiting for those programs—we would be shirking our responsibility to support those who are supporting us. That is why I oppose the Wellstone amendment and why I hope this Senate will take the responsible action and reject any effort to take $1 billion out of the funds for the defense budget. It has emergency money in it to replenish the coffers where we have taken from the basic defense budget to fund the peacekeeping missions in Bosnia and Kosovo. It is essential we get on with our responsibility and reject the Wellstone amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. Mr. President, I understand the Senator from California has an amendment. Senator HARKIN is joining her. I would like to see if we can get a time agreement on this amendment. I ask unanimous consent the time be limited to not more than 45 minutes on each side. Is that agreeable?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I am wondering if the manager of the bill would be kind enough to notify the Senate when there will be some votes. We have about an hour and a half now on this amendment, if all time is used, and there then would be two votes; is that correct? I think that is what the leaders are talking about.

Mr. STEVENS. Mr. President, the Senator is correct. I do not anticipate using the full amount of time on our side. I understand there has been one amendment put aside. I hope to have the votes occur somewhere around 6 o'clock.

Mr. REID. Then after that, it is my understanding the bill is in the process of being able to be wound up?

Mr. STEVENS. Mr. President, we still have the procedure to follow to apply rule XVI to the amendments that have not been withdrawn. We are compiling that list now. As soon as this amendment is finished, we will do that. The Senator would understand, I am sure, that some Senators may wish to appeal that or deal with it in some way. I hope not. We hope to conclude the rule XVI procedure and then vote at 6 o'clock.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 3311

(Purpose: To strike Section 8114 regarding Operational Support Aircraft Leasing Authority)

Mrs. BOXER. Mr. President, I call up my amendment No. 3311.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3311.

The amendment is as follows:

Strike section 8114.

Mrs. BOXER. Mr. President, I thank the managers. I have had a few amendments. I think this one is not one they support. They have been very supportive of my others. I am very proud that the Senator from Iowa, Mr. HARKIN, has once again teamed up with me. We have been the team on this particular subject for awhile.

When I was in the House of Representatives, I served on the Armed Services Committee. It was a great honor to do so. There is nothing more important than our national security. What I found was that we were wasting many dollars. I thought we had cured some of those problems. For awhile I really didn't bring these issues before the body because I was convinced we were moving in the right direction. Suddenly, I am afraid, we see a reversal.

For example, in this bill, the military asked us for $3 billion less than the committee actually voted out. This particular bill that is before us is $3 billion more than the Defense Department requested. Why would we do that? Why would we not go along with what they say they need, and why would we pad this particular area, our national defense? And why do I say that? Because if we look through the bill, we will find instances of waste.

We understand why this bill is padded when we particularly look at one area that Senator HARKIN and I joined forces on last year. That is the area of operational support aircraft. These are aircraft used for travel by the upper echelons of the military. What we do with our amendment is strike the section that allows nine of these operational support aircraft to be leased. In this bill, they are not specified as what they are, how much they each cost. We know nothing except that the Army can have three, the Navy can have three, and the Marine Corps can have three.

What do I suspect they are going to do with this? I think we have to learn from history and look back to last year's Defense appropriations bill. I offered an amendment with Senator HARKIN then that would have struck this same exact language that was used by the Air Force to lease six operational support aircraft. Senator HARKIN and I lost that fight. I thought we made a valiant effort, but we are back for this reason: A lot has happened since Senator HARKIN and I brought this matter before the body.

First, we know the Air Force plans to lease the most luxurious jets there are, despite the fact we had people here telling us they weren't going to lease these big, beautiful jets; they were going to go smaller.

Let's take a look at the Gulfstream. It is pretty slick. We are told if one were to buy this, it costs $50 million a copy—luxurious travel. The Air Force has leased six. The Air Force took the same language they had in the appropriations bill last year and leased six of these.

Let's take a look at the interior of this plane. Senator HARKIN has a little different view. It is beautiful. This plane is used by billionaires. This plane is used by the top echelon of wealthy people in this country. We wonder why this bill has been padded with $3 billion. I think it is to do things such as this that, with all due respect, were not spelled out in this bill.

If I were to read—I don't have time because I have agreed to a tight time limit—the language, all one would know about it is, it is the same as was put in for the Air Force. But they couldn't find anywhere listed a Gulfstream. Yet last year we were told, at this very same time in the debate, that the Air Force was not going to go for these Gulfstreams: ''There is nothing in this language that says that.'' Yet that is, in fact, what they did.

We were right last year, and it is costing taxpayers a fortune to lease these jets. Let me say, it is cheaper to buy them than to lease them.

I ask unanimous consent to print in the RECORD a New York Times article that discusses the fact that it is actually cheaper to lease these jets than to buy them.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 11, 1999]

NATO SPENDING BILL INCLUDES EXECUTIVE JETS FOR 9 GENERALS

(By Tim Weiner)

An urgent request from the Air Force is buried in the multibillion-dollar emergency bills that will finance NATO's air war in Yugoslavia.

Smart bombs? F–16 fighters?

Not exactly. The Air Force wants to lease Gulfstream executive business jets to ferry four-star generals around the world. The cost could run to half a billion dollars over a decade.

The Air Force is asking for top-of-the-line Gulfstream V's to replace the Boeing 707's, some as much as 30 years old, that transport nine of the nation's top military commanders.

The Gulfstreams can fly eight passengers nonstop for 7,500 miles, wrapping them in sweet silence and comfort, the company says.

The Air Force already has two Gulfstream V's for the very highest Government officials. Moguls from the movies and Microsoft fly them. Why not the military's most powerful commanders, men like Gen. Wesley Clark, who is running NATO's air war?

So the Pentagon and the Senate Appropriations Committee chairman, Senator Ted Stevens, Republican of Alaska, worked out a deal that would let the Air Force lease six Gulfstreams for the military's nine unified and regional commanders-in-chief, Congressional staff members said.

Those in the Air Force and in Congress who support the request—none of whom would be quoted by name—say leasing could be cheaper than maintaining the 707's. And the Gulfstreams cost less than the planes some of the commanders originally sought: a fleet of Boeing 767's, which run upwards of $100 million each.

The new fleet would give the commanders ''the capability to travel within the full length of their theaters or to Washington, D.C., without an en route stopover,'' the Air Force said in a ''fact sheet'' submitted to Congress two weeks ago to underscore the commanders' needs.

Only one of the nine commanders-in-chief, or Cincs, General Clark, is based overseas. The others work in Virginia, Illnois, Colorado, Nebraska, Hawaii and Florida, where three of them have headquarters. But with the United States playing the role of the world's sole superpower, their responsibilities are global, the Pentagon says.

The Air Force noted that the Gulfstream V is ''the single aircraft most capable of performing the Cinc support role, at significantly reduced costs.''

One new Gulfstream was included in this year's Pentagon budget. But the Gulfstream V can carry only a small contingent. So the Air Force said it might also consider two Gulfstreams and four specially equipped 737–700's, which carry at least 126 passengers in their commercial configuration.

The Senate's emergency spending bill includes a measure aiding Central American hurricane victims, which is where the leasing arrangement originated. The measure goes to conference on Tuesday with the $13 billion measure passed by the House last week.

The Gulfstream measure includes only the legal authority to sign a lease—no money. It does not mention the money at all.

But the leasing deal, if carried out, could cost $476 million or more over 10 years, according to Air Force documents and Congressional staff members.

It would actually cost less to buy each of the nine commanders his own Gulfstream V—$333 million. But that might be a harder sell, said a Congressional staff member working on the Senate's still evolving emergency bill.

''You don't want to look like you're buying the Cincs executive jets,'' he said.

Mrs. BOXER. First of all, we are not buying them. We are leasing them, and that costs money. If we were to buy these nine, it would cost a half a billion dollars. I am embarrassed to say it. That amount of money could put 5,000 police on the streets. That amount of money could double the number of children we have in after-school. That amount of money could take care of a lot of veterans' health care.

The other plane that is in the same category is called Bombardier. It is made in Quebec. I don't have a photo of it. It is just as luxurious, just as expensive. It goes for about the same. I say to my friends who want to make sure our generals have what they need: Why do we have to go to the top of the line?

If the answer comes back that we are not necessarily doing that and we are not spelling it out, then why not preclude them from going to the top of the line? Two things have happened that are important since this debate last year.

No. 1, those who said the Air Force would never buy the top of the line were proven wrong. We said they would do it, and they will leased these top of the line jets.

No. 2, Senator HARKIN, Congressman DEFAZIO, and I wrote to the General Accounting Office. Because we respect our friends who said these operational support aircraft were necessary, we said to the GAO, which is our investigative arm, Will you do a study? They did. Guess what they titled this study. The title of this study comes back: ''Operational Support Airlift Requirements are not Sufficiently Justified.''

Let me reiterate sort of the partridge and the pear tree about why we should strike this language. Last year, we were told they needed the aircraft. Here is the GAO report, the investigative arm of Congress, coming back saying we do not need any more right now because we don't know what we have. I will share the quotes from that study.

Second, the Air Force proved they were going to go to the top of the line. This is the same exact language. After all, I guess if the Air Force has it, the Army needs it, the Marines, and the Navy, then we are going to allow them to have the same latitude.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from California has 45 minutes.

Mrs. BOXER. Will the Presiding Officer let me know when I have used 20 minutes?

The PRESIDING OFFICER. Yes.

Mrs. BOXER. I thank the Chair.

I want to share with my colleagues the results of this GAO study.

GAO report: ''Operational Support Airlift Requirements are not Sufficiently Justified.''

The processes that DOD uses to identify its requirements for operational support airlift have a number of weaknesses that make it difficult to assess whether the current inventory meets the wartime needs.

That is one statement. We will go through the statements with you.

The next statement:

Although DOD directive 4500.43 states that operational support airlift requirements should be based solely on wartime needs, the methodology that DOD used in 1995 and 1998 does not draw a clear link to the scenario for two major regional conflicts specified by the National Military Strategy.

In other words, the operational support aircraft have to be linked to what military needs in case of war—not that it is comfortable for generals in time of peace.

I understand that it is comfortable to go on a plane such as this, but that is not what taxpayers should be paying for. We should be paying for what we need in time of war. That is what the DOD is supposed to do.

What else do they tell us in this report?

The lack of clear linkage to wartime requirements raises questions about whether the support aircraft fleet is appropriately sized to meet short-notice mobility needs in wartime.

My friends, this is serious. We are going ahead with this appropriations—this green light—to lease all of these airplanes when the GAO is saying to us that the ''lack of clear linkage to wartime requirements raises questions about'' the fleet and whether it is appropriately sized. It may be terribly overly sized.

Let's see what else we have.

This is the one I think says it all.

The joint staff . . . has not maintained records documenting its previous requirements reviews, so it is not possible to determine whether some options for reducing requirements were examined.

I have to say to my colleagues who I hope are watching this from their offices that there is a need here to defend the United States of America, and we should do everything we can to do that. If we are going under the scenario of being prepared to fight two major conflicts—some people think that is outmoded, but if that is what we are doing—then everything we do in this budget should reflect that need. And we are being told that the Joint Chiefs do not maintain records documenting their requirements for these aircraft.

How on Earth can we possibly justify this kind of open-ended language in this bill?

The GAO sums up:

For all these reasons, we believe a more rigorous process is needed to better ensure that support aircraft requirements accurately reflect wartime needs.

I think if you really believe that supporting our military is one of the most important things we can do in making sure we have dollar for dollar the best military in the world, then you should vote for the Boxer-Harkin amendment.

There is no reason given in any of the documentation in the Department of Defense as to why they need this aircraft. There is no rationale. The GAO has studied this. They are nonpartisan. They are the investigative arm of Congress. They have come back and told us they can't even find their records. Yet we are going blindly ahead, it seems to me, and providing this open-ended language, which will result, I predict to you, in nine more of these aircraft, and they could be the most luxurious in the world.

We already know that the Defense Department has 144 jets in its fleet of operational support aircraft. This includes 71 Learjets, 13 Gulfstreams, the one Gulfstream V, and 17 Cessna Citations.

We know the GAO has studied all of this, and they are saying to us: Time out. What is the rush?

When I take a look at these luxury jets, I can only say this: We know there are cheaper luxury jets that would have to make just one stop—I have a photo of that—just one stop. This plane is about $18 million compared to $50 million, which would have to make one stop to refuel.

I have to say to my friends that it is a beautiful plane. It is a comfortable plane. For a general to stop and stretch his or her legs, as the case may be, and fill up the tank once on the way to a meeting in peacetime——

Mr. STEVENS. Mr. President, will the Senator yield right there?

Mrs. BOXER. I would be happy to yield.

Mr. STEVENS. Will the Senator put that photograph back up.

Mrs. BOXER. Certainly. I will finish my sentence, and then I will yield. Then I am happy to yield. I have to finish my thought.

Mr. STEVENS. The Senator yielded to me.

Mrs. BOXER. This is a smaller aircraft. We were hoping that the Air Force was going to look at this. But they came back with the Gulfstreams.

I yield for a question.

Mr. STEVENS. If I am correct, that is a UC–35 that the Senator put up there, and that is what we are going to lease. That is exactly what this provision covers, the UC–35s.

Mrs. BOXER. This is not a UC–35. This is not.

Mr. STEVENS. What is it?

Mrs. BOXER. That is a Citation X.

The point I am making is there is nothing in the language, I say to my dear friend, that suggests exactly what plane they are going to use. There is nothing in this language. Last year, under the same language, the Air Force leased the Gulfstream. That is the point we are making. We are not limiting them to this.

I have to say that I know we are in a surplus situation. But we have a lot of needs for our military personnel. I know my friends fought for that. We are looking at military personnel who are not living in adequate housing. We know that Senator MCCAIN has taken the lead in trying to get our people off food stamps. We have an unfunded priority of veterans' health.

I think what Senator HARKIN and I are simply saying is this: It is unnecessary to have this many planes when we now have a quite unbiased report that says, ''Operational Support Airlift requirements are not sufficiently justified.''

Why would we run off and buy more when we don't know what we have? We have seen with vague language we could wind up with top-of-the-line jets.

Mr. President, I reserve the remainder of my time and yield 20 minutes to the Senator from Iowa.

Mr. HARKIN. Mr. President, I thank Senator BOXER for yielding me this time.

I am proud to be a cosponsor of her amendment. We have worked hard on this over the last couple of years to try to bring sense and rationality to this procurement of luxury jets for the military.

I was going to ask my friend from California if we might engage in a little colloquy to let our fellow Senators know where we are coming from. It is not the intention of the Senator from California, nor mine, to say that there should be no smaller corporate-type jets within the Department of Defense. We are not trying to say ''none.'' We are not trying to cut them out. There are 364 support aircraft in the inventory right now.

I ask the Senator, is it, the intention of the Senator to do away with all these types of jets?

Mrs. BOXER. Not at all.

As my friend knows, we don't even really know how the jets they have now are meeting our needs in a situation such as during wartime, which is the directive that they have to go by. The DOD has to rationalize and tell us, under their own directive, how their support meets the needs in wartime.

Clearly in this report it is stated there is no rationale for what they have now, let alone what they have to have.

Furthermore, we are saying that if they got these nine additional planes, which we don't even know if they need, under this language they would be able to buy the fanciest jets in the world, despite the fact that Senator STEVENS doesn't think they will.

The Senator of Alaska wasn't positive that the Air Force was going to lease the six Gulfstreams last year, yet they did. It is the same language.

Mr. HARKIN. What happened to the six airplanes last year that we fought against? Have they started leasing those airplanes yet?

Mrs. BOXER. They put out an RFP. The only two companies that qualified for the RFP happened to be the two companies that made a $50 million luxury jet.

The Air Force is moving forward and doing exactly what we said they were going to do.

Mr. HARKIN. If the Senator is correct, the request for proposal that delineated the requirements, the GAO said there is no real basis for those requirements. They just plucked them out of thin air. They devised, if I am not mistaken, an RFP to get the jets they wanted. But there is no basis for the RFP requirement.

That is what I read in the GAO report. For example, I say to the Senator from California, in the GAO study on page 7, ''One military officer involved in the 1995 study said that using an assumption of four flights a day yielded a requirement deemed to be too high and that using an assumption of two flights a day yielded a requirement deemed to be too low.'' So it came out at three.

Listen to this: ''Operational support airlift requirements are significantly affected by this single assumption of how many flights a day you have. For example, our review of support aircraft found that 55 fewer aircraft were required when assumptions of two flights a day were used rather than three for overseas theaters.''

Again, the GAO is saying there is no real rational basis for this. They say four is deemed too much, two is deemed too little. So, voila, they decided on three. But again, there is no rational basis for why they needed three flights a day.

We didn't have this study last year. This study just came out in April of 2000. Last year, we offered the amendment that dealt with six aircraft, and our worst fears were realized. They put out an RFP, limited to the most luxurious jets. So we requested the study. In light of the fact that we have the GAO study that basically says we have no basis on which to procure these aircraft, now we will lease nine aircraft.

Let's get this straight. Last year, we did not have the GAO study. Our amendment was defeated. The bill said they could lease up to six aircraft. This year, we have the GAO study that says there is no basis for the requests, but now nine are requested this year.

Please, someone tell me what kind of sense this makes.

Again, I have been a pilot all my life. I enjoy flying. I know airplanes pretty darned well. We are not trying to say that commanders in the field, theater commanders, don't need long-range airplanes. They do. What I am saying is we are playing a game here. It is sort of a game of, I am a general and guess what. I have got a nice big fancy jet to ferry me around. Well, Admiral Smith over here looks at General Jones and says, hey, he's got a big old jet that flies him around. How come I don't have one? And then the general over in the Marine Corps says, well, I have to have one, too. I am as high ranking as that other general or admiral. And the Air Force general says, I have to have one, too.

Come on. There is a lot of this game involved here. I don't mind some perks for our military officers. They don't get paid a lot of money. They do a

great job of defending our country. We call upon them in wartime and they lay down their lives. If you are just honest about it, this is a perk, a perquisite.

But how much of a perk? Do they really need a Gulfstream V that can carry up to 19 passengers so they can put four or five people on board and travel in luxury? No, they don't need that. CINCPAC operates out of Hawaii and needs a longer range plane to go from Hawaii to Guam, Okinawa, Japan, or Korea. I understand that. But commanders in the United States don't need those. They can land at any airport in the United States and get refueled. They don't need those longer range planes. You may need one for Europe. Already in the inventory we have 13 Gulfstream III's that have a 3,500-mile nautical range. Now the Gulfstream V has a 5,500-mile nautical range.

We already have one of those in inventory. I don't know where it is. I don't know who operates it. But we already have one. We have 13 Gulfstream III's with a 3,500-mile nautical range. That is not too shabby. And a Gulfstream III is a very luxurious plane, I can assure you. The GAO says it can carry up to 26 passengers, but that is maximum loading. Actually, a Gulfstream III would probably carry about 10 or 12 people at most on any flight. They already have 13 of them. Is that enough? We don't even know. The GAO says we don't even know if that is enough.

I am not saying we do not need some of these planes. But I think we need a really thorough study of these inventories, to justify the requirements.

The GAO said:

> The Department of Defense has not clearly explained the basis for the key assumptions it is using to justify the requirements or identified the assumptions that should be updated in each succeeding review.

What does it mean? The Pentagon has no clue about how many planes they need; no clue.

Mrs. BOXER. Will the Senator yield for a question?

Mr. HARKIN. Let me just finish this.

The GAO found there is no justification for how many times a day airports are connected. There is no criterion for why some airports are key airports and others are not. There is no consideration of how large different planes need to be. Nobody could even tell the GAO whether the requirement for 85 aircraft in the continental United States had been considered in the 1998 review or who was supposed to look at it in the current review. So how do they come up with their assumptions? Here is what GAO said. I will repeat it:

> One military officer said using an assumption of four flights a day yielded a requirement deemed to be too high, using an assumption of two yielded a requirement deemed to be too low by the commanders in chief.

What does that mean? They cooked the books. That is all they are doing, they are cooking the books. They are saying I would like to have this Gulfstream V, so write it up so that I need it. That is all that is happening.

I am glad to yield to my colleague.

Mrs. BOXER. I wanted to make sure my friend was aware we have a copy of the RFP done by the Air Force. I ask unanimous consent this document be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Aircraft Capabilities and Characteristics	Thresholds	Objective
4.1.1.1.* Range	Aircraft shall be able to fly no-wind range of 5000 NM carrying a full passenger and crew compliment, plus their baggage using AFI 11–202, Vol. III, Chapter 2 procedures. Fuel reserves consist of fuel required to descend to 10,000 feet MSL at destination airfield, climb to optimum altitude for diversion to an alternate airfield 250 NM away, descend to 10,000 feet, hold for 45 minutes, and then make a penetration/approach and landing..	Aircraft shall be able to fly no-wind range of 6000 NM carrying a full passenger and crew compliment, plus their baggage
4.1.1.2. Flight Characteristics	Cruise speed 0.80 Mach, cruise ceiling after gross weight takeoff equals 31,000 ft minimum after 30-minute direct climb. Be able to operate out of a 5,000-foot runway. FAR landing distance shall not be greater than 5,000 ft at maximum landing weight.	A minimum of 10 minutes at takeoff power.
4.1.1.3.* Payload Capabilities	Small aircraft shall carry 5 crew, 12 passengers. Medium aircraft shall carry 11 crew, 26 passengers. Maximum payload requirements to determine range calculations shall consist of all items (food, water, toiletries and non-consumables such as blankets and pillows) in sufficient quantities to support crew and passengers for four days. Assume 1.5 (1 light, 1 full) first class type meals per person, per sortie. (Assume 2 lbs. per full meal) The weight and volume of passenger support items are separate from the personal baggage allowance. Assume a weight allowance of 275 lbs. per person for individual body and baggage (175 lbs. Per person plus 100 lbs. baggage).	
4.1.1.4. Mission Planning	Standard commercial system, provisions for generating the information found on a DD Form 365–4, Weight and Balance Clearance Form F—Transport. Automated capability to do aircraft performance analysis (takeoff and landing data) and flight planning. Shall include performance data for all climatic conditions. Computer flight plan able to be uploaded into the flight.	Integrated with aircraft systems. Incorporation of a unique planning component on the Joint Mission Planning System (JMPS) architecture.

*Denotes Key Performance Parameter.

Mrs. BOXER. What it shows is exactly what my friend is saying, aircraft should be able to fly no-wind range of 5,000 nautical miles. Only two aircraft, this one called the Global Express—that is made in Canada, and then the Gulfstream V, which, as my friend pointed out, the Air Force has put out this proposal, it is in the 5,000 nautical mile range. So this is the characteristic. If you look at this and other characteristics, it can only be these luxury jets.

But I wanted to ask my friend if he saw the letter from the Department of Defense to the General Accounting Office on page 27 of this report. I ask him to take a look at it because it seems to me, any thinking person would read this and say the Department of Defense agrees with HARKIN and BOXER. If you look at this letter in the second paragraph, it says:

> The department agrees with many of the findings in the GAO report. Accordingly, it will take the GAO's findings into consideration in future determinations of operational support airlift.

That is very nice. When will they take it into consideration? After they have sprung for half a billion dollars of the taxpayers' money? What we are saying is we have this report, folks. Yet in this particular bill before us, I wonder if my friend is aware, in order to take effect these leases must be done before 2004. So they are essentially rushing to run out and lease these aircraft so, as my friend says, they can have the same aircraft as the Air Force.

Mr. HARKIN. Frankly, I say to the Senator from California, if we have to swallow this, they ought to at least buy the airplanes, not lease them. The taxpayers are going to get stung, big time, for leasing these aircraft, but it looks as if it is less in the beginning. Over the years, we are going to pay probably, what would the Senator say, three to four times as much for these aircraft?

Mrs. BOXER. Hundreds of millions of dollars more, according to the New York Times.

Mr. HARKIN. That is if we lease them rather than buying. So we are compounding it, adding insult to injury. The taxpayers are getting socked for airplanes the military doesn't really need, and then they are leasing them, which means we are paying even more money for airplanes we do not even need. Again, you would think with this GAO study we would say: Wait, we don't need these nine. Let's wait until we see what the requirements really are.

The requirements are always couched in terms of wartime necessity. We are not at war. It doesn't look as if there is anything bubbling up on the horizon that is going to be a major war for the United States in the next couple of years. So we have time to do an assessment to find out what our requirements really are. Does Admiral or General so-and-so really need a Gulfstream V? We don't know that. Maybe they could get by with a C–21.

I want to be perfectly honest. I have used these aircraft. As Senators, sometimes we travel to remote areas of the world. Because of time requirements and when we have to go, we have to utilize these aircraft. Last year, Senator REID and I utilized a C–21. We flew commercially to Jakarta, Indonesia, and then we flew a C–21 from Jakarta to East Timor. There were no commercial flights we could take over there at that time. Then we had to fly back. Then I went in that up to Okinawa, Okinawa to Shanghai, and over to Japan, all on routes that would have been very difficult commercially to do.

This is a C–21. You are cramped. There is no bathroom. You can't stand up; you can't stretch out, and there

was room for about five passengers on that and we were loaded. Flying those long distances, we would have to land and refuel, and get up and go, land and refuel.

I am saying, if that is good enough for a Senator, why can't a general do that? I didn't say I have to have a Gulfstream V with all the luxury and the bathroom and a chef on board and a glass of champagne—no, we don't need all that stuff. I just need basic transportation to get me from point A to point B to C to D to E.

Yet I come back to the United States and look around, and I see nice luxury jets being used by generals and admirals, people flying around the United States in these luxury aircraft. I wonder, do they really need to travel that way? Why don't they fly in a C–21? It is cheaper. We have a lot of them. Lord knows, we have a lot of C–21s. We have probably 71 of them. They are cheap. They are efficient. They are fast. They are not very comfortable, but they serve the purpose.

So I just say what we have here is a game of one-upmanship. General so-and-so has a nice plane. Admiral so-and-so wants one, too. Another general wants one.

Again, I say to my friend from Alaska, I am not saying we don't need a number of these aircraft. Some of them we do. Some of them have to be larger for longer flights, as in the Pacific, maybe the European theater. But we do not need them here in the continental United States, and that is what we are getting stung with.

We ought to come to our senses. This is waste, pure and simple. I do not even mind, as I said earlier, a little perk of office for the generals, if they have to get in a plane and fly someplace. But they don't need this kind of perk. A C–21 is fine enough to fly around the continental United States for any general or admiral, for any member of the Joint Chiefs of Staff. And a Gulfstream III is more than adequate for any Chairman of the Joint Chiefs of Staff, or any admiral or general to fly from here to Europe.

I would say to the Senator from Alaska, a Gulfstream III can fly from here, land in Gander, land in Iceland, it can refuel, or it can land over in Shannon, Ireland, and refuel and make any city in Europe with one-stop refueling—one stop. They do not need the Gulfstream V. Corporate executives fly all the time from the United States to Europe in Gulfstream IIIs. They don't need Gulfstream Vs.

Of course, some of the bigger corporations, may have a Gulfstream V, but that is the private sector. If they want to do that, that is fine. We are talking about public servants here. Generals and admirals are no more or less public servants than the Senator from Hawaii, Iowa, Alaska, or California. They do not need to be mollycoddled. They do not need to be babied and pampered like some corporate executive.

If a corporate executive wants to be babied and pampered, that is up to their board of directors and their stockholders. The American people are the stockholders of the Department of Defense. I do not believe our constituents want to spend their hard-earned tax dollars so some general or admiral can fly around in a Gulfstream V in luxurious comfort while we have troops on food stamps and while we are trying to raise the pay of those on the bottom.

So I say let's take a little time here. Let's take a breather. They do not need to lease the nine aircraft right now.

Let's take a look at the GAO report. Let's give the Department of Defense 1 year to come back, and let's see their justification.

I ask the Senator from California again for that justification for the RFPs that just went out:

> Aircraft should be able to fly no-wind range of 5,000 nautical miles.

Why?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. Why?

Mrs. BOXER. How much time remains on our side?

The PRESIDING OFFICER. Seven and a half minutes.

Mrs. BOXER. I yield my friend 4 minutes.

Mr. HARKIN. Mr. President, I will not take 4 minutes, but I appreciate the Senator from California yielding me time.

Why? Why 5,000 miles? That is the threshold. The objective is the ''Aircraft shall be able to fly no-wind range of 5,000 nautical miles carrying a full passenger and crew complement, plus their baggage.'' Why? We do not know why, but that is what they said.

The GAO report says, as the Senator from California said, there is no justification for it. They plucked the numbers out of thin air. They cooked the books, and I do not like it.

Mrs. BOXER. Will my friend yield on the remaining time he has? I thank my friend for joining me. This is someone who knows what it is to fly military aircraft. I could not have a better partner on this amendment than TOM HARKIN.

I want to close this particular portion, and then we will have a few minutes left to respond to the criticism that I am sure will now be leveled at us from some very astute people.

Here is the point: Last year when we got in this fight, they told us: Oh, no, they were not going to go out and get these Gulfstreams. We said we thought they were; nothing in this language precludes it. They went out with an RFP. We were right: Luxury planes, $50 million a copy if you were to buy it.

Secondly, we said OK to our friends, you don't believe us; we will have a GAO report, the nonpartisan arm of Congress, investigate. That is what they do, they investigate. Guess what they said. ''Operational support airlift requirements are not sufficiently justified.'' Guess what else. The Department of Defense says they agree. So why are we in this bill allowing for leases of nine jets which are not defined? They can well be these luxury jets. I thank my friend and ask for his final comments.

Mr. HARKIN. I say to anyone who is watching this debate, get on your computer, get on the Internet and dial up www.gulfstream.com. Dial up gulfstream.com and take a look at the Gulfstream V and Gulfstream III, I say to my constituents, or anyone who is watching—gulfstream.com. Dial it up and take a look at the Gulfstream V and ask yourself: Does a general or an admiral or anyone who is a public servant really need this kind of luxury? The answer, I think, will be obvious.

I reserve any remaining time.

Mr. STEVENS. How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator from California has 4½ minutes, and the Senator from Alaska has 45 minutes.

Mr. STEVENS. Mr. President, I am going to yield 10 minutes to the Senator from Kansas and 10 minutes to the Senator from Hawaii. I want to start off by saying we are talking about UC–35 support aircraft under a pilot lease program. I do not know what this business is about someone saying last year—I do not know the straw man. Last year, I said we expected them to lease intercontinental aircraft of a large size, and they did. This time we are telling you we expect them to lease UC–35-type aircraft for operational and support utility purposes.

There are nine planes authorized to be leased—three for the Army, three for the Navy, and three for the Marine Corps—to replace planes that are aging, many of them more than 30 years old, older than the pilots who are flying them.

It is time we woke up to the fact that it costs so much to operate them, so much to maintain them that it is too expensive. We are trying to modernize without buying so many airplanes. We want to lease them.

This is a pilot program, as was the one last year, to see what the cost will be as we have to replace this fleet. It is an aging fleet. As a matter of fact, we bought the first G–3 the first year I was the chairman of the subcommittee in 1981. Those planes are now over 20 years old, the 21s are over 30 years old, and we have to replace them.

We have two pilot projects: One is to lease the larger ones and one is to lease these smaller ones. We are going to see what it costs us, what the maintenance costs are.

I am getting tired of these GAO reports written by people who do not know what they are talking about, and we are going to do something about that, too. That same person who has been writing these reports has condemned every airplane we have bought in the last 5 years. It is time we stopped listening to the people who do not know what they are talking about.

These are pilot programs to lease aircraft, instead of replacing them, to determine what the maintenance costs will be, what will the cost to the Government be if we pursue a leasing program, which most major businesses do now, rather than buying aircraft. I think it will be cost effective. But above all, this is a program to determine the cost, whether there is a choice for us, instead of buying replacements, to lease these aircraft. Until we put the pilot programs in place, we will not know.

I think this is the rational thing to do. I have seen a lot of straw people, but you get on the www.gulfstream.com all you want and look at the beautiful airplanes. They are not what we are talking about. We have not bought any of those either. We have not bought planes such as those they will see advertised for commercial purposes. We bought them for military purposes. They are stripped down, and they are functional aircraft. The ones we leased last year are functional now. I invite my colleagues to take a ride on one and look at them.

As a practical matter, right now, I yield to my friend—

Mrs. BOXER. Will my friend yield for a question?

Mr. STEVENS. No, you wouldn't yield to me. I am not going to yield.

Mrs. BOXER. I yielded to my friend.

Mr. STEVENS. You didn't yield to me.

Mrs. BOXER. I did certainly yield to you.

Mr. STEVENS. No, you didn't.

Mrs. BOXER. I did; I did.

Mr. STEVENS. On your time. If you want to spend your time, I am happy to use it. Mr. President, on her time I yield to her.

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. I yield on your time.

Mrs. BOXER. Fine. I yielded to you on my time, but if that is how you want to do it, fine. I will say this: There is nothing in this language that says you are leasing a particular type of aircraft. This is the same language that was used which gave the Air Force the ability to get the Gulfstreams.

If my friend wants to change the language, that is great, but the language is the same. The Air Force took that language and is buying luxury jets, and besides which the GAO says do not get any more because they do not even know what they have they are so disorganized over there when it comes to the operational airlift.

Mr. STEVENS. Mr. President, the language is exactly the same; the Senator is right. It is for leasing aircraft for operational support and utility airlift purposes, and it specifically says it is a multiyear pilot program. There is not an expanded program as has been represented. It is nine planes total to see what the costs will be of operations under this pilot-type program as compared to the cost of buying such an aircraft and flying it for military purposes.

I yield 10 minutes to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank the chairman for yielding. The way I understand the amendment, as crafted by the distinguished Senator from Iowa and the distinguished Senator from California, it is that they would strike the appropriations process to lease UC–35 aircraft. We are not talking about—I took some notes—either Gulfstreams or Boeing 727s or Learjets and, as a matter of fact, I do not think, with all due respect to my colleagues, we are talking about pampering or mollycoddling or glasses of champagne in regard to this aircraft.

We are talking about basically the operational support airlift aircraft, and the capability and the importance that these aircraft have in performing the missions as deemed appropriate by the Secretary of Navy, the Commandant of the Marine Corps, and the Secretary of Army, all three of which have put these particular aircraft—nine UC–35s—on their unfunded list.

So if we are going to go to ''gulfstream.com''—I don't know if the Commandant of the Marine Corps has a dot com or the Secretary of the Navy or the Secretary of the Army, but they certainly had these aircraft on the unfunded list.

Now, let me talk a minute about the GAO report. The Senator from California was exactly right when she stated the response from the Department of Defense to the GAO and all the criticism of the GAO. As a matter of fact, let me say something about the GAO. It is a lot like an economist. I hope someday to find an expert witness from the General Accounting Office with one arm so he can't say ''on the other hand.'' I don't know how many times, when I had the privilege of being the chairman of the House Agriculture Committee in the other body, we would have GAO reports that were highly critical of many of the programs that we had under our jurisdiction.

I am finding out in the Intelligence Committee, the Armed Services Committee, and, yes, the Agriculture Committee—we ought to have it before the Ethics Committee—but, at any rate, in these three committees, we still have expertise in the GAO. Sometimes it is very helpful and other times I think a little myopic.

But at any rate, this is what the Department of Defense says in regards to the GAO report. They agree.

> The Department agrees with many of the findings in the GAO report. Accordingly, it will take the GAO's findings into consideration in future determinations of operational support airlift requirements.

So they agree that this inventory should be based solely on joint wartime readiness requirements of the commands as opposed to any kind of personal use, as described in great detail by my two friends and colleagues.

> The Department appreciates the opportunity to comment on the GAO draft report.

I do not think that is the issue. The issue is whether or not we will lease nine. And they would go three to the Army, three to the Navy, and certainly three to the U.S. Marine Corps. They are on the unfunded list.

Now, if this amendment is successful, they will not be leased and they will not replace, as the distinguished chairman has pointed out, aging aircraft, C–12s. I think, over the long term, this will provide a greater test to see, under a cost-benefit standard, as to whether or not this is in the best interests of the taxpayer, as we provide this aircraft.

Mr. HARKIN. Will the Senator yield?

Mr. ROBERTS. I don't have time. I will see at the end, if I can ask for more time, and I would be delighted to yield to my good friend.

In war, this fleet—I am talking about operational support airlift aircraft—is maintained and ready to provide the commander quick transportation and to remote locations.

The distinguished Senator from Iowa said—if I can find my notes—that we are not at war. Well, we are not at war. Some people in Kosovo might challenge that. But we are involved in 141 nations. We have U.S. troops—men and women in uniform—in 141 nations. Fifty-five percent of all the nations in the world have U.S. troops stationed in those countries. The operational airlift capacity that is provided by these nine UC–35 aircraft is absolutely vital on those missions.

What am I talking about? Joe Ralston is the new Supreme Allied Commander. He took the place of Wesley Clark. The first obligation, as he told me in a courtesy call, is to pay as many courtesy visits as he can to his counterparts in Russia. How is he going to get there?

What happens if something breaks out in Kosovo? How does he get there? No, we are not at war, but in terms of our obligations and in terms of our military being stretched and stressed and hollow, it seems to me we ought to be very careful when we talk about operational support airlift aircraft.

Let me give you another example.

I have a congressional fellow in my office. He is an F–15 pilot. I know one case where his aircraft, in support of Operation Southern Watch—that is to prevent drugs from coming into this country—had to divert due to a massive fuel leak. Again, in regards to this operational support airlift aircraft, basically what happened, it was dispatched with maintenance crews and the very critical parts to fix the aircraft very quickly and return it to mission ready status.

That is what these aircraft are used for. As a matter of fact, I have here a statement that only 5 percent of these aircraft, in terms of missions, were ever even used by generals.

Here it is: In fiscal year 1999, less than 5 percent of the operational support missions were for generals or admirals. What does the 95 percent do?

The operational support airlift mission does provide—as determined by the Secretary of the Navy, the Secretary of the Army, and the Commandant of the Marine Corps—efficient and effective transportation of commanders, key staff personnel, couriers, critical spare parts, and equipment in support of both peacetime and wartime operations.

These missions, according to the people who fly them, are typically unpredictable, high priority, and require very short notice in regards to the airlift of the people, the cargo, and the mail. These lifts are normally in support of contingency deployments—goodness knows, we have those today in 141 nations —not compatible with commercial transportation or larger aircraft.

The critical delays in the transportation of senior leaders, key staff personnel, urgently needed parts, supplies, and software could ultimately impact unit effectiveness and combat readiness.

I want to say, in closing, that my distinguished friend from Iowa referred to a so-called—I know he was not being specific in regards to the Marine Corps—''General Smith'' in the Marine Corps who would look around to other generals who might have a Gulfstream or a 727 or a Learjet, or whatever, and say: Gee whiz, I would like to have that perk.

I just want to set the record straight. I asked the Marine Corps, I asked the Commandant: What about this statement, Mr. Commandant? I am talking about ''General Jim Jones.'' And this is the statement that worried me because it is very similar to the statements that have been made on the floor by the proponents of this amendment. The response was:

> The Pentagon already has enough aircraft to taxi Generals and Admirals around the world. In fact, they have more than 300 executive aircraft, including more than 100 jets suitable to transport high-ranking officers.

I asked the Commandant, I said: Will you please comment about this statement. And the response was:

> The 3 UC–35s are for Active Marine Corps forces, not the Navy.
>
> The Marine Corps does not provide executive airlift.

Let me repeat that: The United States Marine Corps, according to the Commandant of the Marine Corps, does not provide executive airlift.

> [The Marine Corps has] a small fleet (24) of Operational Support Airlift aircraft that are tied directly to a Joint Staff validated wartime requirement. . ..
>
> These aircraft support Marine Forces deployed [around the world].
>
> The need to replace——

And this is what the chairman of the committee was trying to point out—

> aging/obsolete CT–39G aircraft has been accelerated by the transfer of 2 of the Marine Corps 3 remaining CT–39s to the Navy. . .

We do not even have the obsolete aircraft. That is nothing new for the Marine Corps. We do not even have that.

I continue with the answer in regards to that statement that has been stated by the Commandant:

> The increased performance and short field capability of the UC–35 will ensure OSA support to forward deployed Marine Corps forces remains viable well into the 21st century.

Again, I am quoting from the Commandant:

> The Marine Corps has placed 3 UC–35s on the Commandant's FY00 APN Unfunded Priority List in order to accelerate delivery to the West Coast and Okinawa to support Marine forces.
>
> [These] Missions are typically unpredictable, high priority, and require short notice airlift of people, cargo, and mail. These lifts are normally in support of contingency deployments not compatible with commercial transportation, common user airlift, or other organic airlift.

That is a long way from being mollycoddled or thinking that you must have a perk aircraft because some other admiral or general might have a perk aircraft.

I agree with the Senators from Iowa and California, we must make sure that the Department of Defense, as is indicated by their response, adheres to the GAO report, without question.

Nobody wants to soak the taxpayer for any kind of generals' special fleet. That is not what this does. This amendment would strike nine unfunded priority requests by the Secretary of the Army, the Secretary of the Navy, and the Commandant of the Marine Corps. I will put that dot com at the end of my remarks and hope people will pay attention to the people who have that responsibility.

I hope my colleagues will oppose the amendment.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 10 minutes.

Mr. INOUYE. Mr. President, I am not a pilot. However, I believe that in this body I spend more time on aircraft than other Members.

My home is in Hawaii. Whenever I leave the city of Washington to return home, I must prepare myself for 11 hours and 15 minutes of flight time. In that sense, I believe I am an experienced person when it comes to flying. However, in my case, because of the uncertainty of the schedule in the Senate, we cannot make reservations 3 or 4 months ahead of time. I have had a reservation for this Friday, but I just canceled that because I think we are going to be handling appropriations measures. As a result, if something should come about making it possible for me to fly back to Hawaii this Friday, I may be able to get a flight, leaving at some strange hour, economy class, which I don't mind. But at the end of the trip, I usually can get home to my apartment and spend an evening of rest.

The men who fly these planes have special responsibilities. When they get on a flight to go to Russia, they are not going to be escorted to a fancy hotel as soon as they land. They are expected to go to a meeting at that point. The least we can provide our commanders is some rest and some comfort before they get into some big business.

Secondly, these are not just any old aircraft. They have to be specially equipped. In wartime and in peacetime, these planes are their headquarters. They make command decisions on these flights. They are expected to be in contact with the men and women under their command at all times. We are fortunate. In a sense, we are 8-to-8 employees. We get to work about 8 o'clock and we leave work about 8. A military commander is like a police officer. He is on duty 24 hours a day. These aircraft must be equipped to be able to provide support for his 24-hour-a-day responsibility.

Yes, we do have 71 Learjets in the inventory at this time. That is a large fleet, 71 Learjets. But they are getting pretty old and inadequate for the assignments. Within 5 years, about 45 are going to be retired. Within 10 years, we will find that all of these will be gone.

We have 707s. I don't know how many of my colleagues have been flying on 707s recently, but they are considered pretty old, 35 years old. Whether we like it or not, we will have to retire these aircraft. Yes, we have C–22s, the 727. They are 25 years old. They can't last forever. They are going to be retired pretty soon.

A third consideration: This provision in our bill does not specify the name of the aircraft. We do this deliberately because we don't want to favor one company over another. If we put in the G–5 that we are favoring one company, the Grumman, or if we put in something else, we are going to be favoring another company. That is not our wish. We want this to undergo a competitive system. I think we have fulfilled that requirement by this amendment.

Overall, there is another consideration. We have been speaking of admirals and generals. Much of the time you will find that these aircraft are being used by our civilian leaders, Cabinet people. Just 2 days ago, the Secretary of State went to Syria, to Damascus, to attend the funeral of President Assad. She did not go on Pan American or TWA. She went on a military aircraft. I would hope that we Americans would want our Secretary of State to travel in an aircraft worthy of her position. We can easily say United Airlines is good enough for me, why is it not good enough for general so-and-so? Well, if he is going home for vacation, he should take United Airlines or Delta, whatever airlines he wants to take. But these aircraft are not being used for personal purposes. They are being used for military purposes. I hope we will understand this. I hope when the vote is called, we will vote against this.

I would support my colleagues from Iowa and California if I at any time thought these aircraft were perks. They are not perks. Any person who is willing to command troops and stand in harm's way in my behalf and in behalf of the people of the United States,

I say a G–5 is good for them. If we get something better than that, so be it. Nothing is too good for them.

I hope my colleagues will support the leadership and managers of this measure and vote against this amendment.

Mr. STEVENS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Alaska has 23 minutes remaining, and the Senator from California has 4 minutes.

Mr. STEVENS. Mr. President, I will yield to the Senator from California 2 minutes and apologize. She did recognize me for a four-line comment.

I yield myself what time I use to make this statement: The issue has been raised about large aircraft. That is a different issue. We have gone back and checked what this issue is. This is support aircraft. The Air Force told us today they will have to add $900 million to the budget to maintain and upgrade the existing support aircraft for the next 10 years. Leasing these smaller aircraft to replace them will cost $525 million over the next 10 years. If our pilot program works, these aircraft in what we call the CINC Support Pilot Program will save $275 million. I think that is a good idea. It makes sense to try it for the UC–35s, and I hope the Senate will support that.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. 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.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I thank my friend from Alaska for giving me a little bit of time. I began to doubt my own memory, but I am glad that he agreed that I did, in fact, yield to him. Of course, I have tremendous respect for him, but I don't agree with him on this particular issue.

I want to address what one of my dearest friends in the Senate, Senator INOUYE said. He said: I don't want to see our generals and people who put their lives on the line for their country flying around in a commercial jet.

I totally understand that. I didn't disagree with him on that. I say to my friend from Hawaii that I personally don't want the generals traveling around via United or TWA.

That is not what this is about. I want to make sure we have the appropriate number of operational support aircraft in the fleet. We know—because the GAO took a long time investigating—that in fact the joint staff has not maintained records documenting its previous requirement reviews, so it is not possible to determine whether some options for reducing requirements were examined.

I say to my friend from Hawaii that the issue isn't that we shouldn't have operational support aircraft. Of course, we have to and we must. But why on Earth do we go ahead in this appropriations bill with language identical to that which we saw last year which resulted in the Air Force going out with a proposal for six of the most expensive luxury jets? We now have the same language for nine jets. There is no limit on language that the Navy or the Army can come back with. That is why we are structuring it. We are simply saying it would be fiscally responsible.

I am one of the people who, years ago when I was in the House, found—I forget how much it was—I think it was an $11,000 coffeepot, something like that, and the expensive wrenches and spare parts the military was using. Every time I got up on the floor of the House I was truly lectured: You don't know what you are saying. There is no backup for this. Eventually they believed we were right. They weren't going out for competitive bids for these spare parts.

I question no one in this Senate in terms of their wanting the best defense we can have. But I don't think we get the best defense when we waste dollars.

I am suggesting that the language in this appropriations bill, believe it or not, doesn't have a cap. Am I right on that point? It has no cap. It has no dollar figure. It only caps the number of aircraft to nine. But if they do what the Air Force did—Senator STEVENS says they won't, and perhaps they won't—but if they did do what the Air Force said, it would be almost one-half billion dollars.

Our amendment says strike that language. Let's have more of a review. Let's not waste money.

We weren't born yesterday. We know people love to travel in luxury. There is not one person listening to this debate who wouldn't enjoy kicking back on this type of luxury jet.

Let's show a picture of it. That is not the question. But the issue is whether taxpayers have to spend that much money when we don't know what is in the requirements. We don't know what planes are in the Air Force, the Marines, or the Army. We do not have a study. It simply says operational support airlift requirements are not sufficiently justified. We don't know what is in the garage. Let's put it that way. That was the verb I was looking for. We don't know what is in the garage. Let's not go out and willy-nilly allow them to get an additional nine aircraft. These are beautiful aircraft. There is no question they are wonderful. But we were told: Oh, well. Maybe the Senator from Alaska believed that he said he fully expected them to get the Gulfstream. I remember the debate a little differently. The debate was that we were not sure what they were going to wind up getting. They were going to wind up getting these. Just because the Air Force has them doesn't mean we have to have them in the Army. It doesn't mean we have to have them in the Navy.

I think Senator HARKIN was right. He said he knows airplanes. He knows aircraft. This is about luxury. What the military should be about is mission. What is the mission? What do we need and what do we have? The GAO report clearly is telling us they do not know what they have.

I think it is rather embarrassing; they do not know what they have. Yet we are going ahead as if everything was wonderful. No one on our side of the argument—we had over 30 people last time—has ever said that we don't have anything but the greatest respect for our generals and our admirals. But we have respect for the taxpayers. Senators can argue with one another. I don't know what we appropriate for the GAO every year, but they have some very smart investigators. They made an investigation and said: We don't know what they have.

Why should we get any more until we really know for sure?

Thank you very much.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the operational support airlift fleet has decreased from 520 in 1995 to 364 today. We are reducing the number of these aircraft. Now we are starting a pilot project of leasing them to see if we can save even more money. But we must go through the concept of replacing these aging aircraft.

By the way, one last comment as a pilot: People say: Well, they can land and take off, and they can land and take off, and they can land and take off. I am also a pilot. Every time you let down and land and take off again, you use more fuel than if you fly straight through. These planes are designed to save us money by having ''the legs,'' as we call it, to go the distance and not have to stop and burn more fuel as they land and take off.

Does the Senator wish any more time?

Mr. President, I yield the remainder of my time. I serve notice that I intend to move to table the amendment of the Senator from California.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. STEVENS. Mr. President, I need to find out whether it is proper for us to go ahead and have this vote now. We had intended to complete the Wellstone amendment. Does it meet with the approval of both sides to proceed with this amendment now? I want to make a statement before we have the rollcall.

The PRESIDING OFFICER. The yeas and nays have been asked for.

Mr. STEVENS. I agree with the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, following this vote, I ask unanimous consent that there be 4 minutes equally divided on the Wellstone amendment so the Senator can explain his amendment and we can respond.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Following that, it is my intention to move to go to third reading and have final passage on this bill. I serve notice on all those involved that we will have a managers' package following the vote on this amendment before taking up the Wellstone amendment. If there is no further objection, after the Wellstone amendment, we will go to third reading and have final passage immediately after that.

Mr. President, I ask unanimous consent that there be no further second-degree amendments to any amendment on this bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the motion to lay on the table amendment No. 3311. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 125 Leg.]

YEAS—65

Akaka	Enzi	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Biden	Gramm	Moynihan
Bingaman	Gregg	Murkowski
Bond	Hagel	Nickles
Breaux	Hatch	Reed
Brownback	Helms	Roberts
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Campbell	Hutchison	Shelby
Chafee, L.	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Kerrey	Stevens
Coverdell	Kerry	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
Daschle	Leahy	Voinovich
DeWine	Lieberman	Warner
Dodd	Lott	

NAYS—32

Abraham	Feinstein	Mikulski
Baucus	Graham	Murray
Bayh	Grams	Reid
Boxer	Grassley	Robb
Bryan	Harkin	Sarbanes
Byrd	Johnson	Schumer
Conrad	Kennedy	Sessions
Dorgan	Kohl	Torricelli
Durbin	Lautenberg	Wellstone
Edwards	Levin	Wyden
Feingold	Lincoln	

NOT VOTING—3

Domenici	Rockefeller	Specter

The amendment (No. 3311) was rejected.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Alaska.

Mr. STEVENS. Mr. President, I ask unanimous consent that the next votes in this series be limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator BURNS be added to the Baucus amendment No. 3372 as an original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator MCCAIN be added as an original cosponsor to amendment No. 3361.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3177, AS MODIFIED, 3178, AS MODIFIED, 3282, AS MODIFIED, 3285, AS MODIFIED, 3287, AS MODIFIED, 3290, AS MODIFIED, 3294, AS MODIFIED, 3295, AS MODIFIED, 3297, AS MODIFIED, 3313, AS MODIFIED, 3333, AS MODIFIED, 3340, AS MODIFIED, 3345, 3347, AS MODIFIED, 3359, AS MODIFIED, 3361, 3372, AS MODIFIED, 3376, AND 3377, EN BLOC

Mr. STEVENS. Mr. President, I send to the desk the second managers' package with the amendments that have been agreed to on both sides, as modified. I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there further debate on the amendments?

Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 3177, As Modified, 3178, As Modified, 3282, As Modified, 3285, As Modified, 3287, As Modified, 3290, As Modified, 3294, As Modified, 3295, As Modified, 3297, As Modified, 3313, As Modified, 3333, As Modified, 3340, As Modified, 3345, 3347, As Modified, 3359, As Modified, 3361, 3372, As Modified, 3376, and 3377) were agreed to en bloc, as follows:

AMENDMENT NO. 3177, AS MODIFIED

(Purpose: To set aside $6,000,000 to support smart maps and other intelligent spatial technologies)

At an appropriate place in the substituted original text, insert the following:

SEC. . Of the funds appropriated in title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $6,000,000 may be made available to support spatio-temporal database research, visualization and user interaction testing, enhanced image processing, automated feature extraction research, and development of field-sensing devices, all of which are critical technology issues for smart maps and other intelligent spatial technologies.

AMENDMENT NO. 3178, AS MODIFIED

(Purpose: To set aside $7,000,000 for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the funds appropriated in title III under the heading ''PROCUREMENT, DEFENSE-WIDE'', up to $7,000,000 may be made available for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program.

AMENDMENT NO. 3282, AS MODIFIED

(Purpose: To state the sense of the Senate regarding the payment by the Secretary of the Air Force of $92,974.86 to the New Jersey Forest Fire Service as reimbursement for costs incurred in fighting a fire resulting from a training exercise at Warren Grove Testing Range, New Jersey)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of the Air Force should, using funds specified in subsection (b), pay the New Jersey Forest Fire Service the sum of $92,974.86 to reimburse the New Jersey Forest Fire Service for costs incurred in containing and extinguishing a fire in the Bass River State Forest and Wharton State Forest, New Jersey, in May 1999, which fire was caused by an errant bomb from an Air National Guard unit during a training exercise at Warren Grove Testing Range, New Jersey.

(b) SOURCE OF FUNDS.—Funds for the payment referred to in subsection (a) should be derived from amounts appropriated by title II of this Act under the heading ''OPERATION AND MAINTENANCE, AIR NATIONAL GUARD''.

AMENDMENT NO. 3285, AS MODIFIED

(Purpose: To set aside $18,900,000 to meet certain unfunded requirements for MH–60 aircraft of the United States Special Operations Command)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the funds appropriated in title III under the heading ''PROCUREMENT, DEFENSE-WIDE'', up to $18,900,000 may be made available for MH–60 aircraft for the United States Special Operations Command as follows: up to $12,900,000 for the procurement of probes for aerial refueling of 22 MH–60L aircraft, and up to $6,000,000 for the procurement and integration of internal auxiliary fuel tanks for 50 MH–60 aircraft.

AMENDMENT NO. 3287, AS MODIFIED

(Purpose: To provide for the conveyance of an Emergency One Cyclone II Custom pumper truck to the Umatilla Indian Tribe, the current lessee)

Under the heading CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE insert before the period the following: ''*: Provided further*, That the amount available under Operation and maintenance shall also be available for the conveyance, without consideration, of the Emergency One Cyclone II Custom Pumper truck subject to Army Loan DAAMO1–98–L–0001 to the Umatilla Indian Tribe, the current lessee''.

AMENDMENT NO. 3290, AS MODIFIED

At the appropriate place in the bill, add the following new section:

''SEC. . (a) PROHIBITION.—No funds made available under this Act may be used to transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located in a cemetery of the national Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.''

AMENDMENT NO. 3294, AS MODIFIED

(Purpose: To make available $5,000,000 for research, development, test, and evaluation for the Air Force for Advanced Technology (PE603605F) for the LaserSpark countermeasures program)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'', up to $5,000,000 may be made available under Advanced Technology for the LaserSpark countermeasures program.

AMENDMENT NO. 3295, AS MODIFIED

(Purpose: To make available $3,000,000 for research, development, test, and evaluation, Defense-Wide for Logistics Research and Development Technology Demonstration (PE603712S) for a Silicon-Based Nanostructures Program)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' for Logistics Research and Development Technology Demonstration, up to $2,000,000 may be made available for a Silicon-Based Nanostructures.

AMENDMENT NO. 3297, AS MODIFIED

(Purpose: To make available $50,000,000 for research, development, test and evaluation, Defense-Wide for directed energy technologies, weapons, and systems)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE,'' up to $50,000,000 may be made available for High Energy Laser research, development, test and evaluation (PE 0602605F, PE 0603605F, PE 0601108D, PE 0602890D, and PE 0603921D). Release of funds is contingent on site selection for the Joint Technology Office referenced in the Defense Department's High Energy Laser Master Plan.

AMENDMENT NO. 3313, AS MODIFIED

(Purpose: To modify the funds available to offset the effects of low utilization of plant capacity at the Arsenals)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' for Industrial Mobilization Capacity, $56,500,000 plus in addition $11,500,000 may be made available to address unutilized plant capacity in order to offset the effects of low utilization of plant capacity on overhead charges at the Arsenals.

AMENDMENT NO. 3333, AS MODIFIED

(Purpose: To make available up to $3,000,000 for Other Procurement for the Air Force for certain analyses of the restart of the production line for the U–2 aircraft)

In the appropriate place in the Bill, insert the following:

SEC. 8126. Of the amounts appropriated in title III under the heading ''OTHER PROCUREMENT, AIR FORCE'', $3,000,000 shall be made available for an analysis of the costs associated with and the activities necessary in order to reestablish the production line for the U–2 aircraft, at the rate of 2 aircraft per year, as quickly as is feasible.

U–2 AIRCRAFT

Mr. BYRD. Mr. President, I thank the managers for accepting my amendment making up to $3 million available to analyze the cost and feasibility of restarting the production line for the U–2 aircraft at a production rate of two aircraft per year.

The U–2 has proven itself to be the workhorse of our airborne intelligence reconnaissance system. We saw the value of its capabilities graphically demonstrated during the Kosovo air operation, where it was an integral part of the air strike mission. Unfortunately, the Kosovo air operation also revealed how bare the cupboard is in terms of U–2 aircraft. The scarcity of U–2 aircraft in our inventory—fewer than three dozen operational aircraft—was sharply accentuated by the Kosovo crisis. To move our U–2 assets into Kosovo, we were forced into the difficult position of drawing down our U–2 capabilities in other theatres.

Would the Chairman agree that U.S. commanders-in-chief around the world, including the Southern Command, which is in charge of intelligence relating to the drug war in Colombia, rely extensively on the U–2 and yet lack the assets needed to completely fulfill their requirements, so that even in the absence of a regional crisis such as Kosovo, our U–2 resources are thinly stretched?

Mr. STEVENS. The Senator is correct. We do, of course, have satellites that provide regular intelligence, but in terms of special missions and real-time needs on the ground, the reconnaissance capabilities provided by aircraft such as the U–2 and UAV are irreplaceable.

Mr. BYRD. Given the current attrition rate of U–2 aircraft, approximately one a year, the situation will only worsen. Moreover, I understand that the research and development effort to develop unmanned aerial vehicles such as Global Hawk, while promising, is still immature. Yet we do not now have a U–2 production line in place to replace the aircraft that we lose through attrition. In the interests of ensuring that we have an adequate inventory of reconnaissance aircraft to meet the needs of the commanders-in-chief, would the Chairman agree that it would be prudent for the Defense Department to keep its options open and, at a minimum, prepare an analysis of the cost and feasibility of restarting the U–2 production line?

Mr. STEVENS. I concur with the Senator. This is a matter on which the Committee should seek more thorough analysis.

Mr. BYRD. I am hopeful that my amendment will provide that analysis. It is my intent, and I hope the Chairman would agree, that the findings of this analysis should be provided to Congress in an unclassified report prior to next April, when the next budget will be considered, so that we will have the necessary information on which to base our decisions.

Mr. STEVENS. I agree that such a report would be useful and timely, and I look forward to receiving it.

Mr. BYRD. I thank the chairman for his attention and his support.

AMENDMENT NO. 3340, AS MODIFIED

(Purpose: To provide for the operation of current Tethered Aerostat Radar System (TARS) sites)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) Congress makes the following findings:

(1) Failure to operate and standardize the current Tethered Aerostat Radar System (TARS) sites along the Southwest border of the United States and the Gulf of Mexico will result in a degradation of the counterdrug capability of the United States.

(2) Most of the illicit drugs consumed in the United States enter the United States through the Southwest border, the Gulf of Mexico, and Florida.

(3) The Tethered Aerostat Radar System is a critical component of the counterdrug mission of the United States relating to the detection and apprehension of drug traffickers.

(4) Preservation of the current Tethered Aerostat Radar System network compels drug traffickers to transport illicit narcotics into the United States by more risky and hazardous routes.

(b) Of the funds appropriated in title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', up to $23,000,000 may be made available to Drug Enforcement Policy Support (DEP&S) for purposes of maintaining operations of the 11 current Tethered Aerostat Radar System (TARS) sites and completing the standardization of such sites located along the Southwest border of the United States and in the States bordering the Gulf of Mexico.

AMENDMENT NO. 3345

(Purpose: To set aside funds for maintaining the industrial mobilization capacity at the McAlester Army Ammunition Activity, Oklahoma)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY'', up to $3,800,000 may be available for defraying the costs of maintaining the industrial mobilization capacity at the McAlester Army Ammunition Activity, Oklahoma.

AMENDMENT NO. 3347, AS MODIFIED

(Purpose: To provide $5,000,000 to support a tropical remote sensing radar)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds appropriated in title VI under the heading ''COUNTER-DRUG ACTIVITIES, DEFENSE'', up to $5,000,000 may be made available for a ground processing station to support a tropical remote sensing radar.

AMENDMENT NO. 3359, AS MODIFIED

(Purpose: To repeal the prohibition on use of Department of Defense funds for the procurement of a nuclear-capable shipyard crane from a foreign source)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Section 8093 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1253) is amended by striking subsection (d), relating to a prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

AMENDMENT NO. 3361

(Purpose: To establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds provided within Title I of this Act, such funds as may be necessary shall be available for a special subsistence allowance for members eligible to receive food stamp assistance, as authorized by law.

AMENDMENT NO. 3372, AS MODIFIED

(Purpose: To set aside for preparation and training for the digitization of FA–18 aircraft technical manuals, $5,200,000 of the amounts appropriated for the Navy for RDT&E for the Navy technical information presentation system)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'' for the Navy technical information presentation system, $5,200,000 may be available for the digitization of FA–18 aircraft technical manuals.

AMENDMENT NO. 3376

(Purpose: To add funding to the Title II, Defense-wide, Research, Development, Test, and Evaluation, for the Virtual Worlds Initiative)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title II under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION'' (DEFENSE-WIDE) up to $2,000,000 may be made available to the Special Reconnaissance Capabilities (SRC) Program for the Virtual Worlds Initiative in PE 0304210BB.

AMENDMENT NO. 3377

(Purpose: To add funding to the Procurement of Ammunition, Marine Corps for procurement of ROCKETS, ALL TYPE, 83mm HEDP)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title III under the heading ''PROCUREMENT OF AMMUNITION, NAVY/MARINE CORPS, up to $5,000,000 may be made available for ROCKETS, ALL TYPE, 83mm HEDP.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3366, AS MODIFIED

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be 4 minutes equally divided on the Wellstone amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, parliamentary inquiry: Can I go to third reading now?

The PRESIDING OFFICER. There is an order for 4 minutes of debate on the Wellstone amendment, followed by a vote on the Wellstone amendment.

Mr. STEVENS. Following that, I will move to go to third reading.

The PRESIDING OFFICER. Who yields time on the Wellstone amendment?

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, this is a $290 billion budget altogether. This amendment takes $1 billion from procurement, not from readiness. This takes $1 billion. This overall budget is $3 billion more than the President requested. It puts the money into the title I program.

This is a matter of priorities. This is a program that helps poor children in America, never mind that it helps them do better in school, never mind that it helps them graduate, never mind that it helps them contribute to our economy, never mind that it leads to less high school dropout, never mind it leads to less children winding up incarcerated and in prison.

Vote for this because most of these children are under 4 feet tall and they are all beautiful and they deserve our support.

The title I program is funded right now at a 35-percent level. This is a matter of priorities.

People in the country believe we should do better by these children. We should do better by these children. It is $1 billion out of all the procurement—$57 billion—that goes to children in title I.

I hope Senators will vote for this.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Alaska.

Mr. STEVENS. Mr. President, this is a strange circumstance. The Senator's amendment, really, would be subject to a point of order if we had already raised the caps. We have not raised the caps, so this is not the time to make a point of order. But it is the time to point out that the Senator's amendment would move money from defense into education, and it would violate the principle of the wall that we put up between defense and nondefense.

I do hope that the Senate will support the committee in voting to table, and I do move to table this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. STEVENS. I do.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back his time?

Mr. WELLSTONE. I yield back my time.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question occurs on agreeing to the motion to table Wellstone amendment No. 3366, as modified.

Mr. STEVENS. Mr. President, this is a 10-minute vote; is that correct?

The PRESIDING OFFICER. I remind the body, this is a 10-minute vote.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The result was announced—yeas 83, nays 15, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—83

Abraham	Edwards	Lieberman
Akaka	Enzi	Lincoln
Allard	Feinstein	Lott
Ashcroft	Fitzgerald	Lugar
Baucus	Frist	Mack
Bayh	Gorton	McCain
Bennett	Graham	McConnell
Biden	Gramm	Mikulski
Bingaman	Grams	Moynihan
Bond	Grassley	Murkowski
Breaux	Gregg	Nickles
Brownback	Hagel	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Sessions
Chafee, L.	Inhofe	Shelby
Cleland	Inouye	Smith (NH)
Cochran	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kennedy	Stevens
Coverdell	Kerrey	Thomas
Craig	Kerry	Thompson
Crapo	Kohl	Thurmond
DeWine	Kyl	Voinovich
Domenici	Landrieu	Warner
Dorgan	Levin	

NAYS—15

Boxer	Harkin	Reid
Daschle	Lautenberg	Schumer
Dodd	Leahy	Torricelli
Durbin	Murray	Wellstone
Feingold	Reed	Wyden

NOT VOTING—2

Rockefeller	Specter

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. BIDEN. 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 Alaska.

AMENDMENT NO. 3176, AS MODIFIED

(Purpose: To add $6,000,000 for research, development, test and evaluation, Defense-wide, for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces)

Mr. STEVENS. Mr. President, I apologize to the Senate. There is one

amendment we left out of the managers' package. I would like to present it at this time. It is amendment No. 3176, as modified.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3176), as modified, was agreed to as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated in title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $6,000,000 may be made available for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. BIDEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, for the information of the Senate, I was just asked why we didn't raise rule XVI to the amendments that were on the list. Although they were introduced, they were not called up. So the point of order has not been raised because they were not called up. I now 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.

Mr. STEVENS. I now ask for third reading.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

NAVAL ACADEMY BOARD OF VISITORS

Mr. COCHRAN. Mr. President, at the Naval Academy Board of Visitors meeting this week I learned that the Naval Academy is required to use funds generated by the Visitor's Center to repay a long-term government loan. I believe that these funds would be better utilized by the Midshipmen Welfare Fund that supports extra-curricular activities not covered by appropriated funds. Knowing of the strong leadership of the chairman and the Senator from Hawaii and support of our Service Academies, I inquire as to whether they would be willing to review this repayment program in conference, and if the facts merit, work to eliminate this requirement?

Mr. STEVENS. Mr. President, I want to assure the Senator that I will work with him and the other interested members to ensure that this matter is addressed in our conference in a manner that will provide a favorable resolution for the Academy.

Mr. INOUYE. Mr. President, I join with my chairman and will work to favorably resolve this item in conference.

C–5 AVIONICS MODERNIZATION PROGRAM

Mr. BIDEN. Mr. President, first, I want to thank the Chairman for taking the time to discuss an issue that is very important to my colleagues, myself, and national security—the modernization our strategic airlift fleet.

In this year's Defense Appropriations report, there is a restriction on using procurement funds for avionics upgrades of the C–5As. The Report also appears to restrict the High Pressure Turbine Replacements. I do not believe that was the Committee's intent.

Mr. STEVENS. That is correct. The Committee does not believe this report language limits replacing C–5 High Pressure Turbines. Those replacements should occur to the entire C–5 fleet based on Defense Department requirements.

Mr. BIDEN. I understand, however, that the Committee is concerned about the Avionics Modernization Program (AMP) for the C–5 As. Just to clarify, there are two models of C–5s in the Air Force, 76 of the older A-model and 50 of the newer B-model. The C–5's mission is to take heavy loads over a long-distance. It is capable of carrying more cargo farther than any other plane in the United States' military.

In particular, the C–5 regularly runs missions to and from Europe and the Pacific and the United States. For this reason, compliance with the International Civil Aviation Organization's rules in high-density flight areas is important for the entire fleet of C–5s. The AMP will bring C–5 aircraft into compliance with the new Global Air Traffic Management (GATM) standards established by the International Civil Aviation Organization. Compliance with GATM is important because it allows aircraft to use more operationally efficient airspace and lowers operational costs.

This is one of the reasons that the Senate Committee on Armed Services specifically requested that the Secretary of the Air Force proceed to test AMP upgrades on both A and B models in its Fiscal Year 2001 Defense Authorization Report and that both defense committees in the House of Representatives supported this program for the entire C–5 fleet.

Mr. STEVENS. The Committee is aware of the new standards, but is concerned that the Air Force is not investing in the proper mix of modernization and new aircraft to meet our strategic airlift needs.

We are still waiting to receive the long overdue Mobility Requirements Study 2005 (MRS '05) that will clearly lay-out what our strategic airlift needs will be for the foreseeable future. In addition, once that requirement is clear, we will get the Air Force Analysis of Alternatives for Outsized/Oversized Airlift (AoA). This study will provide a clear understanding of what mix of aircraft will most efficiently and effectively meet the operational requirements of the military.

When the Chairman of the Joint Chiefs of Staff, General Shelton, testified before our Committee, he expressed reservations about making further investments in the C–5A fleet.

Mr. BIDEN. I share the Senator's concern that we have still not received MRS '05 and the AoA. However, my conversations with the Air Force lead me to believe that both A and B model planes are expected to be flown by the Air Force for 20 to 40 years to come, whether in Active-duty, Reserve, or Guard units.

While I know that no one in the Senate cares more about the safety of our military personnel than my colleague from Alaska, I remain concerned that some increased risk will be incurred by aircrews flying planes that have not had AMP upgrades. AMP also includes the installation of important safety features like Traffic Alert and Collision Avoidance System and an enhanced all weather navigational system, the Terrain Awareness and Warning System. Some of these systems were mandated by Congress after the tragic death of Secretary Ron Brown.

Mr. STEVENS. The Senator is correct, I do not believe that the Committee's language endangers any of our aircrews. Instead, it is a delaying mechanism to prevent investing in these planes before we are sure that they will be flying for the next 20 years. If, in fact, these studies suggest that, then we will take another look at the needs of the A-models.

Mr. BIDEN. I appreciate that commitment by my colleague. I would also like to clarify with the Senator from Alaska that he supports proceeding with AMP for the B-models.

Mr. STEVENS. The Senator is correct.

Mr. BIDEN. In that case, I think it important to consider the difficulty of proceeding with upgrading the C–5Bs without A models available to do regular missions to Europe where the compliance issues could become a problem.

In addition, if I am correct about the continued use of the C–5As for decades to come, then not proceeding with the AMP for the A models will create a set of new problems.

First, efficient use of aircrew members and crew interfly will be prevented because of the dissimilarities that would exist between A and B model avionics and navigation systems. This is particularly problematic when additional aircrew members are needed to meet Major Theater War requirements.

Second, by attempting to maintain two separate avionics and navigation systems within the relatively small C–5 fleet (126 airplanes), additional spares and support equipment will be necessary with increased unit costs.

Already, the C–5 has been particularly hard-hit by the lack of necessary parts. This is likely to exacerbate that problem.

Last, the language will also create changes in the existing contracts for these on-going programs. Until we know for sure what MRS '05 and the AoA will say, creating this new difficulty does not make sense.

Mr. STEVENS. Again I say to the Senator that I think Chairman

Shelton's testimony was very persuasive. He urged against using our scarce airlift resources on the A-model upgrades. However, my friend makes a good point that changing the program at this point, before we receive MRS '05 and the AoA may be premature. I am willing to re-examine this issue when we go into the Conference with the House.

Mr. BIDEN. I thank the Senator for taking another look at this critical issue and again say that I agree with him on the need to get the Joint Chiefs of Staff and the Air Force to submit their overdue studies.

Mr. ROTH. Mr. President, I would like to follow-up on what my colleague from Delaware has just mentioned.

First and foremost, I would like to thank the Chairman of the Appropriations Committee for accepting my amendment No. 3352, which was cosponsored by Senator BIDEN. This amendment restores full funding ($92.5 million) for Research, Development, Test and Evaluation funds for C–5 modernization programs, including the C–5 Reliability Enhancement and Re-engining Program. This amendment, in addition to the Committee recommendation of $95.4 million requested by the Pentagon in procurement funds for C–5 modernization programs, will allow the current C–5 Galaxy modernization programs to continue for the upcoming Fiscal Year.

I would like to point out the only question that we are discussing now is which C–5 Galaxies will be modernized. I would like to thank the Chairman of the Appropriations Committee for clarifying the committee's position on the C–5 High Pressure Turbine modernization. I also thank the Chairman for agreeing to consider allowing the expenditure of procurement funds for the Avionics Modernization Program (AMP) on the C–5A models.

Just yesterday, I was at Dover Air Force Base, home to 26 C–5Bs and 10 C–5As. Each year, the community leaders, the base leadership, and the Delaware congressional delegation meet to discuss issues important to the Air Base. During a presentation by Colonel S. Taco Gilbert III, the commander of the 436th Airlift Wing at Dover, he mentioned the importance of this program for safely and efficiently operating the Galaxy.

The AMP will allow the C–5 to operate safely, effectively and more reliably. Features like the Traffic Alert and Collision Avoidance System (TCAS) and the Terrain Awareness and Warning System are important safety measures for the crews flying our C–5s. Bringing the C–5 into compliance with the Global Air Traffic Management standards will allow the C–5 to use advantageous flight paths and reduce fuel consumption and other costs. Finally, the new equipment will increase the reliability rates for the C–5 Galaxy and allow off-the-shelf replacements for hard to replace parts.

Mr. COVERDELL. Mr. President, my three colleagues have discussed in great detail the issues surrounding C–5A modernization efforts. I understand the Chairman's concern with modernizing the C–5A and believe that we must take a serious look at how it fits into our nation's airlift requirements—an effort that is currently underway. At the same time, I believe it is important for us to keep our options open and slowing C–5A modernization efforts now might prove costly in the future, for the very reasons given by the Senator from Delaware.

I am pleased that the Chairman is willing to re-examine this issue in conference. I am also thankful to the junior Senator from Delaware for his leadership on this issue. I thank the Chair.

CASA C–212

Ms. COLLINS. I would like to take a moment to discuss with the distinguished Chairman of the Senate Committee on Appropriations the potential needs of the Army National Guard and the Special Forces Groups, in particular the 10th and the 20th Special Forces Groups, for a short take-off and landing, fixed wing aircraft to meet their training and mission requirements. Special Forces units, in particular, require such aircraft to get in and out of ''hot spots'' and other situations and areas where no landing field exists.

Mr. STEVENS. I appreciate the distinguished Senator from Maine addressing the utility of a multi-function short take-off and landing fixed wing aircraft for the Army National Guard and the Special Forces Groups.

Ms. COLLINS. I am concerned that the Special Forces Groups and the Army National Guard do not have sufficient aircraft available to meet their needs. In fact, I have been informed that, between October of 1998 and September of 1999, the 10th and the 20th Special Forces Groups could not support 23 missions because of the lack of aviation support available. As such, I would ask that the Army National Guard and the Special Forces Groups assess their needs for a short take-off and landing fixed wing aircraft and, in particular, the C–212 STOL fixed wing aircraft. I ask further that the Army National Guard and the Special Forces Groups report to Congress on the results of their assessments within six months so that we can determine whether funds should be appropriated in fiscal year 2002 for the purchase of such aircraft. Mr. Chairman, do you support such an assessment and report to Congress?

Mr. STEVENS. I do and will be interested in personally reviewing the reports in advance of the fiscal year 2002 appropriations cycle. I thank my colleague for her dedication and commitment to the armed forces.

Ms. COLLINS. I thank the distinguished Chairman for his continued support for our nation's national defense.

TITLE III: SHIPBUILDING AND CONVERSION, NAVY

Ms. SNOWE. Mr. President, I seek recognition with the distinguished chairman of the Appropriations Committee, the senior Senator from Alaska to discuss a very important matter to our national security. Both the House and Senate versions of the FY2001 national Defense authorization bill contain provisions that supported the President's budget request and authorized $1.51 billion for Navy procurement of two LPD–17 amphibious ships in FY2001.

The LPD–17 program is a critical ship for the modernization of the Navy's amphibious force. It will carry more than 700 Marines and the equipment and means for them to get ashore and perform their mission—whether that mission is combat related, peacekeeping or in response to crisis throughout the world. It is a Commandant of the Marine Corps, before the Senate Armed Services Committee that ''there are no underutilized amphibious ships,'' and the testimony by Lieutenant General Rhodes before the Seapower Subcommittee where he stated that ''the operational flexibility and forward presence our Amphibious Ready Groups represent will be significantly enhanced with the FY03 delivery of the first of 12 LPD–17 amphibious ships.'' He further stated, ''these ships will overcome amphibious lift shortfalls.''

Mr. STEVENS. Mr. President, I would like to join my colleague, the senior Senator from Maine, in recognition of the importance of the LPD–17 program and the importance of these ships to the overall modernization program of the Navy and Marine Corps. During consideration of the FY2001 Defense appropriations bill, concern regarding delays in the design and construction of the lead LPD ship at the lead shipyard led to a decision by the Committee to defer funding for the fifth and sixth ship of the class. The Committee did, however, recommend a total of $485 million for this program.

Ms. SNOWE. Mr. President, I appreciate my colleague from Alaska's support for the LPD–17 program, and would like to take a few minutes to discuss with the distinguished chairman the critical need for these ships.

Mr. STEVENS. I have always been a supporter of the LPD–17 program and the Committee very much appreciates the need for the lift capacity of this ship. In fact, it is my understanding that the *San Antonio* and her 11 sister ships will be the functional replacement for four classes of older amphibious ships. And in 2008, when the last LPD–17 class ship is scheduled to join the fleet, the amphibious force will consist of 36 ships or 12 three-ship Amphibious Ready Groups (ARGs) consisting of one LHA or LHD, one LPD and one LSD.

Ms. SNOWE. Thank you, Mr. Chairman, for making that point. As I discussed during the debate last week on the fiscal year 2001 Defense Authorization bill, the Armed Services Committee is working hard to come to terms with the force levels necessary

to accomplish the many missions our Navy and Marine Corps are called on to accomplish.

The increase to war fighting capability that LPD–17 brings is critical to our naval force's future success. The LPD–17's ability to accommodate new equipment, such as the Advanced Amphibious Assault Vehicle (AAAV), the Landing Craft Air Cushioned Vehicle (LCAC) and the vertical lift MV–22, and the remarkable communications, integrated computer technology and quality of life improvements are the qualities of the ship that the Marine Corps and Navy need to support the National Strategy and the Marine Corps' doctrine of Operational Maneuver From The Sea.

Mr. STEVENS. I thank the Senator from Maine for her work to establish and hold the necessary shipbuilding rate for the nation's defense. I also recognize that the sustained investment of $10 to $12 billion in the shipbuilding account is necessary to maintain a minimum shipbuilding rate of 8.7 ships per year.

Specifically, in regard to the LPD–17 program, the committee recognizes that the Navy has never employed such a rigorous new approach for a new class of ships—wherein the goal is to have 95 percent of the design work completed before construction begins, rather than much lower levels in previous designs. This is an important fact, because it means the design work will lead to efficient construction of these ships, and set the standard for the next generation ship designs.

Ms. SNOWE. As always I am impressed by the chairman's knowledge and his grasp of the issues. We have worked closely over the past few weeks to determine how the Navy and industry stand in regard to their progress with this new ship class, and I appreciate that we are in agreement as to the value and need for this critical ship. I look forward to our continued work together in support of this program.

Mr. STEVENS. I thank my colleague for her dedication to this issue. During our trip to the shipyard in her state to examine new facilities and to meet with company officials first hand, I was impressed with the level of leadership, innovation, workmanship and coordination. I am also encouraged by information that has been forthcoming from the Navy and industry regarding their progress in resolving possible LPD–17 program management issues. It is my intent that should additional funding become available, it will be applied to the uninterrupted construction of these necessary ships.

Ms. SNOW. Again, I thank the chairman for his forthrightness, his knowledge and his desire to keep American strong. I would also like to commend him for his continued dedicated efforts to our men and women in uniform and the efforts he has undertaken in this most important appropriations bill to provide them with the compensation, tools and equipment they need to maintain America's pre-eminence in the world.

SUSTAINABLE GREEN MANUFACTURING

Mr. LAUTENBERG. Mr. President, I rise in support of the Sustainable Green Manufacturing initiative. This is an important effort to help the Army reduce pollution in its key manufacturing processes by introducing clean technologies and techniques onto production lines. Partners in this initiative include the TACOM Armament Research and Development and Engineering Center at Picatinny Arsenal, the National Defense Center for Environmental Excellence, The New Jersey Institute of Technology, and the Physical Science Laboratory of New Mexico State University.

Mr. President the objectives of this initiative include the promotion of sound environmental principles in design, material selection and manufacturing of Army products; the reduction of Army costs throughout the product life-cycle by efficient use of resources; the development of sound and environmentally benign manufacturing practices by using the highest quality science and technology and applying these practices, methods and materials to the acquisition process. The House provide $7 million for this program in its Appropriation Bill and I urge the distinguished Chairman and Ranking Member Senator STEVENS and Senator INOUYE to work during conference to provide this level of funding for this important program.

Mr. STEVENS. Let me assure my colleague from New Jersey that I am aware of this important effort and I will do what I can in conference to ensure that the Sustainable Green program receives funding in FY2001.

Mr. INOUYE. I too want to tell my friend from New Jersey that I will work with our chairman in conference to ensure funding for this important program.

CONFIGURATION MANAGEMENT INFORMATION SYSTEM

Ms. LANDRIEU. Mr. President, I rise today to bring the Senate's attention to an important initiative called the Configuration Management Information system. CMIS was developed in an effort to provide the Department of Defense with a standard system that addresses the configuration structure and management requirements of complex military weapons systems, to include their hardware and software. Originally developed in 1990 to support Military Sealift Command's configuration management requirements, the CMIS architecture was identified as the best CM database structure across all DOD. CMIS has progressed through a series of incremental development cycles to include demonstrating compliance with Y2K requirements. Currently, responsibility for the CMIS database architecture is assigned to the Naval Air Systems Command for deployment into the operational environment.

Xeta International Corporation has been tasked by the CMIS Program Management Office to identify platforms of weapons systems data for migration into CMIS. These platforms include the EA–6B, F–14, H–60, DD–21, DDG–51, F–15, and F–16. Additionally, Xeta has been tasked with the responsibility to liaise and collect this data from various DOD Program Management Offices throughout the military. Xeta extracts the configuration management data from existing legacy databases, engineering drawings and other technical documentation in an effort to accurately populate data fields within the CMIS architecture. Once populated, this ''cradle-to-grave'' configuration management repository is utilized in many ways by a variety of DOD offices as well as contractors in order to accurately configure the product and to support life cycle maintenance of the weapons systems platforms. Additionally, Xeta has been tasked to develop a CMIS security capability (to include a multilevel secure computer environment) when operating in a Local or Wide Area Network (LAN/WAN).

Unfortunately, Mr. President, no additional funds were included in the Senate bill for this project. I would like to ask my friend from Alaska, Senator STEVENS, whether he is aware of these potential shortfalls?

Mr. STEVENS. Mr. President, I appreciate being made aware of the importance of the CMIS project, and that this program's goal will ultimately lead to great savings to the services by decreasing life cycle costs of a variety of weapon systems.

Ms. LANDRIEU. Mr. President, I thank the gentleman from Alaska for those remarks. I concur that this is a project important for both Louisiana and the services. For that reason, I hope the Senator from Alaska would agree that the funding of this project should be a priority within the Navy's Operations and Maintenance accounts.

Mr. STEVENS. Mr. President, CMIS needs support to be fully realized. The Department of the Navy should ensure that the funds within the President's budget are applied to this priority. I am hopeful that additional funds can be made available to fully implement CMIS.

Ms. LANDRIEU. Mr. President, again, I thank the chairman, and I look forward to working with him on this project.

DEFENSE HEALTH PROGRAM

Mr. HATCH. Mr. President, I want to commend the chairman, the senior Senator from Alaska, and the ranking minority, the senior Senator from Hawaii, for their long and effective leadership in evolving the Defense Health Program. The Senate bill added nearly $700 million to the President's request, funding the total Defense Health Program at $12.1 billion for FY01. And, of great importance to me and many other members of this body, the Committee has once again committed the Department of Defense's medical science capabilities to the management

of a major cancer research program, extending to breast, prostate, cervical, lung, and other cancers. There is over $330 million in this bill dedicated to cancer-related research.

I would like to bring to the attention of the distinguished chairman and the ranking minority member an important area of cancer research—the investigation of genealogical and genetic databases that can uncover medical precursors to cancer in humans. My state of Utah has a history of genealogical research that is known to the millions of Americans who routinely visit the family history websites that originate from Utah. But millions of Americans are also potentially benefiting from a lesser known program. This program is currently developing a genealogical database that will help identify and predict genetic structures associated with the development and, hopefully, prevention of, cancer.

Mr. President, I wish to make you aware of the Utah Population Database which if a very promising development in the area of genealogical research related to cancer. This data base is housed at the University of Utah where scientists are learning to use this unique comprehensive genealogical set of data to help predict, detect, treat, and prevent cancer. I am therefore asking the distinguished chairman and ranking minority member to support the continued development and use of the Utah Population Database by increasing the University of Utah's program for genealogical cancer research in the coming fiscal year by an additional $12.5 million.

Mr. STEVENS. Mr. President, I thank the senior Senator from Utah for his kind remarks. The ranking member and I remain fully committed to continuing DOD participation in the national cancer research program. I want to assure the Senator that National Cancer Institute-designated comprehensive cancer centers, like the Huntsman Cancer Institute of Utah, are an important part of cancer research and a necessary element to the DOD effort. I find the Senator's request entirely reasonable and intend to assist this anticancer effort.

Mr. INOUYE. Mr. President, I, too, commend the Senator from Utah for his continuing support of this committee's effort to expand and improve cancer research. This is an important topic in my state of Hawaii, where the Cancer Research Institute at the University of Hawaii has been long committed to finding treatments for the many varieties of cancer common not only to Hawaii but to the rest of the nation. I strongly support the commitment of the chairman to the request made by the Senator from Utah.

NAVY INFORMATION TECHNOLOGY CENTER

Ms. LANDRIEU. Mr. President, I rise today to express my thanks for the manager's package that provides an additional fifteen million dollars in Navy O&M and RDT&E funding for the Navy Information Technology Center (ITC) in New Orleans.

This additional funding represents an important portion of the request made by myself and the senior Senator from Louisiana, Senator BREAUX. The Appropriations Committee's action ensures that the Navy and Defense-wide Human Resource Enterprise Strategy programs will continue at the Navy's Information Technology Center (ITC) in New Orleans.

This funding provides for the further consolidation of Navy active duty and reserve personnel legacy information systems and enables the continuing transition of all Navy manpower and personnel systems into the enterprise-wide human resource strategy. However, I should stress that this is not simply a Navy program, but has taken on defense-wide significance under the leadership of the Program Executive Officer for Information Technology, Joe Scipriano, and his team located at the ITC in New Orleans.

I want to express deep gratitude to Chairman STEVENS and our ranking member of the Senate Defense Appropriations Subcommittee, DANIEL INOUYE. Thanks also go to professional staff Steven Cortese, Charles Houy, Tom Hawkins, Gary Reese, and Kraig Siracuse.

Mr. BREAUX. Mr. President, we are excited in Louisiana that the ''enterprise strategy'' we are developing for human resources systems is recognized by the Appropriations Committee as a model for other service and DOD wide information systems. All of these legacy systems need to be modernized to become cost effective and interoperable. The committee's support for our efforts, and for other information technology additions to this bill, confirm the need to restructure and coordinate all of our service and DOD wide information systems. Only by doing so can we provide real-time information to our warfighters that improves both readiness and effectiveness of our troops.

The ITC in New Orleans was just recently chartered as part of the Navy's year old Program Executive Office for Information Technology and Enterprise Management (PEO/IT). Specifically, the ITC is designated by the Navy's PEO/IT as the ''primary support command for enterprise software development.''

The PEO/IT is the Navy's only PEO for Information Technology and has been delegated authority for the Navy Marine Corps Intranet, Enterprise Acquisition Management, the ITC, the Defense Integrated Military Human Resources System (DIMHRS), and other information technology programs. The PEO/IT's authority over these programs was chartered in November 1999, well after the FY 2001 DOD budget process had commenced.

Interim and additional funding for the ITC in New Orleans is critical in FY 2001. This funding will ensure that the ITC can continue to provide the Navy and DOD's unique enterprise strategy integration efforts. Only by pursuing this strategy can we guarantee that current human resources information systems and future systems are developed, integrated and managed in accordance with the Clinger-Cohen Act of 1996 and other OMB initiatives based on the Government Performance Results Act. This enterprise strategy develops and integrates new and current legacy information systems so that they will all be interoperable and provide our service personnel and commanders in the field real-time, usable, human resource data about training, experience, and other human resource data from which our commanders can make deployment decisions, fulfill combat mission requirements, and improve readiness.

Again Mr. President, I thank the chairman, and our ranking member, the senior Senator from Hawaii, for recognizing the importance of this effort. I look forward to working with them in future years to provide for its continued success.

NONLINEAR ACOUSTIC LANDMINE DETECTION RESEARCH AND DEVELOPMENT AT STEVENS INSTITUTE OF TECHNOLOGY

Mr. LAUTENBERG. Mr. President, I rise today to discuss with Senator INOUYE and Senator STEVENS an important Army research and development effort in nonlinear acoustic landmine detection being done at Stevens Institute of Technology in New Jersey.

Mr. President, let me begin my thanking Chairman STEVENS and Senator INOUYE for their leadership last year in working with me to obtain $1 million in funds to initiate this very promising effort, in which engineers at the Stevens Institute of Technology are applying expertise in non-linear acoustic phenomena to develop a new method for detection of mines and other buried man-made objects. The technology can differentiate between rocks, other solid objects, and actual land mines. This will improve landmine removal safety and speed, and contribute to our efforts to save lives and prevent injuries. With an additional $3 million the Stevens Institute can fully land this technology's development, which has so much promise for protecting our military personnel as well as civilian populations.

Although the allocation's situation we faced in the Appropriations Committee in considering the DOD Appropriations measure made it very difficult to fund this effort, I look forward to working with Chairman STEVENS and Senator INOUYE in conference to continue this research effort. It is my understanding that the House has included $1.4 million related to this effort, half of which is intended specifically for the research and development at Stevens. But given the great lifesaving promise of this technology, I hope to work with Chairman STEVENS and Senator INOUYE in achieving an increase of $3 million for the Stevens Institute of Technology effort. In this regard, I yield to Senator STEVENS for his thoughts on this effort.

Mr. STEVENS. Mr. President, Senator LAUTENBERG's point is well taken regarding research and development effort for nonlinear acoustic landmine detection research. I worked with Senator LAUTENBERG and Senator INOUYE on getting this effort startled last year. Although this year's allocation prevented us from providing the necessary funding during the committee consideration, I am committed to working in conference towards the goal of an additional $3 million for the Stevens Institute effort for FY 2001. This could be an important breakthrough that can save lives, both among our service men and women and civilian populations. I yield to Senator INOUYE for his thoughts on the initiative.

Mr. INOUYE. Mr. President, last year I was pleased to work with Senator LAUTENBERG and Senator STEVENS to provide the startup funds for research and development effort for nonlinear acoustic landmine Detection research, which is being done at Stevens Institute of Technology in New Jersey. This work promises to dramatically improve mine detection, and in so doing prevent serious injury and save lives. I am committed to working with Senator LAUTENBERG and Chairman STEVENS towards the goal of a $3 million increase for the Stevens Institute effort during conference with the House.

CLOSED DISPOSAL TECHNOLOGIES

Mr. REID. I thank my colleagues and good friends from Alaska and Hawaii for their hard work on this bill. This is an important bill, a good bill, and I commend their efforts.

I rise to engage the senior Senator from Alaska in a colloquy on an important issue. Recent studies have suggested that civilians living near Army Depots which dispose of munitions through open burning and open detonation (OB/OD) suffer from cancer and other maladies at rates higher than would normally be expected. I have asked the Secretary of the Army to study whether open burning represents a health risk to civilian communities, and he has agreed to do so. This study will not be completed for some months.

In the meantime, the Army should be studying possible alternative disposal methods to open burning that are environmentally sealed and are not open to the atmosphere, and evaluate whether open burning should eventually be phased out over time in favor of other, safer approaches. In the event that evidence shows open burning to be dangerous to civilians, these alternatives would give the Army and the Congress a range of alternatives that they will be able to quickly consider and rapidly implement in order to minimize the danger to the public.

I would ask the Senator from Alaska if he would seek to include language in the conference report to accompany this bill directing the Army to conduct such a study?

Mr. STEVENS. I thank the senior Senator from Nevada. I believe that Congress has a responsibility to ensure that the military conducts its operations in a manner that does not pose an undue health and safety risk on the population. I support your proposal, and will seek to include this language in the conference report to the FY01 Defense appropriations bill.

Mr. REID. I thank the Senator, and look forward to working with him on this important matter.

MOTBY

Mr. LAUTENBERG. Mr. President, I rise today to discuss with Senator STEVENS and Senator INOUYE the situation at the Military Ocean Terminal Bayonne (MOTBY). As the distinguished chairman and ranking member of the Defense Subcommittee recall this military facility was closed as a result of the 1995 round of the BRAC Commission closings resulting in the loss of 3,000 jobs and economic hardship in Bayonne and Hudson County. The environmental and infrastructure problems existing at the base at the time of its closure were enormous and not completely disclosed or maybe not completely known by the Army.

I thank Senator STEVENS and Senator INOUYE for their help in providing $7 million for MOTBY last year for demolition and removal of facilities, buildings and structures. This funding was critical for MOTBY as it struggles to deal with the substantial environmental and infrastructure problems left by the Army when it left the base. But, Mr. President, there is so much left to be done. Among the problems remaining are significant amounts of friable asbestos in dozens of buildings, major leaks in the water and sewer systems, contamination of the land and ground water and piers that are structurally unsafe and in danger of collapsing into the water.

Mr. President, $5 million is contained in the House appropriations bill for stabilization of the South Berths at MOTBY. I strongly urge the distinguished chairman and ranking member to uphold the House position of $5 million for the MOTBY South Berths in conference.

Mr. STEVENS. Mr. President, let me say to the Senator from New Jersey that I am aware of the environmental and infrastructure problems at MOTBY and I was pleased to join last year with the ranking member, Senator INOUYE, and the Senator from New Jersey to be able to provide funding to address some of these problems last year. I understand that the other body has $5 million for stabilization of the South Berths at MOTBY. Let me assure my friend from New Jersey that I will do what I can in conference to provide significant additional funding for FY 2001.

Mr. INOUYE. Mr. President, I ask my colleagues from Alaska and New Jersey for support of additional funding for MOTBY and will join with Senator STEVENS to ensure that we do what we can in conference to enable this to happen.

LPD 17

Ms. COLLINS. Mr. President, I rise today to discuss with the distinguished chairman of the Appropriations Committee the provision of the FY 2001 Defense appropriations bill that defers full funding for two LPD 17 class vessels. The Landing Platform Dock (LPD) 17, *San Antonio* class, is the latest class of amphibious force ship for the United States Navy. This ship shoulders the critical mission of transporting marines, helicopters, and air-cushioned landing craft to trouble spots around the world. Moreover, the LPD 17 is a model of acquisition reform.

Mr. Chairman, I am very concerned about the deferral of funds that would have been used to procure two LPD 17 class ships in fiscal year 2001. As chairman of the Senate Committee on Appropriations, what is the nature of your commitment to this program?

Mr. STEVENS. Let me state at the outset, unequivocally, that I fully and strongly support the LPD 17 program, a program for which the distinguished junior Senator from Maine has been an effective advocate. As I stated in my opening remarks to this bill, I am committed to seeing the program progress and delivery to the Navy of no fewer than the required twelve ships. The recommendation the committee has made and the language in bill is intended to stabilize the design of the program fiscal year 2001. It does not reflect a lessening of our commitment to the program itself, in its entirety.

I agree with my dear friend and colleague that the LPD 17 is a critical program for the Navy and Marine Corps service members and that it continues to provide our marines essential transport to troubled areas around the world.

Ms. COLLINS. Mr. Chairman, shipbuilders in my home State and others have stressed the criticality of the LPD 17 Program to their workforce over the next six to eight years as they strive to transition successfully between maturing programs and the construction of the next generation of ships. I am concerned that any delay in the LPD 17 schedule may, in fact, affect the rates and costs of the various Navy shipbuilding programs and cause workers to lose their jobs. How have you addressed these concerns in this bill?

Mr. STEVENS. My friend has raised excellent points. I have been briefed on these technical and programmatic concerns and have discussed them with both the Department of Defense (Navy) and the industry teams. They have both presented their projected impacts of the appropriations provision and mark on the program. However, the recommendation of the committee is to get the program back on a stable track with a stable design. This bill provides some $200 million in order to ensure that there will be no interruption in work at the affected shipyards.

Ms. COLLINS. I thank the distinguished chairman of the Appropriations Committee for his clarifications. Let me also express my deep admiration for the chairman's outstanding

leadership and for his steadfast support for our nation's national defense.

HURRICANE FLOYD

Mr. HELMS. Mr. President, during the past week, there has been a great deal of misinformation emanating from the ivory towers of liberal newspaper editors in North Carolina. They have made futile attempts to place blame for what they describe as the ''stalled'' aid to Eastern North Carolina victims of Hurricane Floyd. The tone and the substance of those editors are mystifying when we consider that North Carolina has been specified by the federal government to receive more than $2 billion in federal aid.

There are some politicians who are feeding the editors false and misleading information while they themselves know better. They complain about politics, even though their actions clearly suggest they themselves are practicing politics in its very worst form. I am dismayed that much of the false and unfair criticism has focused on some distinguished Senate colleagues, who have done far more for North Carolina's flood victims than the political finger-pointers.

One in particular who has done much for North Carolina is the distinguished Chairman of the Senate Appropriations Committee, Mr. STEVENS, who has been deeply and consistently concerned with the plight of the flood victims. Since the day Hurricane Floyd struck North Carolina, nobody has shown more concern or been more willing to help than Ted STEVENS. He has stood with us every step of the way, and I shall never forget his friendship and his compassion.

And if I may impose Senator STEVENS one more time, may I engage him in a colloquy to set the record straight? First, is it not correct that the Senate, under the leadership of the Appropriations Committee, directed more than $800 million in federal aid to go to flood victims this past fall not long after the flood hit Eastern North Carolina?

Mr. STEVENS. The Senator is correct.

Mr. HELMS. Is it not correct that this 1999's aid package of more than $800 million was in addition to nearly $1 billion of federal disaster aid directed to North Carolina through established federal disaster programs?

Mr. STEVENS. The Senator is correct.

Mr. HELMS. Is it not correct that the Senate, with only one dissenting vote, approved, in October 1999, $81 million in payments to farmers, but the House refused to follow the Senate's action because North Carolina tobacco farmers would benefit?

Mr. STEVENS. The Senator is correct.

Mr. HELMS. Is it not correct that the Chairman of the Appropriations Committee, along with the Majority Leader, Mr. LOTT, have made clear their intent to include additional emergency natural disaster aid— including the aforementioned $81 million for farmers—in the Military Construction Conference Report?

Mr. STEVENS. The Senator is correct. That is our intention.

Mr. HELMS. Is it not correct that the Military Construction bill is likely to be the first appropriations bill to reach the President's desk for signature?

Mr. STEVENS. The Senator is correct. That appears to be a likely outcome.

Mr. HELMS. I thank the Chairman. He is always candid, always helpful, and an outstanding Chairman of the Senate Appropriations Committee. I am genuinely grateful for his concern for the flood victims of North Carolina.

Mr. STEVENS. I appreciate the comments of the senior Senator from North Carolina. He has been diligent in reminding us of the plight facing the flood victims of North Carolina, and I appreciate his strong interest in making sure that additional aid is forthcoming as quickly as possible.

Mr. KOHL. Mr. President, I just wanted to briefly comment on this year's Defense bill, and my decision to support it. Last year I came to the floor and was forced to oppose the bill after the Budget Committee engaged in some accounting hijinks in order to squeeze an extra $7 billion into the Defense budget. Even though the Congressional Budget Office estimated that the bill would exceed the Budget Resolution, the Budget Committee used an accounting gimmick to get around the rules. Budget gimmicks do more damage than just allowing the Congress to engage in irresponsible spending. Gimmicks delude the American people, and destroy their faith in the process.

Last year we crowed loudly about the savings in the Budget Resolution, and then quietly added extra money back into the budget all year long. One of the biggest offenders was the Defense Appropriations bill.

This year, however, things are different. While I did not support the Budget Resolution, at least this year the Defense bill is abiding by the level set out in the Resolution. At least this year we are being honest about how much will be spent on Defense. There are no gimmicks, no smoke and mirrors. I applaud Chairman STEVENS and Senator INOUYE for their efforts this year to stay within their budget allocation. It was not easy, it never is, but they were successful.

The bill before us is still three billion dollars above the President's request, but I reluctantly support the bill. It is a more responsible bill than years past. Not only do we strengthen our commitment to our soldiers and their family through improvements in the housing allowance and a 3.7 percent pay increase, but we also face up to our overseas commitments. For the first time Congress and the Department of Defense have included funding, roughly $4.2 billion, for our operations in Iraq and Bosnia. Next year we will not be called on to furnish emergency funding for an operation that is not a surprise, not unplanned, and while dangerous, it is not an emergency. I am pleased that we are including these funds in the bill.

Like all my colleagues, I am very concerned about how much we spend on our defense and where we spend it. I believe that the greatest assets funded in the Defense budget are our people, and that we need to do more to let them know how much their country values them. This bill moves in that direction, and it does that in an honest and aboveboard manner.

Mr. MCCAIN. Mr. President, I rise once again to address the issue of wasteful spending in appropriations measures, in this case the bill funding the Department of Defense. A careful review of this bill reveals that the obvious deleterious implications of pork-barrel spending on our national defense continue to be ignored by Congress. I find it absolutely unconscionable that I have had to fight so hard to secure $6 million per year to eliminate the food stamp Army while the defense appropriations bill before us today includes over $4 billion in wasteful, unnecessary spending that was not included in the Pentagon's budget request and, in most instances, is not reflected in the ever-expanding unfunded requirements lists.

In point of fact, it would appear from this bill that there is no sense of propriety at all when it comes to spending the taxpayers money. With the armed forces stretched thin as a result of 15 years of declining budgets while deployments have expanded exponentially, how can we stand before the public with a collective straight face when we pass a budget funding those very same armed forces that includes language ''urging'' the Secretary of Defense ''to take steps to increase the Department's use of cranberry products in the diet of on-base personnel and troops in the field.'' ''Such purchases,'' the language goes on to say, ''should prioritize cranberry products with high cranberry content such as fresh cranberries, cranberry sauces and jellies, and concentrate and juice with over 25 percent cranberry content.''

Mr. President, what heretofore shall be referred to as ''the cranberry incident'' must be an attempt at humor on someone's part. When I read through a defense spending bill, I see hundreds of millions of dollars earmarked for such programs and activities as the development of a small aortic catheter, marijuana eradication inside the United States, and the recovery of Civil War vessels on the bottom of Lake Champlain. I see every single year money earmarked for the Brown Tree Snake. I see a list of unrequested programs added to the budget that includes such items as the Alaska Federal Health Care Network, the Hawaii Federal Health Care Network, the Pacific Islands Health Care Referral Program, the Pacific Missile Range Facility, Fort Wainwright utilidors, and Fort Greely runway repairs. Was the $300

million in the budget for the Pearl Harbor shipyard so inadequate that an additional $24 million had to be added, four times the amount needed to remove military families from the rolls of those eligible for food stamps?

Fifteen million dollars was added for the Maui Space Surveillance System—$15 million—to improve our ability to track asteroids. I do not intend to minimize the importance of such activities, but only the cast of Star Trek could conceivably have looked at a list of military funding shortfalls and concluded that a total of $19 million had to be in the fiscal year 2001 budget for this purpose. And whether $9.5 million should be earmarked for the West Virginia National Guard is, of course, open to question.

Mr. President, I voted against the defense authorization bill in committee because of my frustration at that measure's failure to include vital quality of life initiatives for our active duty military—initiatives that were thankfully accepted when the bill moved to the Floor. And that bill included less than the companion appropriations bill does in unneeded and wasteful spending. I dislike the annual earmarks for hyperspectral research in the authorization bill as much as the ones in the appropriations measure, and the authorizers similarly demonstrate an absence of fiscal restraint in throwing money at chem-bio detectors of questionable merit, and the $9 million in the authorization bill for the Magdalena Ridge Observatory is every bit as deserving of skepticism as the money in the appropriations bill for the aforementioned Maui program, but, on the whole, the authorizers adhered more closely to the unfunded requirements lists than did the appropriators, who seem to have missed the idea.

Mention should also be made of the growing corruption of the integrity of the process by which the budget request and the unfunded priority lists are assembled. To the extent that repeated efforts at shining a light on pervasive and damaging pork-barrel spending has borne fruit, it further cannot be denied that the problem, to a certain degree, has merely been pushed underground. Like the speakeasies and bathtub gin of an earlier era, the insatiable appetite in Congress for pork has been increasingly reflected in the amount of political pressure placed on the services to include unneeded projects in the budget request and on the unfunded priorities lists. The integrity of the budget process is under increasing assault, and the national defense cannot help but suffer for our weakness for pork.

Mr. President, I look forward to the day when my appearances on the Senate floor for the purpose of deriding pork-barrel spending are no longer necessary. There have been successes along the way, but much more needs to be done. There is $4 billion in unrequested programs in the defense appropriations bill. Combine what that $4 billion could buy with the savings that could be accrued through additional base closings and more cost-effective business practices and the problems of our armed forces, be they in terms of force structure or modernization, could be more assuredly addressed. The public demands and expects better of us. It remains my hope that they will one day witness a more responsible budget process. For now, unfortunately, they are more likely to witness errant asteroids shooting through the skies like tax dollars through the appropriations process.

Mr. DOMENICI. Mr. President, I rise in strong support of the bill before us today. I would like to sincerely thank Senators STEVENS and INOUYE for their strong leadership on the Defense Subcommittee. I also would like to recognize the diligence and professionalism of the staff on this Committee.

Every year this Committee goes through the difficult exercise of trying to allocate sufficient funds to provide for our nation's defense. These decisions require balancing carefully between present and future, people and technologies.

This year, despite the fact that this appropriations bill provides over $3.1 billion more than was in the President's budget request and $20 billion more than the FY 2000 appropriation, the decisions to fund the wide array of critical Defense priorities were just as difficult as in the past. Despite these challenges the Committee has put together a comprehensive bill that meets many of the most pressing needs of the National Defense and remains within the constraints of the budget authority and outlay limits established in the 302(b) allocation.

I would like to briefly mention some of the most important aspects of our defense addressed in this spending package.

The bill provides $287.6 billion in new spending authority for the Department of Defense for FY 2001. In parallel with the Defense Authorization, the bill funds a 3.7 percent pay raise, new increases in recruiting and retention benefits, strengthens our missile defense program, boosts the Army Transformation Initiative, and provides a long awaited pharmacy benefit for our military retirees.

The bill also provides approximately $4.1 billion in the Overseas Contingency Operations Transfer Fund, almost double the funding provided in last year's bill. It is our hope that the Department of Defense will now have ample resources to conduct unforseen contingencies and protect the resources we provide in this bill for training and combat readiness.

There is good news for the Research and Development appropriation. The Committee approved $39.6 billion, an increase of $1.74 billion over the budget request. The Ballistic Missile Defense Program alone received an additional $4.35 billion. These resources will help prevent erosion of the scientific and technological foundation of our armed forces.

The Committee also provided for items that will ensure that New Mexico based defense installations and programs remain robust. I would like to briefly highlight some of the items that received funding in the appropriations bill.

Of the increase in Operation and Maintenance funding provided by the committee an additional $5.1 million is included to maintain and upgrade the Theater Air Command and Control Simulation Facility. This is the largest warfighter-in-the-loop air defense simulation system in operation and proudly operated by the 58th Special Operations Wing at Kirtland Air Force Base. Another $8 million will upgrade the MH–53J helicopter simulator to include Interactive Defensive Avionics System/Multi-Mission Advanced Tactical Terminal capability. Both of these projects will strengthen and support our Air Force's readiness and capabilities.

American dominance relies heavily on our technological superiority. The Committee recognizes this and, therefore, supported substantial increases to Research and Development funding above the President's request. Of this, an additional $24.4 million will go to the High Energy Laser Systems Test Facility at White Sands Missile Range to support advanced weapons development and transformation initiatives for solid state laser technology. The Theater High Energy Laser anti-missile program, successfully tested last week at White Sands also received an additional $15 million. Finally, the Airborne Laser program's budget was fully restored with an increase of $92 million. ABL is the Air Force's flagship program in directed energy weapons systems. Keeping this missile defense potential on track is vital to our demonstration of the role lasers can play in future defense capabilities.

The Committee also recognized the active and reserve Army's need for lighter, more mobile command and control vehicles. Therefore, the bill funds a $63 million increase to the Warfighter Information Network program to produce these communications shelters; Laguna Industries manufactures these shelters.

The bill includes many other New Mexico defense activities. An additional $16 million will be provided for the Information Operations Warfare and Vulnerability Assessment work of the Army Research Laboratory at White Sands. The Committee also provided $10 million for the Magdalena Ridge Observatory and $5.3 million to combat the threat of terrorism with radio frequency weapons.

With the help of my colleagues new technology has a strong foothold in New Mexico and I thank them for supporting us in our endeavors. There are more hurdles ahead of us but each step takes us closer to our ultimate goal of being a major source of support to the

military technological transformation in the 21st century.

I believe this bill demonstrates the balance required to best fund our armed forces. Again, I am pleased by the hard work of my colleagues on this Committee and express, once again, my admiration for the hard work of Chairman STEVENS and Senator INOUYE in achieving an appropriate spending package for our military men and women.

Mr. INOUYE. Mr. President, shortly before Memorial Day, an excellent analytical piece was printed in the Washington Post under the headline For Pentagon, Asia Moving. I am afraid that not many of my colleagues had an opportunity to read that piece, because they were preparing to go home to visit their constituents over the Memorial Day recess. I would like to draw their attention to this thoughtful analysis of events and circumstances that will shape American Defense policies for the next several decades.

In essence, the article suggests that, of necessity, the focus of American defense planning, our strategy and tactics—our deployments—will shift from Europe to Asia. Current events in Korea, the rise of China as a modern military power, the spread of nuclear weapons to South-Asia, all of these dictate a re-examination of our defense policies. We must attend to how we train and where we may someday fight.

To me, the article suggests the importance of Hawaii to our Nation's defense posture in the twenty-first century. The Washington Post article notes that, to many Americans, Hawaii appears to be well out in the Pacific, but it is another 5,000 miles from there to Shanghai. ''All told, it is about twice as far from San Diego to China, as it is from New York to Europe.''

We need to think about what this means. As U.S. economic interests in Asia come to dominate our economy, so too will U.S. security interests in Asia come to dominate our military policies. We must think about the distances involved and the need to be able to strike distant targets swiftly and with precision. The Air Force will need more long-range bombers and refueling aircraft. I have long advocated the acquisition of more B–2 bombers. The war in Kosovo showed that they could strike at long range and with precision. The Post article suggests to me that we may at some time need them in Asia and that we had better be prepared by making those investments soon.

Similarly, the Navy will have to put more of its resources into the Pacific. Already the Navy has placed a larger percentage of its attack submarines in the Pacific. Surely, this will be followed by decisions to forward position carriers and other elements of carrier task forces. I believe Pearl Harbor will become even more important to the Navy. I know the people of Hawaii are prepared to welcome additional ships.

The Army, too, is faced with the need to be able to respond quickly to deter future threats in Asia. We need to look to more joint training exercises and even the possibility of keeping some of our forces in Korea after peace takes hold on the Peninsula.

Mr. President, I commend this May 26, 2000 Washington Post article to my colleagues. I ask unanimous consent that it be reprinted in full in the RECORD.

There being no objection, the article was ordered to be printed in the REOCRD, as follows:

[From the Washington Post, May 26, 2000]

FOR PENTAGON, ASIA MOVING

(By Thomas E. Ricks)

When Pentagon officials first sat down last year to update the core planning document of the Joint Chiefs of Staff, they listed China as a potential future adversary, a momentous change from the last decade of the Cold War.

But when the final version of the document, titled ''Joint Vision 2020,'' is released next week, it will be far more discreet. Rather than explicitly pointing at China, it simply will warn of the possible rise of an unidentified ''peer competitor.''

The Joint Chiefs' wrestling with how to think about China—and how open to be about that effort—captures in a nutshell the U.S. military's quiet shift away from its traditional focus on Europe. Cautiously but steadily, the Pentagon is looking at Asia as the most likely arena for future military conflict, or at least competition.

This new orientation is reflected in many small but significant changes: more attack submarines assigned to the Pacific, more games and strategic studies centered on Asia, more diplomacy aimed at reconfiguring the US. military presence in the area.

It is a trend that carries huge implications for the shape of the armed services. It also carries huge stakes for U.S. foreign policy. Some specialists warn that as the United States thinks about a rising China, it ought to remember the mistakes Britain made in dealing with Germany in the years before World War I.

The new U.S. military interest in Asia also reverses a Cold War trend under which the Pentagon once planned by the year 2000 to have just ''a minimal military presence'' in Japan, recalls retired Army Gen. Robert W. RisCassi, a former U.S. commander in South Korea.

Two possibilities are driving this new focus. The first is a chance of peace in Korea; the second is the risk of a hostile relationship with China.

Although much of the current discussion in Washington is about a possible military threat from North Korea, for military planners the real question lies further ahead: Who to do after a Korean rapprochement? In this view, South Korea already has won its economic and ideological struggle with North Korea, and all that really remains is to negotiate terms for peace.

According to one Defense Department official, William S. Cohen's first question to policy officials when he became Defense Secretary in 1997 was: How can we change the assumption that U.S. troops will be withdrawn after peace comes to the Korean peninsula? Next month's first-ever summit between the leaders of North and South Korea puts a sharper edge on this issue.

In the longer run, many American policymakers expect China to emerge sooner or later as a great power with significant influence over the rest of Asia. That, along with a spate of belligerent statements about Taiwan from Chinese officials this spring, has helped focus the attention of top policymakers on China's possible military ambitions. ''The Chinese saber-rattling has gotten people's attention, there is no question of that,'' said Abram Shulsky, a China expert at the Rand Corp.

THE BUZZWORD IS CHINA

Between tensions over Taiwan and this week's House vote to normalize trade relations with China, ''China is the new Beltway buzz-word,'' observed Dov S. Zakheim, a former Pentagon official who is an adviser on defense policy to Republican presidential candidate George W. Bush.

To be sure, large parts of the U.S. military remain ''Eurocentric,'' especially much of the Army. The shift is being felt most among policymakers and military planners—that is, officials charged with thinking about the future—and least among front-line units. Nor is it a change that the Pentagon is proclaiming from the rooftops. Defense Department officials see little value in being explicit about the shift in U.S. attention, which could worry old allies in Europe and antagonize China.

Even so, military experts point to changes on a variety of fronts. For example, over the last several years, there has been an unannounced shift in the Navy's deployment of attack submarines, which in the post-Cold War World have been used as intelligence assets—to intercept communications, monitor ship movements and clandestinely insert commandos—and also as front-line platforms for launching Tomahawk cruise missiles against Iraq, Serbia and other targets. Just a few years ago, the Navy kept 60 percent of its attack boats in the Atlantic. Now, says a senior Navy submariner, it has shifted to a 50–50 split between the Atlantic and Pacific fleets, and before long the Pacific may get the majority.

But so far the focus on Asia is mostly conceptual, not physical. It is now a common assumption among national security thinkers that the area from Baghdad to Tokyo will be the main location of U.S. military competition for the next several decades. ''The focus of great power competition is likely to shift from Europe to Asia,'' said Andrew Krepinevich, director of the Center for Strategic and Budgetary Assessments, a small but influential Washington think tank. James Bodner, the principal deputy undersecretary of defense for policy, added that, ''The center of gravity of the world economy has shifted to Asia, and U.S. interests flow with that.''

When Marine Gen. Anthony Zinni, one of the most thoughtful senior officers in the military, met with the Army Science Board earlier this spring, he commented offhandedly that America's ''long-standing Europe-centric focus'' probably would shift in coming decades as policymakers ''pay more attention to the Pacific Rim, and especially to China.'' This is partly because of trade and economics, he indicated, and partly because of the changing ethnic makeup of the U.S. population. (California is enormously important in U.S. domestic politics, explains one Asia expert at the Pentagon, and Asian Americans are increasingly influential in that state's elections, which can make or break presidential candidates.)

Just 10 years ago, said Maj. Gen. Robert H. Scales Jr., commandant of the the Army War College, roughly 90 percent of U.S. military thinking about future warfare centered on head-on clashes of armies in Europe. ''Today,'' he said, ''it's probably 50–50, or even more'' tilted toward warfare using characteristic Asian tactics such as deception and indirection.

WAR GAMING

The U.S. military's favorite way of testing its assumptions and ideas is to run a war

game. Increasingly, the major games played by the Pentagon—except for the Army—take place in Asia, on an arc from Tehran to Tokyo. The games are used to ask how the U.S. military might respond to some of the biggest questions it faces: Will Iran go nuclear—or become more aggressive with an array of hard-to-stop cruise missiles? Will Pakistan and India engage in nuclear war—or, perhaps even worse, will Pakistan break up, with its nuclear weapons falling into the hands of Afghan mujaheddin? Will Indonesia fall apart? Will North Korea collapse peacefully? And what may be the biggest question of all: Will the United States and China avoid military confrontation? All in all, estimates one Pentagon official, about two-thirds of the forward-looking games staged by the Pentagon over the last eight years have taken place partly or wholly in Asia.

Last year, the Air Force's biggest annual war game looked at the Mideast and Korea. This summer's game, ''Global Engagement 5,'' to be played over more than a week at Maxwell Air Force Base in Alabama, will posit ''a rising large East Asian nation'' that is attempting to wrest control of Siberia, with all its oil and other natural resources, from a weak Russia. At one point, the United States winds up basing warplanes in Siberia to defend Russian interests.

Because of the sensitivity of talking about fighting China, ''What everybody's trying to do is come up with games that are kind of China, but not China by name,'' said an Air Force strategist.

''I think that, however reluctantly, we are beginning to face up to the fact that we are likely over the next few years to be engaged in an ongoing military competition with China,'' noted Princeton political scientist Aaron L. Friedberg. ''Indeed, in certain respects, we already are.''

TWIN EFFORTS

The new attention to Asia also is reflected in two long-running, military-diplomatic efforts.

The first is a drive to renegotiate the U.S. military presence in northeast Asia. This is aimed mainly at ensuring that American forces still will be welcome in South Korea and Japan if the North Korean threat disappears. To that end, the U.S. military will be instructed to act less like post-World War II occupation forces and more like guests or partners.

Pentagon experts on Japan and Korea say they expect that ''status of forces agreements'' gradually will be diluted, so that local authorities will gain more jurisdiction over U.S. military personnel in criminal cases. In addition, they predict that U.S. bases in Japan and South Korea will be jointly operated in the future by American and local forces, perhaps even with a local officer in command.

At Kadena Air Force Base on the southern Japanese island of Okinawa, for example, the U.S. military has started a program, called ''Base Without Fences,'' under which the governor has been invited to speak on the post, local residents are taken on bus tours of the base that include a stop at a memorial to Japan's World War II military, and local reporters have been given far more access to U.S. military officials.

''We don't have to stay in our foxhole,'' said Air Force Brig. Gen. James B. Smith, who devised the more open approach. ''To guarantee a lasting presence, there needs to be a private and public acknowledgment of the mutual benefit of our presence.''

Behind all this lies a quiet recognition that Japan may no longer unquestioningly follow the U.S. lead in the region. A recent classified national intelligence estimate concluded that Japan has several strategic options available, among them seeking a separate accommodation with China, Pentagon officials disclosed. ''Japan isn't Richard Gere in 'An Officer and a Gentleman,'" one official said. ''That is, unlike him, it does have somewhere else to go.''

In the long term, this official added, a key goal of U.S. politico-military policy is to ensure that when Japan reemerges as a great power, it behaves itself in Asia, unlike the last time around, in the 1930s, when it launched a campaign of vicious military conquest.

SOUTHEAST ASIA REDUX

The second major diplomatic move is the negotiation of the U.S. military's reentry in Southeast Asia, 25 years after the end of the Vietnam War and almost 10 years after the United States withdrew from its bases in the Philippines. After settling on a Visiting Forces Agreement last year, the United States and the Philippines recently staged their first joint military exercise in years, ''Balikatan 2000.''

The revamped U.S. military relationship with the Philippines, argues one general, may be a model for the region. Instead of building ''Little America'' bases with bowling alleys and Burger Kings that are off-limits to the locals, U.S. forces will conduct frequent joint exercises to train Americans and Filipinos to operate together in everything from disaster relief to full-scale combat. The key, he said, isn't permanent bases but occasional access to facilities and the ability to work with local troops.

Likewise, the United States has broadened its military contacts with Australia, putting 10,000 troops into the Queensland region a year ago for joint exercises. And this year, for the first time, Singapore's military is participating in ''Cobra Gold,'' the annual U.S.-Thai exercise. Singapore also is building a new pier specifically to meet the docking requirements of a nuclear-powered U.S. aircraft carrier. The U.S. military even has dipped a cautious toe back into Vietnam, with Cohen this spring becoming the first defense secretary since Melvin R. Laird to visit that nation.

The implications of this change already are stirring concern in Europe. In the March issue of Proceedings, the professional journal of the U.S. Navy, Cmdr. Michele Consentino, an Italian navy officer, fretted about the American focus on the Far East and about ''dangerous gaps'' emerging in the U.S. military presence in the Mediterranean.

WHERE THE GENERALS ARE

If the U.S. military firmly concludes that its major missions are likely to take place in Asia, it may have to overhaul the way it is organized, equipped and even led. ''Most U.S. military assets are in Europe, where there are no foreseeable conflicts threatening vital U.S. interests,'' said ''Asia 2025,'' a Pentagon study conducted last summer. ''The threats are in Asia,'' it warned.

This study, recently read by Cohen, pointedly noted that U.S. military planning remains ''heavily focused on Europe,'' that there are four times as many generals and admirals assigned to Europe as to Asia, and that about 85 percent of military officers studying foreign languages are still learning European tongues.

''Since I've been here, we've tried to put more emphasis on our position in the Pacific,'' Cohen said in an interview as he flew home from his most recent trip to Asia. This isn't, he added, ''a zero-sum game, to ignore Europe, but recognizing that the [economic] potential in Asia is enormous''—especially, he said, if the United States is willing to help maintain stability in the region.

'TYRANNY OF DISTANCE'

Talk to a U.S. military planner about the Pacific theater, and invariably the phrase ''the tyranny of distance'' pops up. Hawaii may seem to many Americans to be well out in the Pacific, but it is another 5,000 miles from there to Shanghai. All told, it is about twice as far from San Diego to China as it is from New York to Europe.

Cohen noted that the military's new focus on Asia means, ''We're going to want more C–17s'' (military cargo planes) as well as ''more strategic airlift'' and ''more strategic sealift.''

Other experts say that barely scratches the surface of the revamping that Asian operations might require. The Air Force, they say, would need more long-range bombers and refuelers—and probably fewer short-range fighters such as the hot new F–22, designed during the Cold War for dogfights in the relatively narrow confines of Central Europe. ''We are still thinking about aircraft design as if it were for the border of Germany,'' argues James G. Roche, head of Northrop Grumman Corp.'s electronic sensors unit and a participant in last year's Pentagon study of Asia's future. ''Asia is a much bigger area than Europe, so planes need longer 'legs.'''.

Similarly, the Navy would need more ships that could operate at long distances. It might even need different types of warships. For example, the Pentagon study noted today's ships aren't ''stealthy''—built to evade radar—and may become increasingly vulnerable as more nations acquire precision-guided missiles.

Also, the Navy may be called on to execute missions in places where it has not operated for half a century. If the multi-island nation of Indonesia falls apart, the Pentagon study suggested, then the Navy may be called upon to keep open the crucial Strait of Malacca, through which passes much of the oil and gas from the Persian Gulf to Japan and the rest of East Asia.

The big loser among the armed forces likely would be the Army, whose strategic relevancy already is being questioned as it struggles to deploy its forces more quickly. ''At its most basic level, the rise of Asia means a rise of emphasis on naval, air and space power at the expense of ground forces,'' said Eliot Cohen, a professor of strategic studies at Johns Hopkins University.

In a few years, Pentagon insiders predict, the chairman of the Joint Chiefs of Staff will be from the Navy or Air Force, following 12 years in which Army officers—Generals Colin L. Powell, John Shalikashvili and Henry H. Shelton—have been the top officers in the military. Perhaps even more significantly, they foresee the Air Force taking away from the Navy at least temporarily the position of ''CINCPAC,'' the commander in chief of U.S. forces in the Pacific. There already is talk within the Air Force of basing parts of an ''Air Expeditionary Force'' in Guam, where B–2 stealth bombers have been sent in the past in response to tensions with North Korea.

PARALLEL WITH PAST

If the implications for the U.S. military of a new focus on Asia are huge, so too are the risks. Some academics and Pentagon intellectuals see a parallel between the U.S. effort to manage the rise of China as a great power and the British failure to accommodate or divert the ambitions of a newly unified Germany in the late 19th century. That effort ended in World War I, which slaughtered a generation of British youth and marked the beginning of British imperial decline.

If Sino-American antagonism grows, some strategists warn, national missile defense may play the role that Britian's development of the battleship Dreadnought played a century ago—a superweapon that upset the

balance by making Germany's arsenal strategically irrelevant. Chinese officials have said they believe the U.S. plan for missile defense is aimed at negating their relatively small force of about 20 intercontinental ballistic missiles.

If the United States actually builds a workable antimissile system, former national security adviser Zbigniew Brzezinski predicts, ''the effect of that would be immediately felt by the Chinese nuclear forces and [would] presumably precipitate a buildup.'' That in turn could provoke India to beef up its own nuclear forces, a move that would threaten Pakistan. A Chinese buildup also could make Japan feel that it needed to build up its own military.

Indian officials already are quietly telling Pentagon officials that the rise of China will make the United States and India natural allies. India also is feeling its oats militarily. The Hindustan Times recently reported that the Indian navy plans to reach far eastward this year to hold submarine and aircraft exercises in the South China Sea, a move sure to tweak Beijing.

Some analysts believe that the hidden agenda of the U.S. military is to use the rise of Asia as a way to shore up the Pentagon budget, which now consumes about 3 percent of the gross domestic product, compared to 5.6 percent at the end of the Cold War in 1989. ''If the military grabs onto this in order to get more money, that's scary,'' said retired Air Force Col. Sam Gardiner, who frequently conducts war games for the military.

Indeed, Cohen is already making the point that operating in Asia is expensive. He said it is clear that America will have to maintain ''forward'' forces in Asia. And that, he argued, will require a bigger defense budget.

''There's a price to pay for what we're doing,'' Cohen concluded. ''The question we're going to have to face in the coming years is, are we willing to pay up?''

SECTION 8014

Mr. STEVENS. Mr. President, may I engage in a colloquy with my good friend and colleague, the senior Senator from Hawaii?

As Senator INOUYE knows, the Manager's amendment currently before the Senate includes an amendment to section 8014. That section addresses the procedures that must be followed by Department of Defense agencies which seek to outsource certain civilian functions to private contractors. Since 1990, this provision has been included in the Defense appropriations bills for each of the last ten years. Throughout that time, section 8014 has provided for certain exceptions to the procedures, including an exception when the private contractor is a Native American-owned entity. This exception has been included in furtherance of the Federal policy of Indian self-determination and the promotion of economic self-sufficiency for the native people of America.

The exception for a private contractor that is a Native American-owned entity is an exercise of the authority that has been vested in the Congress by the U.S. Constitution in Article I, Section 8, Clause 3, often referred to as the Indian Commerce Clause. As the senior Senator from Hawaii and vice chairman of the Senate Committee on Indian Affairs knows, this is by no means the only Federal legislation that recognizes the special status of Native Americans in commercial transactions with the Federal Government which is based upon the trust relationship the United States has with its indigenous, aboriginal people. There are, in fact, numerous examples of provisions of Federal law that seek to provide competitive assistance to businesses that are owned by Indian tribes or Alaska Native regional or village corporations. Congress has enacted such laws because they have been found to be the most effective and appropriate means of ensuring and encouraging economic self-sufficiency in furtherance of the Federal policy of self-determination and the United States' trust responsibility. There is considerable judicial precedent recognizing such laws as a valid exercise of Congress' constitutional authority, perhaps the most significant of which is the United State Supreme Court's 1974 ruling in Morton versus Mancari.

It has come to my attention that a lawsuit has been filed challenging the Native American exception in section 8014 as a racially-based preference that is unconstitutional. That challenge is simply inconsistent with the well-established body of Federal Indian law and numerous rulings of the U.S. Supreme Court. The Native American exception contained in section 8014 is intended to advance the Federal Government's interest in promoting self-sufficiency and the economic development of Native American communities. It does so not on the basis of race, but rather, based upon the unique political and legal status that the aboriginal, indigenous, native people of the America have had under our Constitution since the founding of this nation. It is a valid exercise of Congress' authority under the Indian commerce clause. While I believe that the provision is clear, we propose adoption of the amendment before us today to further clarify that the exception for Native American-owned entities in section 8014 is based on a political classification, not a racial classification.

Because my colleague was Chairman of the Subcommittee on Defense Appropriations in 1990 and involved in the drafting of section 8014, I would like to know whether my understanding of the purpose and intent of section 8014 is consistent with the original purpose and intent, and whether the amendment before us today is consistent with the original intent of section 8014.

Mr. INOUYE. My Chairman is correct in his understanding. The Congress has long been concerned with the ravaging extent of poverty, homelessness, and the high rates of unemployment in Native America. The Congress has consistently recognized that the economic devastation that has been wrought on Native communities can be directly attributed to Federal policies of the forced removal of Native people from their traditional homelands, their forced relocation, and later the termination of the reservations to which the government forcibly relocated them. In 1970, President Nixon established the Federal policy of self-determination, and that policy has been supported and strengthened by each succeeding administration.

The Congress has sought to do its part in fostering strong Native economies through the enactment of a wide range of Federal laws, including a series of incentives that are designed to stimulate economic growth in Native communities and provide economic opportunities for Native American-owned businesses. Native American-owned businesses include not only those that are owned by an Indian tribe or an Alaska Native corporation or a Native Hawaiian organization, but those businesses that are 51 percent or more owned by Native Americans.

As the U.S. Supreme Court has made clear, time and again, the political and legal relationship that this nation has had with the indigenous, aboriginal, native people of America is the basis upon which the Congress can constitutionally enact legislation that is designed to address the special conditions of Native Americans. In exchange for the cession of over 500 million acres of land by the native people of America, the United States has entered into a trust relationship with Native Americans. Treaties, the highest law of our land, were originally the primary instrument for the expression of this relationship. Today, Federal laws like section 8014, are the means by which the United States carries out its trust responsibilities and the Federal policy of self-determination and economic self-sufficiency.

I thank my Chairman for proposing this clarifying amendment which I believe is fully consistent with the original purpose and intent of section 8014.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—95

Abraham	Byrd	Durbin
Akaka	Campbell	Edwards
Allard	Chafee, L.	Enzi
Ashcroft	Cleland	Feinstein
Baucus	Cochran	Fitzgerald
Bayh	Collins	Frist
Bennett	Conrad	Gorton
Biden	Coverdell	Graham
Bingaman	Craig	Gramm
Bond	Crapo	Grams
Breaux	Daschle	Grassley
Brownback	DeWine	Gregg
Bryan	Dodd	Hagel
Bunning	Domenici	Harkin
Burns	Dorgan	Hatch

Helms	Lieberman	Santorum
Hollings	Lincoln	Sarbanes
Hutchinson	Lott	Schumer
Hutchison	Lugar	Sessions
Inhofe	Mack	Shelby
Inouye	McCain	Smith (NH)
Jeffords	McConnell	Smith (OR)
Johnson	Mikulski	Snowe
Kennedy	Moynihan	Stevens
Kerrey	Murkowski	Thomas
Kerry	Murray	Thompson
Kohl	Nickles	Thurmond
Kyl	Reed	Torricelli
Landrieu	Reid	Voinovich
Lautenberg	Robb	Warner
Leahy	Roberts	Wyden
Levin	Roth	

NAYS—3

Boxer	Feingold	Wellstone

NOT VOTING—2

Rockefeller	Specter

So the bill (H.R. 4576), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate insist on its position on this bill with the House and that the Chair be authorized to appoint conferees.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. BROWNBACK) appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. INOUYE, Mr. HOLLINGS, Mr. BYRD, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Mr. DORGAN, and Mr. DURBIN conferees on the part of the Senate.

Mr. STEVENS. Mr. President, I believe that we completed action on this bill in almost record time.

I want to personally thank Steven Cortese, majority staff director, and Charles Houy, minority staff director, for their very intense work, and their respective staffs. Since last Friday we have been working to try to eliminate some problems in this bill. Without question, they are responsible for the speed and dispatch with which we have been able to handle this bill.

There are many amendments we are now taking to conference that may be subject to later modification. We will do our very best to defend the Senate position as represented by the vote that has just been taken in the Senate.

I thank my distinguished friend and colleague from Hawaii for his usual cooperation. Without it, passage of this bill would have been impossible.

I yield the floor.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask that the Senate proceed to a period of morning business with Senators permitted to speak therein for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VICTIMS OF GUN VIOLENCE

Mr. REED. Mr. President, it has been nearly 14 months since the Columbine tragedy, and over a year since the Senate passed common sense gun safety legislation as part of the Juvenile Justice bill, and still the Republican majority in Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until Congress acts, Democrats in the Senate will read the names of some of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight.

Following are the names of a few Americans who were killed by gunfire one year ago, on June 13, 1999:

Robert Ayala, 21, Chicago, IL.
Timothy Croft, 39, Detroit, MI.
Warner Freeman, 21, Philadelphia, PA.
James Harley, 40, Baltimore, MD.
Rico Perry, 27, Charlotte, NC.
Wesley Rodenas, 19, San Bernardino, CA.
Thoyce Sanders, 45, Dallas, TX.
Charles Stewart, 32, Dallas, TX.
Mario Taylor, 23, Chicago, IL.
Renardo Wilson, 38, Dallas, TX.
Unidentified male, 49, Portland, OR.
Mark Pierce, 36, Providence, RI.

Mr. Pierce was killed in a late-night drive-by shooting after a confrontation between one of his friends and two young men, one 18 and one 21, at a marina on the Providence River waterfront. After an initial scuffle, the two young men departed and returned within an hour in a car. One of them opened fire with a handgun, killing Pierce. It's another example of a quarrel that, in another time in America, might have resulted in a bloody nose and a bruised ego, but instead took the life of Mark Pierce.

And, Mr. President, the gun violence continues every day across America. Three weeks ago, a 15-year-old girl in Providence, who was a key witness for the prosecution in an upcoming murder trial, was shot with a handgun at point blank range in her front yard on a Sunday evening. She died the next day. She was to testify in the trial of a 19-year-old charged with shooting to death a 17-year-old last August.

Just this past Friday, in Providence, Rhode Island, two college students were carjacked at gunpoint, robbed, taken to a nearby golf course, and shot execution style with a .40 caliber semiautomatic handgun. The handgun was stolen from the car of a freelance photographer while he shopped at a local convenience store in February. This case makes a strong argument against concealed carry laws and other liberal gun laws that encourage citizens to bring their handguns out of their homes and into the streets of our cities. It also underscores the need for aggressive research into smart gun technology to ensure that a weapon can only be fired by its legitimate owner.

Finally, although in this instance the police were able to trace the gun relatively quickly because it was stolen in Providence and reported by the owner, in many cases crime guns cannot be traced because law enforcement is completely dependent upon the record keeping of gun manufacturers and gun dealers, and post-retail private sales are usually unrecorded. If we registered handguns and licensed handgun owners, the police could put out an immediate alert when a weapon is reported stolen, and they could trace a weapon more quickly upon its recovery after a horrible crime like this one. In addition, the assailants would face yet another felony charge for illegal possession of a weapon not registered to them.

Mr. President, twelve young Americans lose their lives to gun violence every day. That's a new Columbine tragedy every 24 hours. It is time for Congress to do its part to reduce gun violence by passing sensible gun safety legislation to keep firearms out of the hands of children and convicted felons. We should do so without further delay.

I yield the floor.

REMEMBERING THE ISRAELI MISSING IN ACTION

Mr. SCHUMER. Mr. President, I rise today to ask my colleagues to join me in remembering the Israeli soldiers captured by the Syrians during the 1982 Israeli war with Lebanon.

On June 11, 1982, an Israeli unit battled with a Syrian armored unit in the Bekaa Valley in northeastern Lebanon. The Syrians succeeded in capturing Sgt. Zachary Baumel, 1st Sgt. Zvi Feldman and Cpt. Yehudah Katz. Upon arrival in Damascus, the crew and their tank were paraded through the streets draped in Syrian and Palestinian Flags.

Since that terrible day in 1982, the Israeli and United States Governments have been working to obtain any possible information about the fate of these missing soldiers, joining with the offices of the International Committee of the Red Cross, the United Nations, and other international bodies. According to the Geneva Convention, the area in Lebanon where the soldiers first disappeared was continually controlled by Syria, therefore deeming it responsible for the treatment of the captured soldiers. To this day, despite the promises made by the Syrian Government and by the PLO, very little information has been forthcoming about the condition of Zachary Baumel, Zvi Feldman, and Yehudah Katz.

June 11 marks the anniversary of the day these soldiers were reported missing in action. Eighteen pain-filled years have passed since their families have seen their sons, and still the Syrian Government has not revealed their whereabouts.

One of these missing soldiers, Zachary Baumel, is an American citizen from Brooklyn, NY. An ardent

basketball fan, Zachary began his studies at the Hebrew School in Boro Park. In 1979, he moved to Israel with other family members and continued his education at Yeshivat Hesder, where religious studies are integrated with army service. When the war with Lebanon began, Zachary was completing his military service and was looking forward to attending Hebrew University, where he had been accepted to study psychology. But fate decreed otherwise, and on June 11, 1982, he disappeared with Zvi Feldman and Yehudah Katz.

Zachary's parents Yonah and Miriam Baumel have been relentless in their pursuit of information about Zachary and his compatriots. I have worked closely with the Baumels, as well as the Union of Orthodox Jewish Congregations of America, the American Coalition for Missing Israeli Soldiers, and the MIA Task Force of the Conference of Presidents of Major American Jewish Organizations. These groups have been at the forefront of their pursuit of justice. I want to recognize their good work and ask my colleagues to join me in supporting their efforts. For eighteen years, these families have been without their children. Answers are long overdue.

TIBET

Mr. FEINGOLD. Mr. President, last year I delivered a statement for the record commemorating the 40th anniversary of the 1959 Tibetan uprising, during which His Holiness the Dalai Lama and more than 100,000 Tibetans were forced to flee their homeland as a result of brutal suppression by the Chinese government. Unfortunately, the human rights situation in Tibet has not improved, and has if anything deteriorated over the past year.

U.S. Administration officials and Congressional supporters of Permanent Normal Trade Relations with China often claim that more open trade with the West will expose ordinary Chinese to new ideas, new ideals, and a new independence from the State. This will awaken their desire for more freedom, paving the way for democracy in China. I have often voiced skepticism about these claims.

We do not have to wait for the people of Tibet to express their yearning for freedom. They have continuously struggled for their rights for over forty years, and have paid dearly for their actions. Their efforts so far have failed, not because they do not yearn to be free, but rather because their efforts are brutally suppressed and we are apparently little able to help them. Even our efforts in March to introduce at the annual meeting of the UN Commission for Human Rights a resolution condemning PRC officials' human rights practices in China and Tibet were blocked by the PRC and most of the industrialized nations.

If the Administration and Congress are serious about their efforts to promote human rights in China, surely Tibet should be the bellwether. We need to find concrete ways to demonstrate this commitment, and to encourage other countries to do the same.

TRIBUTE TO COLONEL LES BROWNLEE, USA (RET.)

Mr. WARNER. Mr. President, today the United States Army came to the U.S. Capitol to honor one of its most distinguished retired officers.

Colonel Les Brownlee is currently serving as Staff Director of the Senate Armed Services Committee, having previously served as a staffer on the Committee and in my Senate office. He is known and respected throughout our nation's military and defense industry. This award—for his lifetime of extraordinary leadership in uniform and with the Senate—is well deserved.

I ask that the introduction by the Vice Chief of Staff of the Army, General Jack Keane, and the citation be printed in the RECORD of the U.S. Senate which Colonel Brownlee has served for sixteen years. His record of public service stands as an inspiration for all.

The PRESIDING OFFICER. There being no objection, the material was ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED BY GENERAL JACK KEANE

June 13, 2000.

Senator WARNER, Senator THURMOND, thank you for taking time out of your busy schedules to join us. I would also like to welcome Les' son, John, his wife, LeAnne, and their new daughter, Thompson Ann.

Distinguished guests, friends and fellow soldiers. Thank you all for being here today to help us honor a true American patriot.

Originally, Major General LeMoyne, the Commander of the Infantry Center, was going to present this award during the Infantry Conference at Fort Benning, right there in building number four in the shadow of Iron Mike—a symbol that is so familiar to infantrymen. Unfortunately, scheduling conflicts would not allow that to happen.

The citation that we will present to Les in just a few moments reads that the Order of Saint Maurice is presented for ''distinguished contribution to, and loyal support of the Infantry, and demonstrating gallant devotion to the principle of selfless service.''

No one fits that description better than Les Brownlee. He is a passionate advocate for soldiers who has devoted his entire life to the service of his country—both in peace and in war.

Les's career of military service is, by any measurement, an extraordinary record of courage, devotion to duty, and love of soldiering.

Les chose the Army's most demanding branch of service—the Infantry. Infantry training and infantry battle demand the very most of the human spirit—where leaders are expected to exercise personal, physical leadership with daring and courage; where soldiers must be willing to give up everything they care about in life; where God-forsaken terrain, foul, miserable weather, extreme cold and extreme heat, can be as challenging as any enemy; where raw, stark fear is personal and normal; where training can be every bit as dangerous and demanding as combat; and where death is always a silent companion.

Les Brownlee volunteered for this life—a life of hardship and challenge, but a life of service in the company of the very best men our nation has to offer.

He volunteered for special skills—airborne, Ranger—skills that required an even greater degree of personal courage and sacrifice, but skills which would enable him to become and even better infantryman.

Les is a veteran of two tours of combat in Vietnam. A decorated Hero who has twice been awarded the Silver Star—our Nation's third highest award for valor. He also has three Bronze Star Medals, and the Purple Heart Medal for wounds received in combat.

Leading soldiers in combat is the most challenging and demanding assignment an officer will ever face . . . it tests the character of a commander . . . it forces him to bare his soul and face his own human frailties like no other experience.

Les Brownie faced that test, twice in Vietnam, and it has shaped the character of his service ever since. It is where he learned about the bonds that form between soldiers and between soldiers and their leaders; it is where he learned that service to others is more important than service to self.

He is a paratrooper who understands all types of infantry.

He served as a platoon leader in the 101st Airborne Division, a Company Commander in the 173 Airborne Brigade, and he commanded a mechanized Battalion in the 3rd Infantry Division in Germany.

Despite his distinguished combat record, the thing that his friends who served with him will tell you that he is most proud is that, in January of 1965, he was named the distinguished honor graduate of his Ranger class. This prestigious honor is determined by peer and instructor evaluations and is awarded to the soldier who exhibits extraordinary leadership abilities.

Incidentally he was also graduated an Honor Graduate of his Officer Advanced Course and the Command and General Staff College.

Throughout his distinguished Army Career, and certainly in his capacity on the Armed Services Committee, Les has kept the welfare of the common soldier close to his heart.

NECESSARILY ABSENT

Mr. CONRAD. Mr. President, last week I was necessarily absent from the Senate to attend my daughter's graduation from college. As a result, I missed two votes Thursday and one Friday morning as I was returning to Washington.

For the record, had I been present, I would have voted nay on the motion to table the Daschle amendment related to a Patients' Bills of Rights. I would have voted nay on the point of order raised with respect to the McCain amendment related to the so-called Section 527 loophole in our campaign finance laws. I would have voted aye on the Grassley amendment related to accounting practices at the Department of Defense. My vote would not have changed the outcome on any of these votes.

Also for the record, I am extraordinarily proud of my daughter, Jessamyn, who graduated magna cum laude with highest honors from Harvard University last Thursday, June 8.

WARTIME VIOLATION OF ITALIAN-AMERICAN CIVIL LIBERTIES

Mrs. BOXER. Mr. President, today I wish to speak about a little known, but very dark chapter in American history. While many are familiar with the deplorable treatment of Japanese-Americans and others of Japanese ancestry living in the United States during World War II, there is far less discussion and understanding of what Italian-Americans were forced to endure during that period.

Italian-Americans refer to what happened at this time as ''Una Storia Segreta,'' or ''A Secret Story.'' Beginning before the war and until after Italy's surrender in 1943, Italian-Americans and those of Italian decent living in the United States were made suspects simply because of their country of origin. Like Japanese-Americans, they were subjected to all manner of civil rights violations including curfews, warrantless searches, summary arrests, exclusions, relocations and even internment.

The United States must accept responsibility for its grievous treatment of Italian-Americans during World War II. To this end, Senator TORRICELLI has introduced S. 1909, the Wartime Violation of Italian-American Civil Liberties Act, a bill to require the Justice Department to make a full accounting of the injustices suffered by Italian-Americans during World War II. After the Justice Department completes its report, the President would formally acknowledge these injustices.

I am pleased to cosponsor this overdue legislation. Although it may be painful to revisit and admit to the mistakes made during this time, I hope my colleagues would agree that it is the necessary and right thing to do.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, June 12, 2000, the Federal debt stood at $5,648,173,825,800.99 (Five trillion, six hundred forty-eight billion, one hundred seventy-three million, eight hundred twenty-five thousand, eight hundred dollars and ninety-nine cents).

Five years ago, June 12, 1995, the Federal debt stood at $4,901,416,000,000 (Four trillion, nine hundred one billion, four hundred sixteen million).

Ten years ago, June 12, 1990, the Federal debt stood at $3,120,196,000,000 (Three trillion, one hundred twenty billion, one hundred ninety-six million).

Fifteen years ago, June 12, 1985, the Federal debt stood at $1,766,703,000,000 (One trillion, seven hundred sixty-six billion, seven hundred three million).

Twenty-five years ago, June 12, 1975, the Federal debt stood at $527,785,000,000 (Five hundred twenty-seven billion, seven hundred eighty-five million) which reflects a debt increase of more than $5 trillion—$5,120,388,825,800.99 (Five trillion, one hundred twenty billion, three hundred eighty-eight million, eight hundred twenty-five thousand, eight hundred dollars and ninety-nine cents) during the past 25 years.

ADDITIONAL STATEMENTS

VIRGINIA TECH'S CLASS OF 2000

• Mr. WARNER. Last month, I had the privilege of addressing the graduating class at Virginia Tech University. During the commencement ceremony, three Virginia Tech students, Class President Lauren Esleeck, Graduate Student Representative Timothy Wayne Mays, and Class Treasurer Rush K. Middleton, addressed the graduating class and those in attendance. The speeches given by these three students were so eloquent and so inspiring, that I felt it was important to share them with my colleagues in the United States Senate and with the people of the United States.

To date, I have been able to obtain copies of Ms. Esleeck's speech and Mr. Middleton's speech. It is my pleasure to ask that these speeches be inserted into the CONGRESSIONAL RECORD.

The speeches follow:

SPEECH OF RUSH K. MIDDLETON, CLASS TREASURER

Only July 4th, 1939, Lou Gehrig, recently diagnosed with a terminal illness that would cripple and kill him in the prime of his life, stood before 60,000 adoring fans at Yankee Stadium and proclaimed, ''I consider myself the luckiest man on the face of the earth.''

How could a man who was so surely facing death profess that he was more blessed than those who sat around him and viewed their own deaths as nothing more than a distant shadow. The answer is quite simple: Lou Gehrig did not measure his fortune by the number of home runs he hit, the number of games he played, or the sum of money he earned. Instead, confronting his own mortality, he calculated the worth of his life by the people that surrounded him. For, unlike the countless tangible rewards and honors that were bestowed upon him, the friendships and relationships he established would not perish with his physical passing.

How does the Class of 2000 want to measure its worth? Do we wish to be defined by the jobs that we accept, the salaries we earn, or the number of promotions we receive? Or would we rather be characterized by the unbreakable bonds that we established with the people around us? I would challenge our Class to pursue the latter. My challenge is this: That we should leave this amazing institution with high expectations of what we will accomplish in our years as alumni. That we remain true to VPI's motto of Ut Prosim, ''That I may serve,'' honorably serving our community, our family, our church, and our alma mater. Let us remember that we have but one chance on earth to dedicate ourselves to the task of helping our fellow man. If we give of ourselves, we give the most appreciated gift, and the one gift which no sum of money can possibly buy.

As we pen these final lines in the collegiate chapters of our lives, surrounded by family, friends, faculty, and peers, let us remember that we should strive to define ourselves by these relationships, and not by those material items that will surely fade into our past. If we can accomplish this goal, we can say with confidence, just as Lou Gehrig did, that we are luckiest people on the face of the earth. God bless each one of you, and God bless Virginia Tech. Thank You.

SPEECH OF LAUREN ESLEECK, CLASS PRESIDENT

Today, we are here in celebration of a truly significant occasion and may I begin by saying, ''Congratulations''.

The Class of 2000 Motto is ''With Honor there is Power, with Character there is Strength.'' Recently our Class bestowed a gift to Virginia Tech which certainly reflects this theme. The Class of 2000 has chosen to present the university with a new mace, symbolizing the power and strength Virginia Tech has achieved through both her honor and character. During the Founder's Day celebration the Class of 2000 presented Dr. Charles Steger with the new mace immediately following his installation as President of Virginia Tech. Our university's mace has long been a symbol of our tradition of excellence and our Class is fortunate to have contributed a gift to Virginia Tech which will ensure this tradition continues. The new mace, created by Steve Bickley, is resting here on stage. It is a gold-plated contemporary design bearing 3 different seals of the university:

The official university seal affixed to Hokiestone;

The centennial seal from 1972; and

The earliest seal of the university—dating back to 1872.

It also includes 8 spires representing each of the pylons.

Thank you the Class of 2000 for such a tremendous gift.

During this time of excitement and celebration, I have 2 wishes for the Class of 2000. I hope that:

1. We view our Class motto not as a statement, but as a goal;

2. That we be humble.

Again, the Class of 2000 Motto is, ''With Honor there is Power, with Character there is Strength.''

I encourage you to view our motto not as a statement, but as a goal because I hope that we strive to achieve personal strength and power by developing both our character and honor.

Character. Please allow me to borrow some thoughts on the importance of character from General Charles Krulak of the U.S. Marine Corp. Character is the moral courage that is within each of us. Everyday we have to make decisions. It is through this decision making process that we show those around us the quality of our character. The majority of decisions we make are ''no brainers.'' Deciding whether to eat at West End Market or Owens is not going to test your character. . . . judgment maybe, but not character. The true test of character comes when the stakes are high, when the chips are down, when your gut starts to turn, when you know the decision you are about to make may not be popular, but it is to be made. That's when your true character is exposed.

Success in life has always demanded a depth of character. Those who can reach deep within themselves and draw upon an inner strength, fortified by strong values, always carry the day against those of lesser character.

Honor. Honor is captured by two essential ingredients—honesty and integrity. I hope that we may each find the courage to be not only true to others, but also true to ourselves—a far more difficult challenge. Such uninhibited self-evaluation will provide endless opportunities for personal growth and development.

Perhaps the most important determinant of integrity is work ethic. Hard work and determination have earned us the degrees we

celebrate today. A wise man once said, ''It is amazing how many people who work very hard are damn lucky.'' While hard work may often go unrecognized, it will undoubtedly further one's integrity. Both integrity and honesty are essential to achieving honor. Likewise, both honor and character are essential to achieving power and strength.

My second and final wish is that we may each be humble.

Two of the simplest words in the English language are too often forgotten. Thank you. At a time when it is also appropriate to offer thanks. None of us have walked this journey alone. Whether it's your parents who offered financial support, the coach who served as a father figure, the professor who spent the extra time, the unknown person was created the scholarship you received, the friends who offered unending support, or the organizations which provided the opportunity for personal growth. When someone says ''congratualtions'' we should each respond with ''Thank You,'' thanking those who have allowed us to achieve our goals.

Thank You.●

HONORING MOKAN KIDS NETWORK

● Mr. ASHCROFT. Mr. President, I stand before you today to recognize the accomplishments of the MoKan Kids Network and to congratulate it for winning the 21st Century Award from the Association of America's Public Television Stations. The 21st Century Award is given to public television stations that demonstrate extraordinary involvement in long-range planning, collaboration with others, experimentation with new technologies or the creation of new services for undeserved communities. The MoKan Kids Network, a service of Kansas City Public Television, Smoky Hills Public Television, and 350 Missouri and Kansas school districts, has helped move classroom instruction into the 21st century.

The MoKan Kids Network provides instructional television, online networking and professional development and teacher training for 30,000 teachers in Missouri and Kansas. The network offers teachers more than 700 hours of educational video materials for classroom use and provides teachers with Internet access and curriculum-based web browsing capabilities. MoKan also makes available to teachers special training through its National Teacher Training Institutes, online conferences, and hands-on training in computer labs. MoKan's generous resources have allowed teachers to offer an enriched learning experience to 350,000 elementary and secondary students in Missouri and Kansas.

Mr. President, please join me in congratulating the MoKan Kids Network for being honored with the 21st Century Award. We thank MoKan for its fruitful efforts supporting educational broadcasting, and we hope its example will influence others around the country to establish similar programs.●

RETIREMENT OF DEE LEVIN FROM THE FBI

● Mr. GRAMS. Mr President, I would like to pay tribute today to Special Agent Donald (Dee) Levin on his retirement from the Federal Bureau of Investigation after 29 years of service. In 1967, shortly after graduating from the University of Minnesota, Dee joined the Marine Corps, where he served in Vietnam. Dee began his career with the FBI in 1971, starting out in the Indianapolis and Detroit offices before moving to Minnesota in 1980. Since then, he has worked in the Minneapolis field office as the technical coordinator.

The FBI is a worldwide leader in crime investigation and crime solving. The respect commanded by the FBI is due in large part to the individual agents, like Dee, who serve with honor and integrity in their duty to make the United States a safer place to live.

Dee will be very busy in his retirement. As new grandparents, Dee and his wife Judy look forward to spending time with their family and remaining active in their church, Galilee Lutheran.

I admire Dee's dedication to the FBI and on behalf of all Minnesotans, I thank him for his service.●

DAIRY OF DISTINCTION AWARD

● Mr. JEFFORDS. Mr. President, it gives me great pleasure to pay tribute to the 99 Vermont Farms that have been recognized by the Northeast Dairy Farms Beautification Program and received the Dairy of Distinctions Award.

The Dairy of Distinction Awards are given in New York, Pennsylvania, New Jersey and Vermont. The award was originally designed to help boost confidence in the quality of the milk, therefore increasing the milk sales. This is the fifth year that the honor has been bestowed on Vermont.

The criteria each farm must meet in order to receive this award are extremely stringent. According to the Vermont Department of Agriculture, Food, and Markets, the farms must include: clean and attractively finished buildings; neat landscaping, ditches, roads, and lanes; and well-maintained fences. Also taken into account are the conditions of other aspects of the farm operations such as cleanliness of animals, the barnyard, feed areas and manure management. This is a great feat considering that the average farm in Vermont is 217 acres.

Vermont is fortunate to have so many citizens who hold such pride in the presentation of their farms. I offer my congratulations to all of the farms that received the Dairy of Distinction Award, and may they be a shining example to all of the farms in Vermont. The winners are:

ADDISON COUNTY

Ernest, Earl, and Eugene Audet, Earl, Alan, and Edward Bessette, Herman and Gretta Buzeman, Paul Bolduc, Eric Clifford, Jeffery and Mary Demars, John and Rusty Forgues, Gerardies Gosliga, Dean Jackson, Peter James, Gerrit and Hank Nop, Thomas Pyle, Richard and Jodie Roorda, Tom and Shaina Roorda, Gerald and Judy Sabourin, Raymond Van Der Way, Loren and Gail Wood.

CALENDONIA COUNTY

William and Edith Butler, Paul and Rosemary Gingue, David and Mary Rainey, Bruce and Catherine Roy, Bebo and Lori Webster, Mary Kay and Dennis Wood.

CHITTENDEN COUNTY

June, Charles, and Mark Bean; David and Kate Cadreact; David and Kim Conant; Claude and Gail Lapierre; Donald Maynard; Larry and Julie Reynolds.

ESSEX COUNTY

Hans and Erika Baumann; James Fay; K. Dean and Claudette Hook; William F. and Ursula S. Johnson; Louis and Nancy Lamoureux; Bernard Routhier; Stephen and Carla Russo.

FRANKLIN COUNTY

Kristen Ballard; Robert A. Beaulieu; Scott Bessette; Germain Bourdeau; Robert E. Brooks; Richard and Andrew Brouillette; Ricky Doe and Alan Chagnon; Fournier Family; Wayne and Nancy Fiske; Gary and Olive Gilmond; Patrick Hayes; Paul and Karen Langelier; Robert, David and Sandra Manning; Ronald Marshall; Jacques and Mariel Parent; Philip and Suzanne Parent; Robert and Linda Parent; John Carman and Everett Shonyo; Paul and Linda Stanley; Garry and Eileen Trudell; David Williams.

GRAND ISLE COUNTY

Joyce B. Ladd; Louis E. Sr. and Anna S. Martell; Andrew and Ellen Paradee; Roger and Clair Rainville.

LAMOILLE COUNTY

Frederich B. Boyden; Russell Lanphear.

ORANGE COUNTY

Katherine Burgess; Karen Galayda and Tom Gilbert; Herbert and Beverly Hodge; Alan Howe; Robert and Anne Howe; Linwood Jr. and Gordon Huntington; Paul and Martha Knox; Larry and Sue Martin; Ron Saldi; David P. and Louise B. Silloway; Scott and Fred Smith Steve; Lynn and Alice Wakefield.

ORLEANS COUNTY

Robert and Michelle Columbia; Paul and Nancy Daniels; Bryan and Susan Davis; Andrew and Kathy DuLaBruere; Robert Judd; Roger and Deborah Meunier; Richard and Helen Morin.

RUTLAND COUNTY

Martha Hayward; Neal and Julanne Sharrow; Holly Young.

WASHINGTON COUNTY

David and Susan Childs; Austin C. Cleaves; Everett and Kendall Maynard; Stuart and Margaret Osha; Douglas H. and Sharon A. Turner.

WINDHAM COUNTY

R. Edward Hamilton; Steve and Terry Morse; Alan Smith; Leon and Linda and Roy and Vanessa; Robert Wheeler.

WINDSOR COUNTY

Robert and Elizabeth Kennett Robert A.; and Gail J. Ketchum; James Lewis; Amy M. Richardson.●

THE 60TH BIRTHDAY OF MR. ROBERT GILLETTE

● Mr. ABRAHAM. Mr. President, on June 16th, 2000, a very dear friend of mine, Mr. Robert Gillette, will celebrate his 60th birthday. I rise today to commemorate this occasion, and to honor a wonderful man who has worked extremely hard to improve living conditions for seniors throughout the State of Michigan.

Mr. Gillette is the president of American House, an organization that owns

and operates 24 housing facilities for seniors in the metropolitan Detroit area. American House strives to be the most outstanding affordable senior housing organization in the State of Michigan, and to provide all seniors, regardless of their income, with quality services and care. The organization is founded on the principle that individuals are entitled to living with dignity and with freedom as they enjoy the later years of their lives.

Recently, I have had the privilege of working with Mr. Gillette on an issue that is of utmost importance to the seniors of Michigan—affordable senior housing. At certain American House locations, a program has been developed which utilizes two assistance programs available to seniors. A Michigan State Housing Development Authority tax credit provides qualified applicants with a tax credit and rent subsidies, based on income limitations. In addition, the federally funded Medicaid Waiver Program, which has been in effect since the early 1990's assists qualified applicants in paying for housework, meals, and personalized care services in a home environment.

Mr. President, taking advantage of these two government subsidy programs has the potential to narrow the gap in housing prospects that exists between low, middle, and high-income seniors. It will provide many seniors, who otherwise would be forced to move into publicly-funded nursing homes, with the ability to remain in assisted living programs like that which American House offers. It is a wonderful program with enormous potential.

Combining these programs to assist seniors was the idea of Bob Gillette. This is the kind of work that he does every day. He is always thinking about how to make the lives of people around him better. His enthusiasm for his job and his genuine interest in the people around him make others want to help him.

Anyone who knows Bob will tell you that he is a wonderful person. I consider it a privilege to have him as a friend. He is truly a remarkable man. On behalf of the entire United States Senate, I wish Bob Gillette a happy 60th birthday, and best of luck in the future.●

TRIBUTE TO THE TELEPHONE PIONEERS OF AMERICA

● Mr. L. CHAFEE. Mr. President, I want to take a moment to pay tribute to the Telephone Pioneers of America. This tremendous volunteer organization has provided 40 years of volunteer labor service to the repair of talking-book machines for the National Library Service for the Blind and Physically Handicapped of the Library of Congress, Washington, D.C. Since 1960, the Pioneers have provided over $70 million worth of volunteer labor and have repaired nearly 2 million machines. More than a half-million blind and physically disabled individuals benefit from this outstanding volunteer repair service. In Rhode Island alone, Pioneers have volunteered 27,186 hours and repaired 17,146 machines since 1986.

The Pioneers are a good-will organization of a million people. This international organization is led by President Irene Chavira of U.S. West, Senior Vice President, Harold Burlingame of AT&T, and Executive Director and Chief Operating Officer James Gadd of Bell South. The organization is further supported by countless special people who make up the association, headquarters advisory board, and sponsoring companies.

Concerning the talking-book program itself, there are 1,500 Pioneer men and women who work on talking-book repair. They consist of volunteer personnel from AT&T, Bell Atlantic, Bell South, Lucent Technologies, Southwestern Bell Corporation, SBC, Communications, Inc., and U.S. West. They are ably supported by their Pioneer Vice Presidents and are also ably assisted by regional coordinators.

Through the generosity of the sponsoring companies, talking-book repair Pioneers are provided facilities in which they repair the equipment. Further, they are provided funding for tools, while the National Library Service for the Blind and Physically Handicapped provides testing equipment and parts for necessary repairs. The Pioneer organization also ensures talking-book coordinator leadership, including administrative support, management support for the program, and funding for travel to training and for recognition events.

The talking-book machines provided by the National Library Services to blind and visually impaired Americans are nothing less than a lifeline. Profound vision loss and blindness can seem like an insurmountable obstacle to what most of us take for granted, reading. We live in the information age, but for blind and visually impaired individuals, most information would be out of reach if it were not for the availability of specially designed talking-book machines. With talking-book machines, and other forms of assistive technology, blind boys and girls, men and women are reading for pleasure, for academic achievement, and for professional advancement.

Volunteerism is one of the greatest of all American virtues, and most who given their time for the benefit of others, do so without hope of fanfare. The Telephone Pioneers of America truly have sounded a clarion call for all other volunteer organizations to follow by responding to those in need, and I commend them for it.●

DEATH OF JEFF MACNELLY

● Mr. FITZGERALD. Mr. President, readers of the Chicago Tribune and newspapers across America suffered a great loss last Thursday when legendary political cartoonist Jeff MacNelly lost his battle with lymphoma. He was 52.

Jeff MacNelly was one of the giants of modern political commentary. In this era of multi-media communication, round-the-clock news, and ubiquitous political punditry, Jeff offered a fresh and witty perspective on local and national affairs.

It has been said that a picture is worth a thousand words. But Jeff MacNelly was a master, and his were worth more. No matter what the issue, no matter who the subject of his praise of caustic criticism, Jeff had a way of making his point and making you laugh at the same time. That was his gift.

Born in New York City in 1947, Jeff MacNelly knew he was meant to draw. He left college during his senior year in 1969 to pursue a career as a political cartoonist, and accepted a job with a weekly newspaper in Chapel Hill, North Carolina. Jeff won his first Pulitzer Prize in 1972 at age 24, and two more followed in 1978 and 1985. His legendary comic strip ''Shoe,'' which he continued for the rest of his life, was born in 1977. By the time Jeff passed away last week, ''Shoe'' was syndicated in over 1,000 publications nationwide. Jeff briefly decided to retire his pen in 1981, but, missing the excitement of politics and the daily news business, was lured back into action in 1982 by the Chicago Tribune. He worked at the Tribune until his death.

For nearly 30 years, Jeff MacNelly entertained and informed us with his unique blend of humor and political insight. He died young, but left his mark—literally and figuratively—on the entire world.●

RECOGNITION OF MARK LAMPING

● Mr. BOND. Mr. President, I rise today to honor Mark Lamping, President of the St. Louis Cardinals. Today, the St. Louis Catholic Youth Council presented its Annual Achievement Award for the year 2000 to Mr. Lamping. His tenure as head of the Cardinals has seen a 1996 Central Division championship, a return to postseason play for the first time since 1987, and a complete renovation of Busch Stadium. In 1999, his dedication as President enabled the Cardinals to receive the honor of Major League Baseball's Fan Friendly team by the United Sports Fans of America for the Cardinals' outstanding efforts at making the ballpark a more enjoyable, affordable, and memorable experience for the paying public.

In February of 1994, after serving for five years as Anheuser-Busch's group Director of Sports Marketing, Mr. Lamping was appointed Commissioner of the Continental Basketball Association. While in this position, Mr. Lamping managed the company's TV and radio sports marketing activities for all Anheuser-Busch beer brands, including sponsorship agreements with the Olympics, World Cup, the National

Hockey League, the National Football League, the National Basketball Association, and all other major professional sports.

Mr. Lamping's accomplishments are not limited to the realm of sports; he also gained experience in the corporate world. In 1981, Mr. Lamping joined the Anheuser-Busch family and began his work as a financial analyst within the company's corporate planning division. He then moved on to serve as the District Manager in Southern Illinois and Central Iowa. In addition to these responsibilities, Mr. Lamping served as the Senior Brand Manager for New Products and the Director of Sales Operations.

Mr. Lamping has also added a number of civic and charitable activities to his resume, including the St. Louis Sports Commission Board of Directors, the St. Louis University Business School Board of Directors, and the SSM Health Care Central Regional Board. He has served on the Board of Directors for the Roman Catholic Orphan Board, the Boone Valley Classic Foundation, the St. Louis Cardinals Community Fund, as well as Chairperson of the Make-A-Wish Foundation Golf Classic in 1997, 1998, and 1999, Chairman of the Old Newsboys Day for Children's Charities, and as the Chairperson for 1999 St. Louis papal visit.

In 1998, Mr. Lamping received the Man of the Year honor from the St. Louis Chapter of Sudden Infant Death Syndrome Resources. That same year he received the James O'Flynn Award from St. Patrick's Center in recognition of his hard work to help fight homelessness in the St. Louis area. Also, Mr. Lamping was recently inducted into the Vianney High School Hall of Fame.

The holder of a bachelor's degree in accounting from Rockhurst College of Kansas City and a master's degree in business administration from St. Louis University, Mr. Lamping is husband to Cheryl and father to three children—Brian, Lauren, and Timothy.

St. Louis is lucky to count as a resident a man so dedicated to his native community. It is my honor and pleasure to congratulate Mr. Mark Lamping on his outstanding success as a Missouri citizen and as this year's recipient of the Catholic Youth Council's Annual Achievement Award.●

BEST HARVEST BAKERY

● Mr. BROWNBACK. Mr. President, I rise to recognize a significant minority enterprise in my home state of Kansas. The venture is Best Harvest Bakery, and its founders are two highly capable and energetic African-American businessmen, Bob Beavers, Jr. and Ed Honesty. Best Harvest is supplying hamburger buns to 560 McDonald's restaurants throughout the Midwest and will supply a new type of soft roll to the U.S. military. As minority suppliers to McDonald's, Bob and Ed join a growing force that last year provided over $3 billion in goods and services to the system.

Bob and Ed got their start as McDonald's employees and rose through the ranks to senior positions. Bob started as crew and attained the rank of senior vice president and a position on McDonald's board of directors. Ed joined the company right out of law school and became managing counsel for the Great Lakes Region. Last year, the two left their secure positions to become independent entrepreneurs and suppliers to the company. Bob and Ed chose to locate in Kansas City, Kansas because, as they said, it is ''the heart of the bread basket.'' I along with many others in my home state welcome them and Best Harvest's contribution to our thriving economy.

Mr. PRESIDENT, I ask that this article on Bob Beavers and Ed Honesty, published in the April 2000, issue of Franchise Times, be placed in the RECORD, and I encourage my colleagues to read the account of these two outstanding African-Americans and their evolving relationship with McDonald's, which has again demonstrated its commitment to diversity.

[From the Franchise Times, Apr. 2000]

FORMER EXECS SWITCH TO SUPPLY SIDE

(By Nancy Weingartner)

Robert M. Beavers Jr. Started as a part-time McDonald's worker earning $1 an hour. At his girlfriend's suggestion, he took the job during his junior year at George Washington University, because it was close to where she lived. He became an intricate part of the franchisee's business and when it was sold, corporate asked him to come to Oak Brook. In his 36-year career with McDonald's, he climbed the ladder to a senior vice president position and was responsible for bringing hundreds of minority franchisees into the system. He was also the first African American on the hamburger giant's board of directors.

Edward Honesty Jr. joined McDonald's right out of law school. He worked his way up to managing counsel for the Great Lakes Region, helped start the Business Counsel Program and was a frequent attendee and speaker at the American Bar Association's Forum on Franchising and the International Franchise Association's Legal Symposium.

So why would two men who were at the top of their game decide to give up their expense accounts and their impressive titles to become suppliers?

In one word—entrepreneurship.

It was because of their contacts at McDonald's and the fact that they knew the system so well, they were able to put together a deal where everyone could rise to the top.

''We look at the McDonald's system as a three-legged stool,'' Beavers said. Each leg—corporate, franchisees and suppliers—are necessary in order to keep the stool on its feet. ''No one has been all three,'' Beavers said. Until now.

Beavers is part of an investment group, including Berkshire Partners, that purchased Fresh Start Bakeries from the Campbell Soup Company in 1999. Fresh Start's 14 bakeries worldwide supply 24 percent of McDonald's restaurants in the U.S., 64 percent of the Latin America restaurants and 14 percent of those in Europe. Beavers will serve as a director of Fresh Start. In addition, Beavers and Honesty purchased a majority interest in the Kansas City bakery and formed a joint venture with Fresh Start. Honesty is president and chief operating officer and Beavers is chairman and CEO.

They chose buns because it's a core product that McDonald's uses in large quantities, and the Kansas City location because it's in ''the heart of the bread basket'' and close to the McDonald's restaurants they supply.

While McDonald's is their largest customer, they don't have a written contract. All arrangements with suppliers at McDonald's are by a handshake, Beavers said. That's the way Ray Kroc started doing business in 1955 and the way the company still does it, he said. ''We (suppliers) have to do our part, they (corporate) have to do their part. It makes for a powerful relationship,'' he said.

Structuring the deal with a handshake has served McDonald's well, Beavers said, and ''that's the spirit (in which) I want to grow our business.''

LEAVING CORPORATE

Part of the reason Honesty was able to join Beavers in the endeavor with a minimum amount of trepidation was that they were able to get McDonald's ''blessing'' before leaping. Both knew that being a supplier to McDonald's was a win-win deal.

Honesty had put together a blue binder with his mission statement, attributes and financials and took it to McDonald's purchasing department a couple of years before the Fresh Start deal materialized. He let it be known, he said, that he was interested in becoming a supplier for McDonald's.

Meanwhile, Beavers was also looking for a change of pace. When he heard about the bakery opportunity, he spoke to the head of McDonald's, Jack Greenberg, who Beavers said thought it was a great opportunity.

It was a great opportunity for Honesty also, who invested his life's savings and stock options in his quest for the entrepreneurial life. He moved his family, a son, 15, and a daughter, 11, from the Chicago area to Kansas City, necessitating his wife to give up her prestigious job as a medical director for Advocate Health Care.

Was he nervous? ''I didn't dwell on the nervousness or the 'what ifs,'" he said. ''I hope to remain nervous forever, I don't want to get complacent; I need to maximize my potential. I'm just where I want to be—slightly over my head,'' he said.

Because of their positive experiences with McDonald's both men knew they wanted to remain in the family. Their training at McDonald's, including sweeping the floors and learning how to make a hamburger, prepared them to build their company based on McDonald's winning recipe.

Beavers' experience on the board for 19 years gave him a ''good understanding of how a public company is run and great insight into developing a brand.''

Honesty's dealing with the legal side of the business taught him about fairness and how to settle problems at the business table rather than in court. In business, he said, you're in it for the long haul, and the ones you met on the way up are the same ones you'll meet on the way down,'' he contends.

While McDonald's will always be their No. 1 customer—''Always dance with the one who brung you.'' Honesty quips—Great Harvest has room in its production schedule to develop other business. One contract they've won is with the U.S. military to develop a soft roll that can be used as rations during the military's war games. ''It's an exotic, tough bun to make,'' Honesty said, but could prove to be a lucrative one now that they've got the military specs down pat. They're also looking into doing private labeling for supermarkets, Beavers said.

One thing the pair wants to ensure down the road is that the bakery remains a minority venture, Honesty said. Beavers welcomes

the opportunity to bring two of his four grown children into the company. And even though they've left their corporate jobs, they still consider themselves a part of McDonald's extended family. A very important leg on that three-legged stool that keeps McDonald's centered.

''We've got a passion for McDonald's,'' Honesty said.

THE BUN PART OF THE BUSINESS

Name: Best Harvest Bakeries

Location: Kansas City, Kansas

Production capacity: 3,000 dozen buns an hour, 17 million dozen buns, or soft rolls, a year

Shifts: Five days a week for three shifts

Size: 32,000 square feet

Employees: about 47

Customers: 560 McDonald's restaurants, the U.S. Military, which just awarded Best Harvest a contract to make a bun that serves as rations during military ''war games'' (all the oxygen is taken out of the package so the bun stays fresh for three years).

Goal: ''To become the premier supplier of grain-based products having outstanding quality in a service environment that exceeds our customers' expectations while ensuring that our customers receive unsurpassed value from our relationship.''●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ENTITLED ''THE WEKIVA RIVER ROCK SPRING RUN AND SEMINOLE CREEK''—MESSAGE FROM THE PRESIDENT—PM 113

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources.

To the Congress of the United States:

I take pleasure in transmitting the enclosed report for the Wekiva River and several tributaries in Florida. The report and my recommendations are in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90–542, as amended. The Wekiva study was authorized by Public Law 104–311.

The National Park Service conducted the study with assistance from the Wekiva River Basin Working Group, a committee established by the Florida Department of Environmental Protection to represent a broad spectrum of environmental and developmental interests. The study found that 45.5 miles of river are eligible for the National Wild and Scenic Rivers System (the ''System'') based on free-flowing character, good water qualify, and ''outstandingly remarkable'' scenic, recreational, fish and wildlife, and historic/cultural values.

Almost all the land adjacent to the eligible rivers is in public ownership and managed by State and county governments for conservation purposes. The exception to this pattern is the 3.9-mile-long Seminole Creek that is in private ownership. The public land managers strongly support designation while the private landowner opposes designation of his land. Therefore, I recommend that the 41.6 miles of river abutted by public lands and as described in the enclosed report be designated a component of the System. Seminole Creek could be added if the adjacent landowner should change his mind or if this land is ever purchased by an individual or conservation agency who does not object. The tributary is not centrally located in the area proposed for designation.

I further recommend that legislation designating the Wekiva and eligible tributaries specify that on-the-ground management responsibilities remain with the existing land manager and not the Secretary of the Department of the Interior. This is in accordance with expressed State wishes and is logical. Responsibilities of the Secretary should be limited to working with State and local partners in developing a comprehensive river management plan, providing technical assistance, and reviewing effects of water resource development proposals in accordance with section 7 of the Wild and Scenic Rivers Act.

We look forward to working with the Congress to designate this worthy addition to the National Wild and Scenic River System.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 13, 2000*.

MESSAGE FROM THE HOUSE

At 12:25 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3995. An act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4387. An act to provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by the voters of the District of Columbia.

H.R. 4504. An act to make technical amendments to the Higher Education Act of 1965.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

That the following Members be the managers of the conference on the part of the House:

For consideration of the House bill, and division A of the Senate amendment, and modifications committed to conference: Mr. HOBSON, Mr. PORTER, Mr. TIAHRT, Mr. WALSH, Mr. MILLER of Florida, Mr. ADERHOLT, Ms. GRANGER, Mr. GOODE, Mr. YOUNG of Florida, Mr. OLVER, Mr. EDWARDS, Mr. FARR of California, Mr. BOYD, Mr. DICKS, and Mr. OBEY.

For consideration of division B of the Senate amendment, and modifications committed to conference: Mr. YOUNG of Florida, Mr. REGULA, Mr. LEWIS of California, Mr. ROGERS, Mr. SKEEN, Mr. CALLAHAN, Mr. OBEY, Mr. MURTHA, Ms. PELOSI, and Ms. KAPTUR.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent; and referred as indicated:

H.R. 3995. An act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government; to the Committee on Governmental Affairs.

H.R. 4504. An act to make technical amendments to the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

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–9198. A communication from the Chairman of the National Science Board, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9199. A communication from the Chairman of the Federal Housing Finance Board, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9200. A communication from the Secretary of Labor, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9201. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000 ; to the Committee on Governmental Affairs.

EC–9202. A communication from the Corporation For National Service, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9203. A communication from the Chairman of the Board of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through

March 31, 2000 ; to the Committee on Governmental Affairs.

EC–9204. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9205. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9206. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9207. A communication from the Chairwoman of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9208. A communication from the Executive Director of the Securities and Exchange Commission, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9209. A communication from the Chairman and Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–9210. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of General Accounting Office reports issued or released in April 2000; to the Committee on Governmental Affairs.

EC–9211. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Performance Plan for fiscal year 2001; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, without an amendment:

S. 1967: A bill 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, and for other purposes (Rept. No. 106–307).

By Mr. SHELBY, from the Committee on Appropriations, without amendment:

S. 2720: An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HUTCHINSON:

S. 2713. A bill to amend title 23, United States Code, to require States to use Federal highway funds for projects in high priority corridors, and for others; to the Committee on Commerce, Science, and Transportation.

By Mrs. LINCOLN (for herself, Mr. HATCH, Mr. HUTCHINSON, Mr. JEFFORDS, and Mr. BREAUX):

S. 2714. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income; to the Committee on Finance.

By Mr. TORRICELLI:

S. 2715. A bill to amend title 18, United States Code, with respect to ballistic identification of handguns; to the Committee on the Judiciary.

By Mr. CAMPBELL:

S. 2716. A bill to prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule relating to the hours of service of drivers for motor carriers; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 2717. A bill to amend the Internal Revenue Code of 1986 to gradually increase the estate tax deduction for family-owned business interests; to the Committee on Finance.

By Mr. SMITH of New Hampshire:

S. 2718. A bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings; to the Committee on Finance.

By Mr. CAMPBELL (for himself, Mr. HATCH, and Mr. INOUYE):

S. 2719. A bill to provide for business development and trade promotion for Native Americans, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHELBY:

S. 2720. An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. THOMAS (for himself, Mr. SHELBY, Mr. REID, Mr. BREAUX, and Mr. CONRAD):

S. 2721. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for lobbying expenses in connection with State legislation; to the Committee on Finance.

By Mr. AKAKA (for himself and Mr. LEVIN):

S. 2722. A bill to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith; considered and passed.

By Mr. INHOFE:

S. 2723. A bill to amend the Clean Air Act to permit the Governor of a State to waive oxygen content requirement for reformulated gasoline, to encourage development of voluntary standards to prevent and control releases of methyl tertiary butyl ether from underground storage tanks, to establish a program to phase out the use of methyl tertiary butyl ester, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JEFFORDS:

S. 2724. A bill to direct the Secretary of the Army to carry out an assessment of State, municipal, and private dams in the State of Vermont and to make appropriate modifications to the dams; to the Committee on Environment and Public Works.

By Mr. SMITH of New Hampshire (for himself, Mr. DURBIN, Mr. KERREY, Mr. LAUTENBERG, and Mr. JEFFORDS):

S. 2725. A bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAYH (for himself, Mr. DOMENICI, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BINGAMAN, Mr. BOND, Mr. BREAUX, Mr. BROWNBACK, Mr. L. CHAFEE, Mr. DODD, Mr. EDWARDS, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. INHOFE, Mr. JOHNSON, Mr. KERREY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MURKOWSKI, Mr. SMITH OF NEW HAMPSHIRE, Mr. STEVENS, Mr. THURMOND, and Mr. VOINOVICH):

S.Res. 322. A resolution encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as ''Responsible Father's Day''; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. LINCOLN (for herself, Mr. HATCH, Mr. HUTCHINSON, Mr. JEFFORDS, and Mr. BREAUX):

S. 2714. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income; to the Committee on Finance.

THE HOME OWNERSHIP MADE EASY (HOME) ACT

Mrs. LINCOLN. Mr. President, today I am introducing the Home Ownership Made Easy (HOME) Act, which will expand home ownership opportunities for low- and moderate-income, first-time home buyers.

Providing affordable, fair, and quality housing for all people is important. Home ownership is not only the American Dream, it also increases pride in community, schools, and safety. Too often, however, American workers who make too much money to qualify for public assistance and too little money to afford a home on their own are stuck in the middle. These families are stuck in substandard housing or in neighborhoods that are far from their jobs. Fortunately, in the early 1980's, Congress established the Mortgage Revenue Bond (MRB) program, which allowed state and local governments to issue tax-exempt bonds to finance mortgages at below-market interest rates to first-time home buyers. Unfortunately, as sometimes happens in government programs, administrative barriers have rendered the program less effective in recent years.

The Internal Revenue Service and the Department of Housing and Urban Development have been unable to collect and maintain statistical data on average area purchase prices in all states. In Arkansas for instance, the MRB Program is based on an average area purchase price that was established in 1993. This means that, while housing prices are going up, the

threshhold for homeowners to qualify for an MRB loan has stayed the same.

The HOME Act reduces the administrative burden on the Internal Revenue Service and the Department of Housing and Urban Development. It will allow state and local housing finance agencies to use a multiple of income limits, which are readily available and updated annually. Relying on already established MRB income requirements is a natural fit because families generally purchase homes within their income range.

The Mortgage Revenue Bond program is a state administered program that works. The HOME Act will continue to expand the MRB's track record and success.

Mr. President, I ask unanimous consent that the text of this legislation be printed in full in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2714

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

SECTION 1. INCREASE IN PURCHASE PRICE LIMITATION UNDER MORTGAGE SUBSIDY BOND RULES BASED ON MEDIAN FAMILY INCOME.

(a) IN GENERAL.—Paragraph (1) of section 143(e) of the Internal Revenue Code of 1986 (relating to purchase price requirement) is amended to read as follows:

''(1) IN GENERAL.—An issue meets the requirements of this subsection only if the acquisition cost of each residence the owner-financing of which is provided under the issue does not exceed the greater of—

''(A) 90 percent of the average area purchase price applicable to the residence, or

''(B) 3.5 times the applicable median family income (as defined in subsection (f)(4)).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

By Mr. TORRICELLI:

S. 2715. A bill to amend title 18, United States Code, with respect to ballistic identification of handguns; to the Committee on the Judiciary.

BALLISTICS FINGERPRINTS ACT OF 2000

• Mr. TORRICELLI. Mr. President, I rise today to introduce the ''Ballistics Fingerprints Act of 2000'' which will help reduce gun violence in our communities. Despite recent progress in reducing gun violence, the number of people killed or injured each year in this country remains too high. Each year more than 32,000 Americans are killed by gunfire. This means that each day, almost 90 Americans, including almost 12 young people under the age of 19, die from gunshot wounds. For each fatal shooting, three more people are injured by gunfire. These grim statistics require all of us to do more to further reduce gun violence.

History has shown that coordinated law enforcement strategies involving the public and private sector are the most effective tools in reducing gun violence. This includes targeting the illegal shipment of firearms and implementing strategies to keep guns out of the hands of criminals. It also includes using advanced technologies, such as computer ballistic imaging, to assist law enforcement in investigating and identifying violent criminals.

Like fingerprints, the barrel of a firearm leaves distinguishing marks on a bullet and cartridge case and no two firearms leave the same marks. Computer ballistic imaging technology allows these distinguishing marks or characteristics to be maintained in a database where they can be rapidly compared with evidence from a crime scene for possible matches. The ATF and FBI have been using this technology since 1993 to help state and local crime laboratories across the country link gun-related crimes and recently these agencies entered into an agreement to create one unified system. In 1999 alone, a total of 2,026 matches were made with this unified system which represents the linkage of at least 4,052 firearm related crimes.

The ''Ballistice Fingerprints Act'' would take this innovative approach to crime fighting one step further by creating a national registry of ballistic fingerprints. Under this legislation, every gun manufacturer will be required to obtain the ballistic fingerprints or identifying characteristics for every gun manufactured prior to distribution so that guns used in the commission of a crime can be easily traced and identified. The bill also requires the Department of Treasury to inspect this information and create a national registry of ballistic fingerprints. With the help of this information, police will be better able to locate and identify the guns used in criminal activity and to prosecute the criminals who use these guns.

The saturation of guns in American communities and the frequency of gun related violence calls upon all us to do more to combat gun related violence. Common sense tells us that one way to further reduce firearm violence is to identify the guns used in committing these crimes so that the criminals who use these can be brought to justice. Regardless of where one stands on gun control, we all should be able to unite behind this simple but highly effective crime fighting tool. I look forward to working with my colleagues to see this legislation enacted into law.

Mr. President, I ask unanimous consent that the full text of the legislation appear in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2715

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 ''Ballistic Fingerprints Act of 2000''.

SEC. 2. HANDGUN BALLISTIC IDENTIFICATION.

(a) IN GENERAL.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

''(m) HANDGUN BALLISTIC IDENTIFICATION.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'projectile' means the part of handgun ammunition that is, by means of an explosion, expelled through the barrel of a handgun; and

''(B) the term 'shell casing' means the part of handgun ammunition that contains the primer and propellant powder to discharge the projectile.

''(2) INCLUSION OF HANDGUN IDENTIFIERS IN MANUFACTURER SHIPMENTS.—A licensed manufacturer shall include, in a separate sealed container inside the container in which a handgun is shipped or transported to a licensed dealer—

''(A) a projectile discharged from that handgun;

''(B) a shell casing of a projectile discharged from that handgun; and

''(C) any information that identifies the handgun, projectile, or shell casing, as may be required by the Secretary by regulation.

''(3) REQUIREMENTS RELATING TO DEALERS.—A licensed dealer shall—

''(A) upon receipt of a handgun from a licensed manufacturer, notify the Secretary regarding whether the manufacturer complied with the requirements of paragraph (2); and

''(B) upon the sale, lease, or transfer of a handgun shipped or transported in accordance with paragraph (2), transfer to the Secretary the sealed container included in the container with the handgun pursuant to that paragraph.

''(4) DUTIES OF SECRETARY.—The Secretary shall establish and maintain a computer database of all information identifying each projectile, shell casing, and other information included in a sealed container transferred to the Secretary under paragraph (3).''.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall promulgate final regulations to carry out the amendment made by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the Secretary of the Treasury promulgates final regulations under subsection (b).•

By Mr. CAMPBELL:

S. 2716. A bill to prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule relating to the hours of service of drivers for motor carriers; to the Committee on Commerce, Science, and Transportation.

THE MOTOR CARRIER FAIRNESS ACT OF 2000

Mr. CAMPBELL. Mr. President, today I am introducing the Motor Carrier Fairness Act of 2000. This legislation would prohibit the Secretary of Transportation and Administrator of the Federal Motor Carrier Safety Administration from taking action to finalize, implement, or enforce a rule relating to the hours of service of drivers for motor carriers.

Trucking is the backbone of the U.S. economy. The industry transports approximately 80 percent of the nation's freight, and well over 70 percent of communities in the United States depend solely on trucking to deliver their goods. The hours of service are arguably the single most important rule

governing how trucking companies and truck drivers operate. However, the Department's proposed rules fail to consider the impact of the proposal on the nation's economy as well as the drivers.

The fundamental change in hours is a shift from an 18 hour, to a 24-hour clock. Under DOT's proposed rules, a driver's basic workday would be 12 hours on, 12 hours off with mandatory two consecutive days off. I was amazed to find out that by imposing these changes and increasing the number of off-duty hours DOT creates the need for a 50 percent increase in the number of refrigerated and dry van trucks. This in turn translates into an additional 180,000 drivers and trucks on already crowded roads, just to keep the current economy moving. I know, from speaking to freight carriers in my home state of Colorado, that the job market is already short approximately 80,000 drivers, and these trucking companies are experiencing substantial problems finding the necessary number of drivers for their operations.

There are many reasons why this bill is necessary. For example DOT's proposals would:

Reduce driver's salaries since they are paid per mile. By reducing the overall working time from 15 to 12 hours, salaries will also decrease. A 12-hour day will not allow drivers to take advantage of income opportunities that fluctuating freight volumes provide. Furthermore, as an article in the Denver Post reported today, the mandatory weekend time off could result in thousands of dollars of lost income per year for drivers.

Overcrowded rest stops. There are an estimated 187,000 parking stalls in truck stops around the country and the 2.5 to 3 million Class 8 trucks, and the result is overcrowded rest stops. Most drivers will be forced to use public rest stops, gas stations or even highway ramps to comply with the proposed rules. In fact the DOT held a field hearing yesterday at the Jefferson County Fairgrounds in Colorado. Truckers there specifically warned of the reemergence of thieves, scam artists, and prostitutes who linger around truck stops, preying on resting truckers.

These rules would inevitably crowd the highways with more trucks. Since waiting time at loading docks is considered ''on-duty'' hours, refrigerated carriers will need 70 percent more trucks in order to meet delivery times and dry-freight haulers another 50 percent. This means that 600,000 to 700,000 more trucks will be needed in order to keep with the current delivery pace. In another example from the afore mentioned article, a mozzarella cheese maker in Denver will have to add 23 new truck tractors in order to compensate for the down time of drivers forced to idle because of these new rules. I might also add that this proposal claims to reduce the number of highway fatalities, but as we can see the need to add more trucks to our roads will only increase the possibility of highway accidents occurring. The number of truck related accidents has actually decreased 34 percent in the last 10 years, so we should not allow the DOT to reverse this trend through its proposed rule.

Another area of concern regards the issue of the ''electronic onboard recorders'' that will track the drivers hours. The cost of equipping Type I and II long haul trucks with these devices is most certainly going to be passed on for the companies to bear. These devices, at approximately $1,000 apiece, could put some smaller hauling companies out of business.

Mr. President, I have been and still am a trucker. In fact, I just renewed my commercial drivers license last year. I understand first hand the concerns that most workers in this industry have with the proposed regulations. The trucking industry provides millions of Americans with on-time delivery. Our economy is dependent on this, and I believe that these proposed rules have not taken the impact of this aspect into consideration.

The cost of DOT's plan is not limited to the trucking industry as a whole, but will disrupt our nation's supply chain which consequentially will have a ripple effect on the rest of our economy, not to mention American jobs. Therefore, I urge my colleagues to join in support of this legislation.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2716

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 ''Motor Carrier Fairness Act of 2000''.

SEC. 2. PROHIBITION OF ACTION TO FINALIZE, IMPLEMENT, OR ENFORCE RULE ON HOURS OF SERVICE OF DRIVERS.

Neither the Secretary of Transportation nor the Administrator of the Federal Motor Carrier Safety Administration may take any action to finalize, implement, or enforce the proposed rule entitled ''Hours of Service of Drivers'' published by the Federal Motor Carrier Safety Administration in the Federal Register on May 2, 2000 (65 Fed. Reg. 25539), and issued under authority delegated to the Administrator under section 113 of title 49, United States Code.

By Mr. THOMAS:

S. 2721. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for lobbying expenses in connection with State legislation; to the Committee on Finance.

GRASSROOTS ADVOCACY TAX

• Mr. THOMAS. Mr. President, today I introduce legislation, along with my colleagues Senators SHELBY, BREAUX, CONRAD and REID to make it easier for Americans to participate in the decision-making process in their state capitols. Current tax law denies main street business the ability to deduct legitimate expenses incurred while advocating their positions at the state level of government. This legislation will remove both the financial and administrative penalties imposed by this ''grassroots advocacy tax.''

As part of the Budget Reconciliation Act of 1993, Congress approved a proposal recommended by President Clinton to deny the deductibility of expenses incurred to lobby on legislative issues. As passed, the bill created an ''advocacy tax'' by denying a business tax deduction for expenses incurred to address legislation at both the state and federal levels. Expenses incurred regarding the legislative actions of local governments, however, are exempt from this tax.

When the deductibility for lobbying expenses was partially repealed in 1993, the debate centered on activities at the federal level. The fact that lobbying at the local level is exempt indicates that the original authors of this proposal did not intend to cover all lobbying activities. Although lobbying at the state level was not part of the debate, it was included in the final legislation that was approved by Congress. This grassroots advocacy tax is an unwarranted intrusion of the federal government on the activity of state governments. We should not make it harder for Americans to participate in the decision making process in their state capitols.

At the state level, there is more active outside participation in the legislative process. This is partly because state legislatures have smaller staffs and meet less frequently than the U.S. Congress. In most states, the job of state legislator is part-time. In addition, many governors appoint ''Blue Ribbon Commissions'' and other advisory groups to recommend legislative solutions to problems peculiar to a specific state. These advisory groups depend on input from members of the business, professional and agricultural community knowledgeable about particular issues.

However, the record keeping requirements and penalties associated with this tax discourage and penalize participation in the legislative process by businesses in all fifty states. This is especially true for the many state trade associations, most of whom are small operations not equipped to comply with the pages and pages of confusing federal regulations implementing this law. Compliance is both time consuming and complicated, and detracts from the legitimate and necessary work and services they perform for their members, who are primarily small businesses that depend on these associations to look after their interests.

This bill is very simple. It restores the deductibility of business expenses incurred for activities to deal with legislation at the state level, and gives them the same treatment that exists under current law for similar activities at the local level. This change will help ensure that the voices of citizen advocates and main street businesses will

be heard in their state capitols. It is good legislation and it should be enacted into law.●

By Mr. JEFFORDS:

S. 2724. A bill to direct the Secretary of the Army to carry out an assessment of State, municipal, and private dams in the State of Vermont and to make appropriate modifications to the dams; to the Committee on Environment and Public Works.

VERMONT DAM LEGISLATION

● Mr. JEFFORDS. Mr. President, I rise today to speak of a pressing problem that affects not only the streams and rivers of Vermont, but the land and people who live and work along their winding routes. Vermont is home to over 2,000 dams of all sizes that clog Vermont's 5,000 river miles. Many of these dams were built in the eighteenth and nineteenth centuries, when industries were located along rivers to utilize dams for running machinery, dispose of waste, and transport raw materials and goods. Currently, most of these dams no longer serve any commercial purpose and sit in disrepair, posing a significant safety threat and fundamentally altering the surrounding environment.

There are 150 dams in Vermont listed as either ''high'' or ''significant'' hazard, meaning that the failure of one of these dams presents a real threat to human life, property, and the environment. Last week, a Vermont newspaper highlighted the extreme danger if one of these dams were to fail by describing the 80 feet high wall water that would crash down the river valley if the Waterbury dam were to fail. Such a structural failure would mean that 22 square miles would be flooded, and a 15 foot high wall of water would hit the city of Burlington.

A disaster of this scope would be caused by the breakage of only a few dams across the state, but serious and extensive damage could also be caused by many smaller, similarly weak dams. Not only could damage occur due to failure, but many of the dams pose a significant threat to people using rivers for recreational purposes. The dams contain broken concrete, protruding metal, rotted timber cribbing and other hazards that threaten fisherman, boaters and swimmers with a serious threat of injury or death.

Not only are people and property at risk, but significant harm is being inflicted on the environment. Dams alter the basic characteristics of the rivers in which they are constructed and directly affect the features that comprise a riverine habitat. Non-functioning dams unnecessarily block wildlife, including fish that are attempting to migrate to spawn.

The Vermont Dam Remediation and Restoration Program allows the Army Corps of Engineers to enter into partnership with State, municipal, and private dam owners to assess and modify dams. The expertise and resources of the Corps would provide the much needed assistance to dam owners who would otherwise be unable to properly assess and modify dangerous, structurally unsound or environmentally harmful dams. I urge my colleagues to join me in addressing this critical problem and quickly pass this much needed authorizing legislation.●

By Mr. SMITH of New Hampshire (for himself, Mr. DURBIN, Mr. KERREY, Mr. LAUTENBERG, and Mr. JEFFORDS):

S. 2725. A bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

CHIMPANZEE HEALTH IMPROVEMENT, MAINTENANCE AND PROTECTION ACT

● Mr. SMITH of New Hampshire. Mr. President, today I rise along with Senators DURBIN, KERREY, LAUTENBERG, and JEFFORDS to introduce the Chimpanzee Health Improvement, Maintenance and Protection (C.H.I.M.P.) Act. This legislation will create a nonprofit sanctuary system for housing chimpanzees that federal researchers have decided are no longer needed for their research. Our bill, establishes a public/private matching fund which will provide for the permanent retirement of these animals. This is a wonderful opportunity for the Senate to support the sanctuary concept which is backed by many distinguished scientists, including Dr. Jane Goodall and humane people across the country. Mr. President, in the wild, the chimpanzee is an endangered species. We are fortunate that we have an opportunity now to provide decent, humane care for a species which is, sadly, on the decline in its natural habitat.

At this point in time we have a tremendous surplus of research chimpanzees in the United States. It began in the 1980's, when the terrible AIDS epidemic first appeared. Researchers in Federal agencies created breeding colonies of chimpanzees in five regional chimp centers. The hope was that chimpanzees, because of their genetic similarity to humans, would be a good model for various AIDS vaccine experiments. Scientists discovered, however, that although the chimpanzees proved to be carriers of the virus, that once it was injected into them, the chimps do not develop full-blown AIDS.

For this reason, many researchers are, in their own words, getting out of the chimp business. The chimpanzee does not serve as a model for how the disease progresses in humans and the researchers want to divest themselves of these intelligent animals. The problem is that there is really no place for the chimpanzees to go. Many of the chimps will live to be 50 years old! It is estimated that several hundred of the approximately 1,500 chimps currently in labs are ready to be sent to sanctuaries, but that we lack the sanctuary space to house them.

In a sanctuary the chimps can be put in small groups rather than living in isolation as many do in labs. Small social groups enable the chimps to recover from research more quickly both physically and mentally, and it is far more cost-effective than housing them in the present laboratory system. We should remember that taxpayers are currently footing the bill for what is basically the ''warehousing'' of these animals in expensive and inhumane labs.

I have based many of the features of the C.H.I.M.P. bill on a report entitled ''Chimpanzees in Research: Strategies for Their Ethical Care, Management, and Use,'' that was published in 1997 by the National Research Council. In this study of research chimps, the well-respected National Academy of Sciences (NAS) reported that there may be approximately 500 chimpanzees that are no longer needed in research. The NAS recommended that NIH initiate a breeding moratorium for at least 5 years, that surplus chimps be placed in sanctuaries rather than be euthanized, and that animal protection organizations, along with scientists, have input into the standards of care and the operation of the sanctuaries.

Our bill has addressed all these issues and is supported by The American Society for the Prevention of Cruelty to Animals, The American Anti-Vivisection Society, The Humane Society of the United States, The National Anti-Vivisection Society and The Society for Animal Protective Legislation. I want to again point out that our bill does not interfere with any ongoing medical experiments involving chimps. The bill allows for the retirement of chimps only after the researchers themselves have decided that a chimp is no longer useful in research. This is the humane, ethical, and fiscally responsible way to handle the question of what to do with a surplus of intelligent animals who have contributed to the knowledge of science and the health and well-being of humanity. This really should be a nonpartisan issue and I am proud to ask for the support of all my Senate colleagues.●

ADDITIONAL COSPONSORS

S. 312

At the request of Mr. MCCAIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 312, a bill to require certain entities that operate homeless shelters to identify and provide certain counseling to homeless veterans, and for other purposes.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Arizona (Mr. MCCAIN) 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. 779

At the request of Mr. ABRAHAM, the names of the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. INOUYE), the Senator from Maryland (Ms. MIKULSKI), the Senator from Illinois (Mr. DURBIN), the Senator from Nebraska (Mr. KERREY) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 779, a bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims or their heirs.

S. 879

At the request of Mr. CONRAD, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 879, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain lease hold improvements

S. 1155

At the request of Mr. ROBERTS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1159

At the request of Mr. STEVENS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1191

At the request of Mr. DORGAN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1191, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for facilitating the importation into the United States of certain drugs that have been approved by the Food and Drug Administration, and for other purposes.

S. 1250

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1250, a bill to amend title 38, United States Code, to ensure a continuum of health care for veterans, to require pilot programs relating to long-term health care for veterans, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1438

At the request of Mr. CAMPBELL, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1438, a bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

S. 1459

At the request of Mr. MACK, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 1459, a bill to amend title XVIII of the Social Security Act to protect the right of a medicare beneficiary enrolled in a Medicare+Choice plan to receive services at a skilled nursing facility selected by that individual.

S. 1795

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1795, a bill to require that before issuing an order, the President shall cite the authority for the order, conduct a cost benefit analysis, provide for public comment, and for other purposes.

S. 1874

At the request of Mr. GRAHAM, the name of the Senator from Pennsylvania (Mr. SANTORUM) 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. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 1909

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 1909, a bill to provide for the preparation of a Governmental report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgement of such injustices by the President.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2013

At the request of Mr. MCCAIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2013, a bill to restore health care equity for medicare-eligible uniformed services retirees, and for other purposes.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. CLELAND) 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. 2181

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2181, a bill to amend the Land and Water Conservation Fund Act to provide full funding for the Land and Water Conservation Fund, and to provide dedicated funding for other conservation programs, including coastal stewardship, wildlife habitat protection, State and local park and open space preservation, historic preservation, forestry conservation programs, and youth conservation corps; and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2293

At the request of Mr. SANTORUM, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

At the request of Mr. EDWARDS, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2293, supra.

S. 2330

At the request of Mr. ROTH, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 2407

At the request of Mr. REID, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2407, a bill to amend the Immigration and Nationality Act with respect to the record of admission for permanent residence in the case of certain aliens.

S. 2520

At the request of Mr. JEFFORDS, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 2520, a bill to amend the Federal Food, Drug, and cosmetic Act to allow for the importation of certain covered products, and for other purposes.

S. 2585

At the request of Mr. GRAHAM, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Arkansas (Mrs. LINCOLN), the Senator from California (Mrs. FEINSTEIN), and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 2585, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore

the ability of the States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 2597

At the request of Mr. GORTON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2597, a bill to clarify that environmental protection, safety, and health provisions continue to apply to the functions of the National Nuclear Security Administration to the same extent as those provisions applied to those functions before transfer to the Administration.

S. 2608

At the request of Mr. GRASSLEY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 2608, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers.

S. 2688

At the request of Mr. CAMPBELL, his name was added as a cosponsor of S. 2688, a bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

S. 2690

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2690, a bill to reduce the risk that innocent persons may be executed, and for other purposes.

S.J. RES. 46

At the request of Mr. ROBB, his name was added as a cosponsor of S.J. Res. 46, a joint resolution commemorating the 225th Birthday of the United States Army.

At the request of Mr. REED, his name was added as a cosponsor of S.J. Res. 46, supra.

S. RES. 319

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. Res. 319, a resolution expressing the sense of the Senate that the Senate should participate in and support activities to provide decent homes for the people of the United States, and for other purposes.

AMENDMENT NO. 3175

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3175 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3176

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3176 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3177

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3177 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3292

At the request of Mr. REID, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of amendment No. 3292 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3311

At the request of Mrs. BOXER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 3311 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3312

At the request of Mr. STEVENS, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of amendment No. 3312 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3324

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 3324 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3325

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 3325 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3346

At the request of Mr. ALLARD, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 3346 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3352

At the request of Mr. BIDEN, his name was added as a cosponsor of amendment No. 3352 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3366

At the request of Mr. WELLSTONE, the names of the Senator from California (Mrs. BOXER) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 3366 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3370

At the request of Mr. BIDEN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 3370 intended to be proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3372

At the request of Mr. STEVENS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of amendment No. 3372 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

SENATE RESOLUTION 322—ENCOURAGING AND PROMOTING GREATER INVOLVEMENT OF FATHERS IN THEIR CHILDREN'S LIVES AND DESIGNATING JUNE 18, 2000, AS ''RESPONSIBLE FATHER'S DAY''

Mr. BAYH (for himself, Mr. DOMENICI, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BINGAMAN, Mr. BOND, Mr. BREAUX, Mr. BROWNBACK, Mr. L. CHAFEE, Mr. DODD, Mr. EDWARDS, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. INHOFE, Mr. JOHNSON, Mr. KERREY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MURKOWSKI, Mr. SMITH of New Hampshire, Mr. STEVENS, Mr. THURMOND, and Mr. VOINOVICH) submitted the following resolution; which was considered and agreed to:

S. RES. 322

Whereas 40 percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father's home;

Whereas approximately 50 percent of all children born in the United States spend at least ½ of their childhood in a family without a father figure;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

Whereas many of the United States leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more two-parent, father-involved families to form and endure;

Whereas it is important to promote responsible fatherhood and encourage loving and healthy relationships between parents and their children in order to increase the chance that children will have two caring parents to help them grow up healthy and secure and not to—

(1) denigrate the standing or parenting efforts of single mothers, whose efforts are heroic;

(2) lessen the protection of children from abusive parents;

(3) cause women to remain in or enter into abusive relationships; or

(4) compromise the health or safety of a custodial parent;

Whereas children who are apart from their biological father are, in comparison to other children—

(1) 5 times more likely to live in poverty; and

(2) more likely to—

(A) bring weapons and drugs into the classroom;

(B) commit crime;

(C) drop out of school;

(D) be abused;

(E) commit suicide;

(F) abuse alcohol or drugs; and

(G) become pregnant as teenagers;

Whereas the Federal Government spends billions of dollars to address these social ills and very little to address the causes of such social ills;

Whereas violent criminals are overwhelmingly males who grew up without fathers;

Whereas the number of children living with only a mother increased from just over 5,000,000 in 1960, to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent;

Whereas between 20 percent and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year and between 40 percent and 60 percent of women with children who receive welfare were abused at some time in their life;

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe, loving environments;

Whereas responsible fatherhood should always recognize and promote values of nonviolence;

Whereas child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child;

Whereas children learn by example, community programs that help mold young men into positive role models for their children need to be encouraged;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers but rather to increase the likelihood that children will have 2 caring parents to help them grow up in loving environments; and

Whereas Congress has begun to take notice of this issue with legislation introduced in both the House of Representatives and the Senate to address the epidemic of fatherlessness: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need to encourage active involvement of fathers in the rearing and development of their children;

(2) recognizes that while there are millions of fathers who serve as a wonderful caring parent for their children, there are children on Father's Day who will have no one to celebrate with;

(3) urges fathers to participate in their children's lives both financially and emotionally;

(4) encourages fathers to devote time, energy, and resources to their children;

(5) urges fathers to understand the level of responsibility required when fathering a child and to fulfill that responsibility;

(6) is committed to assist absent fathers become more responsible and engaged in their children's lives;

(7) designates June 18, 2000, as ''National Responsible Father's Day'';

(8) calls upon fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend ''National Responsible Father's Day'' with their children, and to express their love and support for their children; and

(9) requests that the President issue a proclamation calling upon the people of the United States to observe ''National Responsible Father's Day'' with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED ON JUNE 6, 2000

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2000

COLLINS AMENDMENT NO. 3174

Ms. COLLINS proposed an amendment to the bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, which was previously submitted and intended to be proposed by her to the bill (S. 2593) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in title IV of this Act under the heading ''Research, Development, Test and Evaluation, Navy'', up to $2,000,000 may be made available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

COLLINS AMENDMENT NO. 3176

Ms. COLLINS proposed an amendment to the bill, H.R. 4570, supra, which was previously submitted and intended to be proposed by her to the bill, S. 2593, supra; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated in title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $6,000,000 may be made available for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces.

AMENDMENTS SUBMITTED ON JUNE 13, 2000

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2000

LOTT AMENDMENT NO. 3374

(Ordered to lie on the table.)

Mr. LOTT submitted an amendment intended to be proposed by him to amendment no. 3349 proposed by Mr. EDWARDS to the bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the end of the amendment add the following:

DIVISION A

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $27,914,000, of which, $25,000,000, to remain available until expended, shall be available only for the development and implementation of a common computing environment: *Provided*, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the funds made available for the development and implementation of a common computing environment shall only be available upon prior notice to the Committee on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $7,462,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $12,421,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $6,765,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $10,046,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $5,171,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, $629,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, improvement, and repair of Agriculture buildings, $182,747,000, to remain available until expended: *Provided*, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601, et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq., $15,700,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $36,840,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,000,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,568,000: *Provided*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations: *Provided further*, That not less than $2,202,000 shall be transferred to agencies funded by this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,873,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, $66,867,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed $50,000 for employment under 5 U.S.C. 3109; and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $31,080,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $556,000.

ECONOMIC RESEARCH SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $67,038,000: *Provided*, That $1,000,000 shall be transferred to and merged with the appropriation for ''Food and Nutrition Service, Food Program Administration'' for studies and evaluations: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627, Public Law 105–113, and other laws, $100,615,000, of which up to $15,000,000 shall be available until expended for the Census of Agriculture: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $871,593,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 2001, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $56,330,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That funds

may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $180,545,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a–i); $21,932,000 for grants for cooperative forestry research (16 U.S.C. 582a–a7); $30,676,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; $62,207,000 for special grants for agricultural research (7 U.S.C. 450i(c)); $13,721,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); $121,350,000 for competitive research grants (7 U.S.C. 450i(b)); $5,109,000 for the support of animal health and disease programs (7 U.S.C. 3195); $750,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); $650,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), to remain available until expended; $1,000,000 for the 1994 research program (7 U.S.C. 301 note), to remain available until expended; $3,000,000 for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); $4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); $1,000,000 for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); $3,500,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); $3,000,000 for a program of noncompetitive grants, to be awarded on an equal basis, to Alaska Native-serving and Native Hawaiian-serving Institutions to carry out higher education programs (7 U.S.C. 3242); $1,000,000 for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)); $4,000,000 for aquaculture grants (7 U.S.C. 3322); $9,500,000 for sustainable agriculture research and education (7 U.S.C. 5811); $9,500,000 for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); $1,552,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382; and $16,402,000 for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109; in all, $494,744,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American institutions endowment fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $7,100,000: *Provided*, That hereafter, any distribution of the adjusted income from the Native American institutions endowment fund is authorized to be used for facility renovation, repair, construction, and maintenance, in addition to other authorized purposes.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,500,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,695,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $3,400,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $12,400,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $908,000; payments for youth-at-risk programs under section 3(d) of the Act, $9,000,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,192,000; payments for Indian reservation agents under section 3(d) of the Act, $2,500,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,000,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $26,843,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341–349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $12,107,000; in all, $426,504,000: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, $43,541,000, as follows: payments for the water quality program, $13,000,000; payments for the food safety program, $15,000,000; payments for the national agriculture pesticide impact assessment program, $4,541,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, $6,000,000; payments for crops affected by the Food Quality Protection Act implementation, $2,000,000; and payments for the methyl bromide transition program, $3,000,000, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration, $635,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b–c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426–426b); and to protect the environment, as authorized by law, $458,149,000, of which $4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2001, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2001, $87,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of

land as authorized by 7 U.S.C. 428a, $9,870,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $90,000 for employment under 5 U.S.C. 3109, $64,696,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further*, That $639,000 may be transferred to the Expenses and Refunds, Inspection and Grading of Farm Products fund account for the cost of the National Organic Production Program and that such funds shall remain available until expended.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committee on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $13,438,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 for employment under 5 U.S.C. 3109, $27,269,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICE EXPENSES

Not to exceed $42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committee on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $460,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, $678,011,000, of which no less than $578,544,000 shall be available for Federal food inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: *Provided*, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $589,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $828,385,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), $3,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $450,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $559,373,000, of which $431,373,000 shall be for guaranteed loans; operating loans, $2,397,842,000, of which $1,697,842,000 shall be for unsubsidized guaranteed loans and $200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $1,028,000; for emergency insured loans, $25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $15,986,000, of which $2,200,000 shall be for guaranteed loans; operating loans, $84,680,000, of which $23,260,000 shall be for unsubsidized guaranteed loans and $16,320,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $166,000; and for emergency insured loans, $6,133,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $269,454,000, of which $265,315,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the Committee on Appropriations of both Houses of Congress.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), $65,597,000: *Provided*, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2001, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $711,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $714,116,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,990,000 is for snow survey and water forecasting and not less than $9,975,000 is for operation and establishment of the plant materials centers: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), $10,705,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: *Provided further*, That of the funds available for Emergency Watershed Protection activities, $4,000,000 shall be available for Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., section 13 of the Act of December 22, 1994; Public Law 78–534; 58 Stat. 905), and the pilot watershed program authorized under the heading ''FLOOD PREVENTION'' of the Department of Agriculture Appropriation Act, 1954 (Public Law 83–156; 67 Stat. 214).

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $36,265,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $6,325,000, to remain available until expended, as authorized by that Act.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $605,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), $749,284,000, to remain available until expended, of which $53,225,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $634,360,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $61,699,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided*, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking and waste disposal systems pursuant to Section 306C of such Act: *Provided further*, That the Federally Recognized Native American Tribes are not eligible for any other rural utilities program set aside under the Rural Community Advancement Program: *Provided further*, That of the amount appropriated for rural community programs, $6,000,000 shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, and low-income rural communities to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private and public (including tribal) intermediary organizations proposing to carry out a program of technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources in an amount not less than funds provided: *Provided further*, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall

be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; and $2,000,000 shall be for grants to Mississippi Delta Region counties: *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed $20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed $20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to one percent available to administer the program and up to one percent available to improve interagency coordination; not to exceed $16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed $9,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed $42,574,650 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which $8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of administering Rural Development programs as authorized by the Rural Electrification Act of 1936; the Consolidated Farm and Rural Development Act; title V of the Housing Act of 1949; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926 for activities related to marketing aspects of cooperatives, including economic research findings, authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements: $130,371,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 may be used for employment under 5 U.S.C. 3109: *Provided further*, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this account.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,300,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,200,000,000 shall be for unsubsidized guaranteed loans; $32,396,000 for section 504 housing repair loans; $100,000,000 for section 538 guaranteed multi-family housing loans; $114,321,000 for section 515 rental housing; $5,152,000 for section 524 site loans; $7,503,000 for credit sales of acquired property, of which up to $1,250,000 may be for multi-family credit sales; and $5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $215,060,000, of which $38,400,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $11,481,000; section 538 multi-family housing guaranteed loans, $1,520,000; section 515 rental housing, $56,326,000; multi-family credit sales of acquired property, $613,000; and section 523 self-help housing land development loans, $279,000: *Provided*, That of the total amount appropriated in this paragraph, $13,832,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $409,233,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $680,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements entered into or renewed during fiscal year 2001 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

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), $34,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $44,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, $5,000,000 shall be for a housing demonstration program for agriculture, aquaculture, and seafood processor workers: *Provided further*, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $28,750,000, to remain available until expended for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $19,476,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $2,036,000 shall be for Federally Recognized Native American Tribes; and of which $4,072,000 shall be for the Mississippi Delta Region Counties (as defined by Public Law 100–460): *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 of $38,256,000: *Provided further*, That of the total amount appropriated, $3,216,000 shall be available through June 30, 2001, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $3,640,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,911,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2001, as authorized by section 313 of the Rural Electrification Act of 1936, $3,911,000 shall not be obligated and $3,911,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $6,000,000, of which $1,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $1,500,000 of the total amount appropriated shall be made available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $121,500,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $295,000,000; and loans made pursuant to section 306 of that Act, rural electric, $1,700,000,000 and rural telecommunications, $120,000,000; and $500,000,000 for Treasury rate direct electric loans.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, $19,871,000; and cost of municipal rate loans, $20,503,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,716,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2001 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $2,590,000.

In addition, for administrative expenses necessary to carry out the loan programs, $3,000,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $27,000,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas, of which $2,000,000 may be available for a pilot program to finance broadband transmission and local dial-up Internet service in areas that meet the definition of ''rural area'' contained in section 203(b) of the Rural Electrification Act (7 U.S.C. 924(b)): *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $570,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $9,541,539,000, to remain available through September 30, 2002, of which $4,413,960,000 is hereby appropriated and $5,127,579,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That, except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of the funds made available under this heading, up to $6,000,000 shall be for school breakfast pilot projects, including the evaluation required under section 18(e) of the National School Lunch Act: *Provided further*, That of the funds made available under this heading, $500,000 shall be for a School Breakfast Program startup grant pilot program for the State of Wisconsin: *Provided further*, That up to $4,511,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $4,052,000,000, to remain available through September 30, 2002: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of the total amount available, the Secretary shall obligate $15,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional $5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further*, That notwithstanding section 17(h)(10)(A) of such Act, up to $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B), no less than $6,000,000 of which shall be used for the development of electronic benefit transfer systems: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $21,221,293,000, of which $100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); and the Emergency Food Assistance Act of 1983, $140,300,000, to remain available through September 30, 2002: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, $141,081,000, to remain available through September 30, 2002.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $116,807,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than $4,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $113,424,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food For Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $114,186,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $1,850,000, of which $1,035,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $815,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954,

$20,322,000, to remain available until expended, for ocean freight differential costs for the shipment of agricultural commodities under title I of said Act: *Provided*, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committee on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLES II AND III GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, $837,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,231,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $589,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $1,216,796,000, of which not to exceed $149,273,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: *Provided*, That fees derived from applications received during fiscal year 2001 shall be subject to the fiscal year 2001 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $292,934,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $313,143,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than $12,534,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) $141,368,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $59,349,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $164,762,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $35,842,000 shall be for the National Center for Toxicological Research; (7) $25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (8) $104,954,000 shall be for payments to the General Services Administration for rent and related costs; and (9) $78,589,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of the Senior Associate Commissioner; the Office of International and Constituent Relations; the Office of Policy, Legislation, and Planning; and central services for these offices: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committee on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $31,350,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109, $67,100,000, including not to exceed $1,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $36,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2001 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 389 passenger motor vehicles, of which 385 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by sections 1 and 10 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly known as the Bankhead-Jones Act), subtitle A of title II and section 302 of the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United States Code, shall be available for contracting in accordance with such Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, boll weevil program, up to 10 percent of the screwworm program, and up to $2,000,000 for costs associated with colocating regional offices; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)) and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 706. 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. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b; commonly known as the Agricultural Act of 1954).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and

guaranteed loans made available in fiscal year 2001 shall remain available until expended to cover obligations made in fiscal year 2001 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.

SEC. 713. Notwithstanding chapter 63 of title 31, United States Code, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a State or Cooperator to carry out agricultural marketing programs, to carry out programs to protect the Nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the Nation's food supply.

SEC. 714. Notwithstanding any other provision of law, the Secretary of Agriculture may enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Natural Resources Conservation Service; and (2) all parties will contribute resources to the accomplishment of these objectives.

SEC. 715. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 716. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: *Provided*, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 717. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 718. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 720. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 721. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 722. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under section 793 of Public Law 104–127 (7 U.S.C. 2204f).

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $174,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb).

SEC. 727. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis in St. Louis, Missouri.

SEC. 728. None of the funds made available to the Food and Drug Administration by this Act shall be used to reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office: *Provided*, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel shall be assigned to locations in the general vicinity of Detroit, Michigan, pursuant to cooperative agreements between the Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 729. Hereafter, none of the funds appropriated by this Act or any other Act may be used to:

(1) carry out the proviso under 7 U.S.C. 1622(f); or

(2) carry out 7 U.S.C. 1622(h) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: *Provided*, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 730. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the users fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2001 appropriations Act.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within

the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 732. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provision of section 612 of Public Law 105–185.

SEC. 733. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the Federal Government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.

SEC. 734. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used for the implementation of a Support Services Bureau or similar organization.

SEC. 735. Notwithstanding any other provision of law, for any fiscal year, in the case of a high cost, isolated rural area of the State of Alaska that is not connected to a road system—

(1) in the case of assistance provided by the Rural Housing Service for single family housing under title V of the Housing Act of 1949 (7 U.S.C. 1471 et seq.), the maximum income level for the assistance shall be 150 percent of the average income level in metropolitan areas of the State;

(2) in the case of community facility loans and grants provided under paragraphs (1) and (19), respectively, of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) and assistance provided under programs carried out by the Rural Utilities Service, the maximum income level for the loans, grants, and assistance shall be 150 percent of the average income level in nonmetropolitan areas of the State;

(3) in the case of a business and industry guaranteed loan made under section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)), to the extent permitted under that Act, the Secretary of Agriculture shall—

(A) guarantee the repayment of 90 percent of the principal and interest due on the loan; and

(B) charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan; and

(4) in the case of assistance provided under the Rural Community Development Initiative for fiscal year 2000 carried out under the rural community advancement program established under subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.), the median household income level, and the not employed rate, with respect to applicants for assistance under the Initiative shall be scored on a community-by-community basis.

SEC. 736. Hereafter, notwithstanding any other provision of law, no housing or residence in a foreign country purchased by an agent or instrumentality of the United States, for the purpose of housing the agricultural attaché, shall be sold or disposed of without the approval of the Foreign Agricultural Service of the United States Department of Agriculture, including property purchased using foreign currencies generated under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) and used or occupied by agricultural attachés of the Foreign Agricultural Service: *Provided*, That the Department of State/Office of Foreign Buildings may sell such properties with the concurrence of the Foreign Agricultural Service if the proceeds are used to acquire suitable properties of appropriate size for Foreign Agricultural Service agricultural attachés: *Provided further*, That the Foreign Agricultural Service shall have the right to occupy such residences in perpetuity with costs limited to appropriate maintenance expenses.

SEC. 737. Hereafter, funds appropriated to the Department of Agriculture may be used to employ individuals to perform services outside the United States as determined by the agencies to be necessary or appropriate for carrying out programs and activities abroad; and such employment actions, hereafter referred to as Personal Service Agreements (PSA), are authorized to be negotiated, the terms of the PSA to be prescribed and work to be performed, where necessary, without regard to such statutory provisions as related to the negotiation, making and performance of contracts and performance of work in the United States: *Provided*, That individuals employed under a PSA to perform such services outside the United States shall not, by virtue of such employment, be considered employees of the United States government for purposes of any law administered by the Office of Personnel Management: *Provided further*, That such individuals may be considered employees within the meaning of the Federal Employee Compensation Act, 5 U.S.C. 8101 et seq.: *Provided further*, That Government service credit shall be accrued for the time employed under a PSA should the individual later be hired into a permanent U.S. Government position if their authorities so permit.

SEC. 738. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 739. Of any shipments of commodities made pursuant to Section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not less than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities, and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

DIVISION B

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:

TITLE I

NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $39,000,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for $39,000,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

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.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the Rural Community Advancement Program, $50,000,000 to provide grants pursuant to the Rural Community Facilities Grant Program for areas of extreme unemployment or economic depression, subject to authorization: *Provided*, That the entire amount shall be available only to the extent an official budget request for $50,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined by 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.

For an additional amount for the Rural Community Advancement Program, $30,000,000 to provide grants pursuant to the Rural Utility Service Grant Program for rural communities with extremely high energy costs, subject to authorization: *Provided*, That the entire amount shall be available only to the extent an official budget request for $30,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined by 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.

For an additional amount for the Rural Community Advancement Program, $50,000,000, for the cost of direct loans and grants of the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), as provided in 7 U.S.C. 1926(a) and 7 U.S.C. 1926C for distribution through the national reserve for applications associated with a risk to public heath or the environment or a natural emergency: *Provided*, That of the amount provided by this paragraph, $10,000,000 may only be used in counties which have received an emergency designation by the President or the Secretary after January 1, 2000, for applications responding to water shortages resulting from the designated emergency: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for $50,000,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949 for section 515 rental housing to be available from funds in the rural housing insurance fund to meet needs resulting from Hurricanes Dennis, Floyd, or Irene, $40,000,000.

For the additional cost of direct loans for section 515 rental housing, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, $15,872,000: *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.

RENTAL ASSISTANCE PROGRAM

For an additional amount 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.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

For additional five percent rural electrification loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), $113,250,000.

For the additional cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of five percent rural electrification loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $1,000,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for $1,000,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251 (b)(2)(A) of such Act.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1101. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional $35,000,000, to remain available until expended, 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 and the Wetlands Reserve Program funded by the Commodity Credit Corporation: *Provided*, That the entire amount shall be available only to the extent an official budget request for $35,000,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1102. The paragraph under the heading ''Livestock Assistance'' in chapter 1, title I of H.R. 3425 of the 106th Congress, enacted by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1536) is amended by striking ''during 1999'' and inserting ''from January 1, 1999, through February 7, 2000'': *Provided*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire 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 such Act.

SEC. 1103. The issuance of regulations by the Secretary of Agriculture to implement section 104 of H.R. 3425 of the 106th Congress, as enacted by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1536) shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5 United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804) relating to notices of proposed rulemaking; and

(3) chapter 35 of title 44 United States Code.

SEC. 1104. With respect to any 1999 crop year loan made by the Commodity Credit Corporation to a cooperative marketing association established under the laws of North Carolina, and to any person or entity in North Carolina obtaining a 1999 crop upland cotton marketing assistance loan, the Corporation shall reduce the amount of such outstanding loan indebtedness in an amount up to 75 percent of the amount of the loan applicable to any collateral (in the case of cooperative marketing associations of upland cotton producers and upland cotton producers, not to exceed $5,000,000 for benefits to such associations and such producers for up to 75 percent of the loss incurred by such associations and such producers with respect to upland cotton that had been placed under loan) that was produced in a county in which either the Secretary of Agriculture or the President of the United States declared a major disaster or emergency due to the occurrence of Hurricanes Dennis, Floyd or Irene if the Corporation determines that such collateral suffered any quality loss as a result of said hurricane: *Provided*, That if a person or entity obtains a benefit under this section with respect to a quantity of a commodity, no marketing loan gain or loan deficiency payment shall be made available under the Federal Agricultural Improvement and Reform Act of 1996 with respect to such quantity: *Provided further*, That no more than $81,000,000 of the funds of the Corporation shall be available to carry out this section: *Provided further*, That the entire amount shall be available only to the extent an official budget request for $81,000,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1105. Hereafter, for the purposes of the Livestock Indemnity Program authorized in Public Law 105–18, the term ''livestock'' shall have the same meaning as the term ''livestock'' under section 104 of Public Law 106–31.

SEC. 1106. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation to make and administer supplemental payments to dairy producers who received a payment under section 805 of Public Law 106–78 in an amount equal to thirty-five percent of the reduction in market value of milk production in 2000, as determined by the Secretary, based on price estimates as of the date of enactment of this Act, from the previous five-year average: *Provided*, That the Secretary shall make payments to producers under this section in a manner consistent with the payments to dairy producers under section 805 of Public Law 106–78: *Provided further*, That the Secretary shall make a determination as to whether a dairy producer is considered a new producer for purposes of section 805 by taking into account the number of months such producer has operated as a dairy producer in order to calculate a payment rate for such producer: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire 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 such Act.

SEC. 1107. Notwithstanding any other provision of law, the Secretary of Agriculture may use the funds, facilities and authorities of the Commodity Credit Corporation to administer and make payments to: (a) compensate growers whose crops could not be sold due to Mexican fruit fly quarantines in San Diego and San Bernadino/Riverside counties in California since their imposition on August 14, 1998, and September 22, 1999, respectively; (b) compensate growers in relation to the Secretary's ''Declaration of Extraordinary Emergency'' on March 2, 2000, regarding the plum pox virus; (c) compensate growers for losses due to Pierce's disease; (d) compensate growers for losses incurred due to infestations of grasshoppers and mormon crickets; and (e) compensate commercial producers for losses due to citrus canker: *Provided*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire 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 such Act.

SEC. 1108. (a) Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(1) in subsection (b)(4), by striking ''and 2000'' and inserting ''through 2001''; and

(2) in subsection (h), by striking ''2000'' each place it appears and inserting ''2001''.

(b) Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking ''2001'' and inserting ''2002''.

(c) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire 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*, That the entire amount is designated

by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1109. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation in an amount equal to $450,000,000 to make and administer payments for livestock losses using the criteria established to carry out the 1999 Livestock Assistance Program (except for application of the national percentage reduction factor) to producers for 2000 losses in a county which has received an emergency designation by the President or the Secretary after January 1, 2000, and shall be available until September 30, 2001: *Provided*, That the Secretary shall give consideration to the effect of recurring droughts in establishing the level of payments to producers under this section: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for $450,000,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1110. In lieu of imposing, where applicable, the assessment for producers provided for in subsection (d)(8) of 7 U.S.C. 7271 (Section 155 of the Agricultural Market Transition Act), the Secretary shall, as necessary to offset remaining loan losses for the 1999 crop of peanuts, borrow such amounts as would have been collected under 7 U.S.C. 7271(d)(8) from the Commodity Credit Corporation. Such borrowing shall be against all excess assessments to be collected under subsection 7 U.S.C. 7271(g) for crop year 2000 and subsequent years. For purposes of the preceding sentence, an assessment shall be considered to be an ''excess'' assessment to the extent that it is not used or will not be used, under the provisions of 7 U.S.C. 7271(d), to offset losses on peanuts for the crop year in which the assessment is collected. The Commodity Credit Corporation shall retain its own account sums collected under 7 U.S.C. 7271(g) as needed to recover the borrowing provided for in this section to the extent that such collections are not used under 7 U.S.C. 7271(d) to cover losses on peanuts: *Provided*, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire 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 such Act.

CHAPTER 2

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount for ''General investigations'' to complete preconstruction engineering and design of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, $4,500,000, to remain available until expended: *Provided*, That the work shall include an Environmental Impact Statement and the international coordination required to comply with the Boundary Waters Treaty of 1909: *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.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for emergency repairs and dredging due to the effects of drought and other conditions, $10,000,000, to remain available until expended, which shall be available only to the extent 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*, 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 emergency repairs and dredging due to storm damages, $35,000,000, to remain available until expended, of which such amounts 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*, 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.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For an additional amount necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, $11,000,000, to remain available until expended, which shall be available only to the extent an official budget request for $11,000,000, 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: *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 3

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for ''Management of Lands and Resources'', $17,172,000 to remain available until expended, of which $15,687,000 shall be used to address restoration needs caused by wildland fires and $1,485,000 shall be used for the treatment of grasshopper and Mormon Cricket infestations on lands managed by the Bureau of Land Management: *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 for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

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 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 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 of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for ''Resource Management'', $1,500,000, to remain available until expended, for support of the preparation and implementation of plans, programs, or agreements, identified by the State of Idaho, that address habitat for freshwater aquatic species on nonfederal lands in the State voluntarily enrolled in such plans, programs, or agreements, of which $200,000 shall be made available to the Boise, Idaho field office to participate in the preparation and implementation of the plans, programs or agreements, of which $300,000 shall be made available to the State of Idaho for preparation of the plans, programs, or agreements, including data collection and other activities associated with such preparation, and of which $1,000,000 shall be made available to the State of Idaho to fund habitat enhancement, maintenance, or restoration projects consistent with such plans, programs, or agreements.

In addition, for an additional amount for ''Resource Management'', $5,000,000, to remain available until expended, which amount shall be made available to the National Fish and Wildlife Foundation to carry out a competitively awarded grant program for State, local, or other organizations in the State of Maine to fund on-the-ground projects to further Atlantic salmon conservation or restoration efforts in coordination with the State of Maine and the Maine Atlantic Salmon Conservation Plan, including projects to (1) assist in land acquisition and conservation easements to benefit Atlantic salmon; (2) develop irrigation and water use management measures to minimize any adverse effects on salmon habitat; and (3) develop and phase in enhanced aquaculture cages to minimize escape of Atlantic salmon: *Provided*, That, of the amounts appropriated under this paragraph, $2,000,000 shall be made available to the Atlantic Salmon Commission for salmon restoration and conservation activities, including installing and upgrading weirs and fish collection facilities, conducting risk assessments, fish marking, and salmon genetics studies and testing, and developing and phasing in enhanced aquaculture cages to minimize escape of Atlantic salmon, and $500,000 shall be made available to the National Academy of Sciences to conduct a study of Atlantic salmon: *Provided further*, That the amounts appropriated under this paragraph shall not be subject to section 10(b)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(b)(1)): *Provided further*, That the National Fish and Wildlife Foundation shall give special consideration to proposals that include matching contributions (whether in currency, services, or property) made by private persons or organizations or by State or local government agencies, if such matching contributions are available: *Provided further*, That funds made available under this paragraph shall be provided to the National Fish and Wildlife Foundation not later than 15 days after the date of enactment of this Act: *Provided further*, That the

entire amount made available under this heading is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for ''Construction'', $8,500,000, to remain available until expended, to repair or replace buildings, equipment, roads, bridges, and water control structures damaged by natural disasters and conduct critical habitat restoration directly necessitated by natural 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: *Provided further,* That $3,500,000 shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $5,300,000, 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 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 $1,300,000 shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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 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.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act, Public Law 95–87, as amended, $9,821,000, to remain available until expended, of which $6,222,000, not subject to section 705(a) of the Act, shall be available for regulatory program enhancements for the surface mining regulatory program of the State of West Virginia: *Provided,* That the balance of the funds shall be made available to the State to augment staffing and provide relative support expenses for the State's regulatory program: *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 an official budget request for $9,821,000, 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.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for ''Operation of Indian Programs'', $1,200,000, to remain available until expended, for repair of the portions of the Yakama Nation's Signal Peak Road that have the most severe damage: *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 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.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'' for emergency expenses resulting from damages from wind storms, $5,759,000, 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 for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'' for emergency expenses resulting from damages from wind storms, $1,620,000, 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 for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

RECONSTRUCTION AND MAINTENANCE

For an additional amount for ''Reconstruction and Maintenance'' for emergency expenses resulting from damages from wind storms, $1,870,000, 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 for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

CHAPTER 4

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH CARE FINANCING ADMINISTRATION

PROGRAM MANAGEMENT

For an additional amount for ''Program Management'', $15,000,000 to be available through 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 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.

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, to remain available until expended: *Provided,* That the entire 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 this amount shall be available only to the extent an official budget request for a specific dollar amount that includes designations of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act, as amended, is transmitted by the President to the Congress.

CHAPTER 5

LEGISLATIVE BRANCH

JOINT ITEMS

CAPITOL POLICE BOARD

SECURITY ENHANCEMENTS

For an additional amount for costs associated with security enhancements, 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), $11,874,000, to remain available until expended, of which—

(1) $10,000,000 shall be for security enhancements in connection with the initial implementation of the United States Capitol Police master plan: *Provided,* That notwithstanding such chapter 5, such funds shall be available for facilities located within or outside of the Capitol Grounds, and such security enhancements shall be subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate; and

(2) $1,874,000 shall be for security enhancements to the buildings and grounds of the Library of Congress:

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.

CAPITOL POLICE

SALARIES

For an additional amount for costs of overtime, $2,700,000, to be available to increase, in equal amounts, the amounts provided to the House of Representatives and the Senate: *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.

ARCHITECT OF THE CAPITOL

FIRE SAFETY

For an additional amount for expenses for fire safety, $17,480,000, to remain available until expended, of which $7,039,000 shall be for ''Capitol Buildings and Grounds—Capitol Buildings—Salaries and Expenses''; $2,314,000

shall be for ''Senate Office Buildings''; $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 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. 1501. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$10,000,000'' each place it appears and inserting ''$14,500,000''.

(b) Section 201 of such Act is amended—

(1) by inserting ''(a)'' before ''Pursuant'', and

(2) by adding at the end the following:

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) in excess of the $14,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)).''.

SEC. 1502. TRADE DEFICIT REVIEW COMMISSION. (a) ISSUES TO BE ADDRESSED.—Section 127(d)(2) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 19 U.S.C. 2213 note) is amended by adding at the end the following new subparagraph:

''(I) The impact of the merchandise trade and current account balances on the national security of the United States, including in particular an assessment of the significance to national security of persistent and substantial bilateral trade deficits and the need of a fully integrated national security, trade, and industrial base trade-impact adjustment policy.''.

(b) DEADLINE FOR SUBMISSION OF FINAL REPORT.—Section 127(e)(1) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 19 U.S.C. 2213 note) is amended by striking ''12 months'' and inserting ''15 months''.

CHAPTER 6

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

RELATED AGENCIES

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.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount, $24,900,000 for the Secretary of the Treasury to establish and operate an in-service firearms training facility for the U.S. Customs Service and other agencies, to remain available until expended: *Provided*, That the Secretary is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and to conduct training: *Provided further*, That the Director of the U.S. Fish and Wildlife Service shall without compensation and at the earliest practicable date, initiate a permanent, no-cost transfer of property owned by the U.S. Fish and Wildlife Service, identified as the Sleepy Hollow Partnership & Marcus Enterprises tract, (44,-R), 327.46 acres, Harpers Ferry Magisterial District, Jefferson County, West Virginia, together with a forty-five foot right-of-way over the lands of Valley Blox, Inc. as described in the deed from Joel T. Broyhill Enterprises, Inc. to Sleepy Hollow Partnership, et al., in a Deed dated March 29, 1989 and recorded in the Jefferson County Clerk's Office in Deed Book 627, Page 494, to the United States Department of the Treasury: *Provided further*, That the total amount made available 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: *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 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.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

For an additional amount for ''Salaries and Expenses'' for enforcement of existing gun laws, $93,751,000, to remain available until expended: *Provided*, That the entire amount 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: *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 by such Act, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

POLICY AND OPERATIONS

For an additional amount, $3,300,000 to remain available until expended for the Salt Lake 2002 Winter Olympic and Paralympic Games doping control program.

CHAPTER 8

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, $25,000,000: *Provided*, That these funds shall be provided to states with designated disaster areas caused by Hurricane Floyd for the purpose of providing temporary assistance in obtaining rental assistance and for the construction of affordable replacement rental housing for very low-income families displaced by flooding caused by Hurricane Floyd: *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.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

Of the unobligated balances made available under the second paragraph under the heading ''Federal Emergency Management Agency, Disaster Relief'' in Public Law 106–74, in addition to other amounts made available, up to $50,000,000 may be used by the Director of the Federal Emergency Management Agency for the buyout of repetitive loss properties which are principal residences that have been made uninhabitable by floods in areas which were declared federal disasters in fiscal year 1999 and 2000: *Provided*, That such properties are located in a 100-year floodplain: *Provided further*, That no homeowner may receive any assistance for buyouts in excess of the pre-flood fair market value of the residence (reduced by any proceeds from insurance or any other source paid or owed as a result of the flood damage to the residence): *Provided further*, That each state shall ensure that there is a contribution from non-Federal sources of not less than 25 percent in matching funds (other than administrative costs) for any funds allocated to the State for buyout assistance: *Provided further*, That all buyouts under this section shall be subject to the terms and conditions specified under 42 U.S.C. 5170c(b)(2)(B): *Provided further*, That none of the funds made available for buyouts under this paragraph may be used in any calculation of a State's section 404 allocation: *Provided further*, That the Director shall report quarterly to the House and Senate Committees on Appropriations on the use of all funds allocated under this paragraph and certify that the use of all funds are consistent with all applicable laws and requirements: *Provided further*, That no funds shall be allocated for buyouts under this paragraph except in accordance with regulations promulgated by the Director: *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 by 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 9

GENERAL PROVISION—THIS TITLE

SEC. 1901. For an additional amount for ''Health Resources and Services Administration, Health Resources and Services'', $3,500,000, for the Saint John's Lutheran Hospital in Libby, Montana, for construction and renovation of health care and other facilities and an additional amount for the ''Economic Development Administration'', $8,000,000, only for a grant to the City of Libby, Montana: *Provided*, That the entire amounts in this section are 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 amounts provided within this section shall be available only to the extent an official budget request that includes

designation of the entire amounts 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. 1902. For an additional amount for ''Operations, Research, and Facilities'', for emergency expenses for fisheries disaster relief pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended, for the Pribilof Island and East Aleutian area of the Bering Sea, $10,000,000 to remain available until expended: *Provided*, That in implementing this section, notwithstanding section 312(a)(3), the Secretary shall immediately make available as a direct payment $2,000,000 to the States of Alaska, Washington, and Oregon for distribution of emergency aid to individuals with family incomes below 185 percent of the federal poverty level who have suffered a direct negative impact from the fisheries resource disaster and $3,000,000 for Bering Sea ecosystem research including $1,000,000 for the State of Alaska to develop a cooperative research plan to restore the crab fishery: *Provided further*, That the Secretary of Commerce declares a fisheries failure pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended: *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 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. 1903. For an additional amount for the District of Columbia Metropolitan Police Department, $4,485,000 for the reimbursement of certain costs incurred by the District of Columbia as host of the International Monetary Fund and World Bank Organization Spring Conference in April 2000: *Provided*, That the entire amount shall be available only to the extent an official budget request for $4,485,000, 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: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

TITLE II
SUPPLEMENTAL APPROPRIATIONS AND OFFSETS
CHAPTER 1
DEPARTMENT OF AGRICULTURE

FOOD SAFETY AND INSPECTION SERVICE

From amounts appropriated under this heading in Public Law 106–78 not needed for federal food inspection, up to $6,000,000 may be used to liquidate obligations incurred in previous years, to the extent approved by the Director of the Office of Management and Budget based on documentation provided by the Secretary of Agriculture.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. Section 381A(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009(1)) is amended as follows:

''(1) RURAL AND RURAL AREA.—The terms 'rural and rural area' mean, subject to 306(a)(7), a city or town that has a population of 50,000 inhabitants or less, other than an urbanized area immediately adjacent to a city or town that has a population in excess of 50,000 inhabitants, except for business and industry projects or facilities described in section 310(B)(a)(1), a city or town with a population in excess of 50,000 inhabitants and its immediately adjacent urbanized area shall be eligible for funding when the primary economic beneficiaries of such projects or facilities are producers of agriculture commodities.''.

SEC. 2102. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Long Park Dam in Utah from funds available for the Emergency Watershed Program, not to exceed $4,500,000.

SEC. 2103. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Kuhn Bayou (Point Remove) Project in Arkansas from funds available for the Emergency Watershed Program, not to exceed $3,300,000.

SEC. 2104. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Snake River Watershed project in Minnesota from funds available for the Emergency Watershed Program, not to exceed $4,000,000.

CHAPTER 2
DEPARTMENT OF JUSTICE

RADIATION EXPOSURE COMPENSATION

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For an additional amount for ''Payment to Radiation Exposure Compensation Trust Fund'', $7,246,000.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for ''Economic Development Assistance Programs'', $8,000,000 for public works grants for communities affected by hurricanes and other natural disasters.

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $300,000 to administer public works grants for communities affected by hurricanes and other natural disasters.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for the account entitled ''Operations, Research, and Facilities'', $5,500,000.

DEPARTMENT OF STATE

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

For an additional amount for the ''Presidential Advisory Commission on Holocaust Assets in the United States'', as authorized by Public Law 105–186, as amended, $1,400,000, to remain available until March 31, 2001, for the direct funding of the activities of the Commission: *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 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 3
ENERGY PROGRAMS

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For an additional amount for ''Uranium enrichment decontamination and decommissioning fund'', $58,000,000, to be derived from the Fund, to remain available until expended.

CHAPTER 4
DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ''Training and Employment Services'', $40,000,000, to be available for obligation for the period April 1, 2000, through June 30, 2001, to be distributed by the Secretary of Labor to States for youth activities in the local areas containing the 50 cities with the largest populations, as determined by the latest available Census data, in accordance with the formula criteria for allocations to local areas contained in section 128(b)(2)(A)(i) of the Workforce Investment Act: *Provided*, That the amounts distributed to the States shall be distributed within each State to the designated local areas without regard to section 127(a) and (b)(1) and section 128(a) of such Act.

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

ADMINISTRATION FOR CHILDREN AND FAMILIES

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. 2401. 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. 2402. 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.

DEPARTMENT OF EDUCATION

HIGHER EDUCATION

Funds appropriated under this heading in Public Law 105–78 to carry out title X–E of the Higher Education Act shall be available for obligation by the states through September 30, 2000, and funds appropriated in Public Law 105–277 to carry out title VIII–D of the Higher Education Amendments of 1998 shall be available for obligation by the states through September 30, 2001.

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''.

RELATED AGENCIES

RAILROAD RETIREMENT BOARD

LIMITATION ON ADMINISTRATION

For an additional amount for ''Limitation on Administration'', $500,000, to be available through September 30, 2001.

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

For an additional amount for ''Limitation on Administrative Expenses'', $50,000,000, to be available through September 30, 2001.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2403. 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''.

SEC. 2404. (a) WORKFORCE INVESTMENT ACT OF 1998.—The Workforce Investment Act of 1998 (20 U.S.C. 2841) is amended—

(1) in section 503—

(A) by striking ''under Public Law 88–210 (as amended; 20 U.S.C. 2301 et seq.)'' each place it appears and inserting in lieu thereof, ''under Public Law 105–332 (20 U.S.C. 2301 et seq.)''; and

(B) by adding at the end the following:

''(d) Notwithstanding any other provision of this section, for fiscal year 2000, the Secretary shall not consider the expected levels of performance under Public Law 105–332 (20 U.S.C. 2301 et seq.) and shall not award a grant under subsection (a) based on the levels of performance for that Act.''.

(b) CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT OF 1998.—Section 111 (a)(1)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2321) is amended by striking ''fiscal years 2000'' and inserting in lieu thereof ''fiscal years 2001''.

CHAPTER 5

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAYS TRUST FUND)

(TRANSFER OF FUNDS)

For an additional amount for ''Operations'', $77,000,000, of which $50,400,000 shall be derived by transfer from the unobligated balances of ''Facilities and Equipment'', and $26,600,000 shall be derived from 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, to be available until September 30, 2001.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2501. Under the heading ''Discretionary Grants'' in Public Law 105–66, ''$4,000,000 for the Salt Lake City regional commuter system project;'' is amended to read ''$4,000,000 for the transit and other transportation-related portions of the Salt Lake City regional commuter system and Gateway Intermodal Terminal;''.

SEC. 2502. Notwithstanding any other provision of law, the Commandant shall transfer $8,000,000 identified in the conference report accompanying Public Law 106–69 for ''Unalaska, AK—pier'' to the City of Unalaska, Alaska for the construction of a municipal pier and other harbor improvements: *Provided*, That the City of Unalaska enter into an agreement with the United States to accommodate Coast Guard vessels and support Coast Guard operations at Unalaska, Alaska.

SEC. 2503. From amounts previously made available in Public Law 106–69 (Department of Transportation and Related Agencies Appropriations Act, 2000) for ''Research, Engineering, and Development'', $600,000 shall be available only for testing the potential for ultra-wideband signals to interfere with global positioning system receivers by the National Telecommunications and Information Administration (NTIA): *Provided*, That the results of said test be reported to the House and Senate Committees on Appropriations not later than six months from the date of enactment of this act.

SEC. 2504. Notwithstanding any other provision of law, there is appropriated to the Federal Highway Administration for transfer to the Utah Department of Transportation, $35,000,000 for Interstate 15 reconstruction; such sums to remain available until expended: *Provided*, That the Utah Department of Transportation shall make available from state funds $35,000,000 for transportation planning, and temporary and permanent transportation infrastructure improvements for the Salt Lake City 2002 Olympic Winter Games: *Provided further*, That the specific planning activities and transportation infrastructure projects identified for state funding shall be limited to the following projects included in the Olympic Transportation Concept Plan approved by the Secretary of Transportation:

(1) Planning

(2) Venue Load and Unload

(3) Transit Bus Project

(4) Bus Maintenance Facilities

(5) Olympic Park & Ride Lots

(6) North-South Light Rail Park & Ride Lot Expansion.

SEC. 2505. Notwithstanding any other provision of law, the Secretary of Transportation may hereafter use Federal Highway Administration Emergency Relief funds as authorized under 23 U.S.C. 125, to reconstruct or modify to a higher elevation roads that are currently impounding water within a closed basin lake greater than fifty thousand acres: *Provided*, That the structures on which the roadways are to be built shall be constructed to applicable approved United States Army Corps of Engineers design standards.

CHAPTER 6

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOMELESS ASSISTANCE GRANTS

Amounts made available under this heading in title II of Public Law 106–74 shall first be made available to renew all expiring rental contracts under the supportive housing program (as authorized under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended), and the shelter plus care program (as authorized under subtitle F of title IV of such Act): *Provided*, That a request for such funding be submitted in accordance with the eligibility requirements established by the Secretary pursuant to a notice of funding availability for fiscal year 2000: *Provided further*, That the Secretary may make funds available as necessary to renew all grants for rental assistance under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended, for permanent housing for homeless persons with disabilities or subtitle F of such Act where a request for funding was submitted in accordance with the eligibility requirements established by the Secretary pursuant to the notice of funding availability for fiscal year 1999 covering such programs but not approved; and the grant request was made by an entity that received such a grant pursuant to the notice of funding availability for a previous fiscal year and the funding under such previous grant expiries during calendar year 2000: *Provided further*, That each grant awarded under this heading shall be certified by the Secretary as needed to meet the needs of the homeless in the community in which the grant was made and that the financial accounts of each grantee are determined to meet all applicable accounting requirements.

HOUSING PROGRAMS

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 sections 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 THE INSPECTOR GENERAL

(INCLUDING RESCISSION OF FUNDS)

Of the amounts made available under this heading in Public Law 106–74, the $20,000,000 provided for the Office of the Inspector General is rescinded. For an additional amount for the ''Office of the Inspector General'', $20,000,000, to remain available until September 30, 2001: *Provided*, That these funds

shall be made available under the same terms and conditions as authorized for the funds under this heading in Public Law 106–74.

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.

MISSION SUPPORT

For an additional amount for ''Mission Support'' to provide for needed augmentation of personnel, $20,200,000, to remain available until September 30, 2001.

NATIONAL SCIENCE FOUNDATION

EDUCATION AND HUMAN RESOURCES

For an additional amount for ''Education and human resources'', $1,000,000.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. 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 reside,''.

SEC. 2602. None of the funds appropriated under this or any other Act may be used by the Secretary of Housing and Urban Development to hire any staff for the replacement of any position that is designated or was formerly designated as an external community builder position within the Department of Housing and Urban Development: *Provided,* That none of the funds appropriated under this or any other Act shall be used to hire any staff above a GS–12 grade level until the Secretary has submitted an employment staffing plan to the House and Senate Committees on Appropriations that reflects the staffing and capacity needs of the Department: *Provided further,* That the Secretary may hire staff above a GS–12 level on a finding of special need and that the finding of special need has been certified as such by the Office of Personnel Management.

SEC. 2603. None of the funds appropriated under this or any other Act may be used by the Secretary of Housing and Urban Development to prohibit or debar any entity (and the individuals comprising that entity) that is responsible for convening and managing a continuum of care process (convenor) in a community for purposes of the Stewart B. McKinney Homeless Assistance Act from participating in that capacity unless the Secretary has published in the Federal Register a description of all circumstances that would be grounds for prohibiting or debarring a convenor from administering a continuum of care process and the procedures for a prohibition or debarment: *Provided,* That these procedures shall include a requirement that a convenor shall be provided with timely notice of a proposed prohibition or debarment, an identification of the circumstances that could result in the prohibition or debarment, an opportunity to respond to or remedy these circumstances, and the right for judicial review of any decision of the Secretary that results in a prohibition or debarment.

SEC. 2604. Section 175 of Public Law 106–113 is amended by striking out ''as a grant for Special Olympics in Anchorage Alaska to develop the Ben Boeke Arena and Hilltop Ski Area,'' and insert in lieu thereof the following ''to the Organizing Committee for the 2001 Special Olympics World Winter games to be used in support of related activities in Alaska,''.

SEC. 2605. Of the amount made available under the fourth undesignated paragraph under the ''Community Planning and Development—Community Development Block Grants'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74; 113 Stat. 1062) for neighborhood initiatives for specified grants, the $500,000 to be made available (pursuant to the related provisions of the joint explanatory statement in the conference report to accompany such Act (House Report No. 106–379, 106th Congress, 1st session)) to the City of Yankton, South Dakota, for the restoration of the downtown area and the development of the Fox Run Industrial Park shall, notwithstanding such provisions, be made available to such city for activities to facilitate economic development, including infrastructure improvements.

SEC. 2606. (a) TECHNICAL REVISION TO PUBLIC LAW 106–74.—Title II of Public Law 106–74 is amended—

(1) under the heading ''Urban Empowerment Zones'', by striking ''$3,666,000'' and inserting ''$3,666,666''; and

(2) under the heading ''Community Development Block Grants'' under the fourth undesignated paragraph, by striking ''$23,000,000'' and inserting ''$22,750,000''.

(b) TECHNICAL REVISION TO PUBLIC LAW 106–113.—Section 242(a) of Appendix E of Public Law 106–113 is amended—

(1) by striking ''seventh'' and inserting ''sixth''; and

(2) by striking ''$250,175,000'' and inserting ''$250,900,000''.

(c) EFFECTIVE DATES.—The amendments made by—

(1) subsection (a) shall be construed to have taken effect on October 20, 1999; and

(2) subsection (b) shall be construed to have taken effect on November 29, 1999.

SEC. 2607. SECTION 235 RESCISSION. Section 208(3) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 is amended—

(1) by striking ''235(r)'' and inserting ''235'';

(2) by inserting after ''104 Stat. 2305)'' the following: ''for payments under section 235(r) of the National Housing Act''; and

(3) by striking ''for such purposes''.

SEC. 2608. PUBLIC HOUSING ADVISORY COMMITTEE. Section 2(b)(2) of the United States Housing Act of 1937 is amended—

(a) by striking ''or'' at the end of subparagraph (A);

(b) by striking the period at the end of subparagraph (B) and inserting in lieu thereof ''; or''; and

(c) by adding the following new subparagraph (C):

''(C) that is a state housing finance agency that is responsible for administering public housing or section 8 in a state, except that the state housing finance agency shall establish an advisory committee of persons who are residents of such public housing or who are assisted under such section 8. This advisory committee shall meet not less than quarterly and shall advise the state housing finance agency on issues that directly impact the public housing or section 8 that is administered by the state housing finance agency.''.

CHAPTER 7

OFFSETS

DEPARTMENT OF AGRICULTURE

OFFICE OF THE CHIEF INFORMATION OFFICER

Of the funds transferred to ''Office of the Chief Information Officer'' for year 2000 conversion of Federal information technology systems and related expenses pursuant to Division B, Title III of Public Law 105–277, $2,435,000 of the unobligated balances are hereby canceled.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading for General Administration, $2,000,000 are rescinded.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $1,147,000 are rescinded.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

(RESCISSION)

Of the unobligated balances available under this heading for the Civil Division, $2,000,000 are rescinded.

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $13,500,000 are rescinded.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading for the Information Sharing Initiative, $15,000,000 are rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

ENFORCEMENT AND BORDER AFFAIRS

(RESCISSION)

Of the unobligated balances available under this heading for Washington headquarters operations, including all unobligated balances available for the Office of the Chief of the Border Patrol, $5,000,000 are rescinded.

CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND PROGRAM DIRECTION

(RESCISSION)

Of the unobligated balances available under this heading for Washington headquarters operations, $5,000,000 are rescinded.

VIOLENT CRIME REDUCTION PROGRAMS

(RESCISSION)

Of the unobligated balances available under this heading for Washington headquarters operations, $5,000,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

(RESCISSION)

Of the amounts made available under this heading for the Bureau of Justice Assistance, $500,000 are rescinded from the Management and Administration activity.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading for the State Criminal Alien Assistance Program, $82,399,000 are rescinded.

DEPARTMENT OF COMMERCE

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the unobligated balances available under this heading for the Advanced Technology Program, $4,500,000 are rescinded.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $5,000,000 are rescinded from the New Markets Venture Capital Program.

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading for the New Markets Venture Capital Program, $1,500,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENTAL MANAGEMENT

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

Of the funds transferred to ''Public Health and Social Services Emergency Fund'' for year 2000 conversion of Federal information technology systems and related expenses pursuant to Division B, Title III of Public Law 105–277, $26,452,000 of the unobligated balances is hereby canceled. In addition, of the funds appropriated for the Department's year 2000 computer conversion activities under this heading in the Department of Health and Human Services Appropriations Act, 2000, as enacted by section 1000(a)(4) of the Consolidated Appropriations Act, 2000 (Public Law 106–113), $98,048,000 is hereby canceled.

EXECUTIVE OFFICE OF THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS

SPECIAL FORFEITURE FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 106–58 for the national media campaign, $3,300,000 are hereby rescinded.

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''.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the amounts recaptured under this heading from funds appropriated during fiscal year 2000 and prior years, $128,000,000 is hereby rescinded.

GENERAL PROVISION—THIS CHAPTER

(RESCISSION)

SEC. 2701. (a) Of the unobligated balances available on October 1, 2000 from appropriations made in fiscal year 2000 and prior years, in the nondefense, general purpose category to the departments and agencies of the Federal Government for Information Technology programs and activities, $325,000,000 are rescinded.

(b) Within 30 days after the date of the effective date of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

(c) Subsection (a) shall be effective on October 1, 2000.

CHAPTER 8

GENERAL PROVISIONS—THIS TITLE

SEC. 2801. For purposes of Section 201 of the Drug Price Competition and Patent Term Restoration Act, commonly known as the Hatch-Waxman Act (35 U.S.C. 156), a patent which claims an elemental biologic used in manufacturing a product shall be eligible for an extension of its term on the same terms and conditions as other patents eligible under such Section, except that: (1) under 35 U.S.C. 156(a)(4), the product manufactured using such elemental biologic, rather than such elemental biologic, shall have been subject to a regulatory review period before its commercial marketing or use; and (2) an application for extension of term may be submitted within the sixty-day period beginning on the date of enactment of this section or within the sixty-day period beginning on the date the patent becomes eligible for extension under this section. For purposes of this section, the term ''elemental biologic'' means a genetically engineered cell, or method of making thereof, used in manufacturing five or more new drugs, antibiotic drugs, or human biological products, each subject to a regulatory review period before commercial marketing or use and each receiving permission under the provision of law under which the applicable regulatory review period occurred for commercial marketing or use. To be eligible to apply for a term extension under this section, the owner of record of a patent claiming an elemental biologic must: (1) be a non-profit organization as defined by section 201 of title 35; (2) not itself commercially sell the product, and have made reasonable efforts to promote utilization of the patented invention in commercial markets by licensing, on a non-exclusive, royalty free or reasonable royalty basis, rights to make, use, offer to sell, or sell the invention; and (3) share any royalties with the inventor, and after payment of expenses (including payments to inventors) incidental to administration of inventions, invest the balance of any royalties or income earned from the invention in scientific research or education. This section shall apply to any patent not yet expired at the time of enactment of this section and to any patent issued thereafter. A timely applicant shall be entitled to a decision by the Commissioner of Patents and Trademarks granting or denying the application prior to such expiration of the patent, or if the Commissioner cannot render such decision prior to such expiration, an extension under section 156(e)(2), Title 35 United States Code, prior to expiration of the patent.

SEC. 2802. At the end of the first paragraph under the heading ''National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'' in title II of H.R. 3421 of the 106th Congress as enacted by section 1000(a)(1) of Public Law 106–113, add the following: ''*: Provided further,* That the vessel RAINIER shall use Ketchikan, Alaska as its home port''.

SEC. 2803. Notwithstanding any other provision of law Section 109 of the Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act 1995, Public Law 103–317 (28 U.S.C. 509 note) is repealed.

SEC. 2804. Notwithstanding any other provision of law, not later than 15 days after the date of enactment of this Act the Department of Justice shall transfer back to any Department or Agency all funds provided to the Department of Justice as reimbursement for the costs of tobacco litigation: *Provided,* That the Department of Justice shall report to the Committees on Appropriations on the amounts reimbursed, by Department and Agency, and the date when the reimbursements are completed.

SEC. 2805. Under the heading ''Federal Communications Commission, Salaries and Expenses'' in title V of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106–113, delete ''$210,000,000'' and insert ''$215,800,000''; in the first and third provisos delete ''$185,754,000'' and insert ''$191,554,000'' in each such proviso.

SEC. 2806. Under the heading ''Telecommunications carrier compliance fund'' in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106–113, strike ''$15,000,000'' and insert ''$115,000,000''.

SEC. 2807. At the end of the paragraph under the heading ''Justice prisoner and alien transportation system fund, United States Marshals Service'' in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106–113, add the following: ''In addition, $13,500,000, to remain available until expended, shall be available only for the purchase of two Sabreliner-class aircraft.''.

SEC. 2808. Title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as contained in Public Law 106–113) is amended in the paragraph entitled ''Diplomatic and consular programs'' by inserting after the fourth proviso: ''*Provided further,* That of the amount made available under this heading, $5,000,000, less any costs already paid, shall be used to reimburse the City of Seattle and other Washington state jurisdictions for security costs incurred in hosting the Third World Trade Organization Ministerial Conference:''.

SEC. 2809. Of the discretionary funds appropriated to the Edward Byrne Memorial State and Local Law Enforcement Assistance Program in fiscal year 2000, $1,000,000 shall be transferred to the Violent Offender Incarceration and Truth In Sentencing Incentive Grants Program to be used for the construction costs of the Hoonah Spirit Camp, as authorized under section 20109(a) of subtitle A of title II of the 1994 Act.

SEC. 2810. Title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as contained in Public Law 106–113) is amended in the paragraph entitled ''Federal Bureau of Investigation, Salaries and Expenses'' by inserting after the third proviso the following new proviso: '': *Provided further,* That in addition to amounts made available under this heading, $3,000,000 shall be available for the creation of a new site for the National Domestic Preparedness Office outside of FBI Headquarters and the implementation of the 'Blueprint' with regard to the National Domestic Preparedness Office''.

SEC. 2811. Of the funds made available in fiscal year 2000 for the Department of Commerce, $1,000,000 shall be derived from the account entitled ''General Administration'' and $500,000 from the account entitled ''Office of the Inspector General'' and made available for the Commission on Online Child Protection as established under Title XIII of Public Law 105–825, and extended by subsequent law.

TITLE III

GENERAL PROVISIONS—THIS DIVISION

SEC. 3101. 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. 3102. Notwithstanding the provisions of 10 U.S.C. 125(a), 3013, 3014, 3015, and 3016, none of the funds made available in this or any other Act may be used to restructure, reorganize, abolish, transfer, consolidate, or otherwise alter or modify, the organizational or management oversight structure; existing delegations; or functions or activities, applicable to the Army Corps of Engineers.

SEC. 3103. Notwithstanding any other provision of law, no funds provided in this or

any other Act may be used to further reallocate Central Arizona Project water or to prepare an Environmental Assessment, Environmental Impact Statement, or Record of Decision providing for a reallocation of Central Arizona Project water until further act of Congress authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for delivery of Central Arizona Project water.

SEC. 3104. Funds appropriated in this or any other Act and hereafter may not be used to pay on behalf of the United States or a contractor or subcontractor of the United States for posting a bond or fulfilling any other financial responsibility requirement relating to closure or post-closure care and monitoring of the Waste Isolation Pilot Plant. The State of New Mexico or any other entity may not enforce against the United States or a contractor or subcontractor of the United States, in this or any subsequent fiscal year, a requirement to post bond or any other financial responsibility requirement relating to closure or post-closure care and monitoring of the Waste Isolation Pilot Plant. Any financial responsibility requirement in a permit or license for the Waste Isolation Pilot Plant on the date of enactment of this section may not be enforced against the United States or its contractors or subcontractors at the Plant.

SEC. 3105. None of the funds made available under this Act or any other Act shall be used by the Secretary of the Interior, in this or the succeeding fiscal year, to promulgate final rules to revise or amend 43 C.F.R. Subpart 3809, except that the Secretary may finalize amendments to that Subpart that are limited to only the specific regulatory gaps identified at pages 7 through 9 of the National Research Council report entitled ''Hardrock Mining on Federal Lands'' and that are consistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary.

SEC. 3106. No funds may be expended in fiscal year 2000 by the Federal Communications Commission to conduct competitive bidding procedures that involve mutually exclusive applications where one or more of the applicants in a station, including an auxiliary radio booster or translator station or television translator station, licensed under section 397(6) of the Communications Act, whether broadcasting on reserved or non-reserved spectrum.

SEC. 3107. Using previously appropriated and available funds, the Secretary shall develop and implement a process which pays interim compensation by June 15, 2000, to all persons and entities eligible for compensation under section 123 of title I, section 101(e) of Public Law 105–277, as amended.

SEC. 3108. OREGON INLET, NORTH CAROLINA, FLOOD CONTROL IMPROVEMENTS. (a) IN GENERAL.—

(1) JOINT DESIGNATION.—Not later than 60 days after the date of enactment of this Act—

(A) the Secretary of the Interior and the Secretary of the Army, acting through the Chief of Engineers, shall jointly designate tracts of land for the jetty and sand transfer system for the Oregon Inlet on the Coast of North Carolina, approximately 85 miles south of Cape Henry and 45 miles north of Cape Hatteras (as described on page 12 of the Report of the House of Representatives numbered 91–1665), authorized under the River and Harbor Act of 1970 and the Flood Control Act of 1970 (Public Law 91–611; 84 Stat. 1818); and

(B) the Secretary of the Interior shall transfer administrative jurisdiction over the tracts of land referred to in subparagraph (A) to the Secretary of the Army.

(2) FAILURE TO JOINTLY DESIGNATE.—If the Secretary of the Interior and the Secretary of the Army fail to jointly designate the tracts of land referred to in paragraph (1)(A) by the date that is 60 days after the date of enactment of this Act, the Secretary of the Army shall designate the tracts of land pursuant to a description prepared by the Secretary of the Army, in consultation with the Chief of Engineers, and shall provide notice to the Secretary of the Interior of the designation. Upon receipt of the notice, the Secretary of the Interior shall transfer administrative jurisdiction over the tracts of land to the Secretary of the Army.

(b) SIZE.—

(1) LIMITS.—Except as provided in paragraph (2), the quantity of acreage in the tracts of land referred to in subsection (a) shall not exceed—

(A) with respect to the tract in the Cape Hatteras National Seashore Recreational Area, 93 acres; and

(B) with respect to the tract in the Pea Island National Wildlife Refuge, 33 acres.

(2) EXCEPTION.—If the Secretary of the Army and the Secretary of the Interior jointly designate the tracts of land pursuant to subsection (a)(1)(A), the area of each tract may exceed the acreage specified for the tract in paragraph (1).

(c) MODIFICATION OF SIZE IN EVENT OF FAILURE TO JOINTLY DESIGNATE.—Notwithstanding subsection (b)(1), if, after designating the tracts of land pursuant to subsection (a)(2), the Secretary of the Army determines that any tract is inadequate for the construction, operation, and maintenance of a jetty and sand transfer system for the Oregon Inlet, the Secretary of the Army may designate, not earlier than 60 days after providing notice of a designation to the Secretary of the Interior under subsection (a)(2), an additional tract of land adjacent to the inadequate tract.

SEC. 3109. Notwithstanding any other provision of law, the Indian Health Service is authorized to improve municipal, private or tribal lands with respect to the new construction of the clinic for the community of King Cove, Alaska authorized under section 353 of Public Law 105–277 (112 Stat. 2681–303).

SEC. 3110. Section 306 of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of Public Law 106–113, is hereby repealed.

TITLE IV—FOOD AND MEDICINE FOR THE WORLD ACT

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Food and Medicine for the World Act''.

SEC. 4002. DEFINITIONS.

In this title:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(A) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

(B) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) any program administered under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.);

(D) the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14);

(E) any commercial export sale of agricultural commodities; or

(F) any export financing (including credits or credit guarantees) provided by the United States Government for agricultural commodities.

(3) JOINT RESOLUTION.—The term ''joint resolution'' means—

(A) in the case of section 4003(a)(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 4003(a)(1) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section 4003(a)(1) of the Food and Medicine for the World Act, transmitted on _____.'', with the blank completed with the appropriate date; and

(B) in the case of section 4006(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 4006(2) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section 4006(1) of the Food and Medicine for the World Act, transmitted on _____.'', with the blank completed with the appropriate date.

(4) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(5) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(6) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(7) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

SEC. 4003. RESTRICTION.

(a) NEW SANCTIONS.—Except as provided in sections 4004 and 4005 and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity, unless—

(1) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(A) describes the activity proposed to be prohibited, restricted, or conditioned; and

(B) describes the actions by the foreign country or foreign entity that justify the sanction; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

(b) EXISTING SANCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President shall terminate any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act.

(2) EXEMPTIONS.—Paragraph (1) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed—

(A) with respect to any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(B) with respect to the Export Credit Guarantee Program (GSM–102) or the Intermediate Export Credit Guarantee Program (GSM–103) established under section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622); or

(C) with respect to the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14).

SEC. 4004. EXCEPTIONS.

Section 4003 shall not affect any authority or requirement to impose (or continue to impose) a sanction referred to in section 4003—

(1) against a foreign country or foreign entity—

(A) pursuant to a declaration of war against the country or entity;

(B) pursuant to specific statutory authorization for the use of the Armed Forces of the United States against the country or entity;

(C) against which the Armed Forces of the United States are involved in hostilities; or

(D) where imminent involvement by the Armed Forces of the United States in hostilities against the country or entity is clearly indicated by the circumstances; or

(2) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(A) controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778);

(B) controlled on any control list established under the Export Administration Act of 1979 or any successor statute (50 U.S.C. App. 2401 et seq.); or

(C) used to facilitate the development or production of a chemical or biological weapon or weapon of mass destruction.

SEC. 4005. COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

Notwithstanding section 4003 and except as provided in section 4007, the prohibitions in effect on or after the date of the enactment of this Act under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) on providing, to the government of any country supporting international terrorism, United States Government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees, shall remain in effect for such period as the Secretary of State determines under such section 620A that the government of the country has repeatedly provided support for acts of international terrorism.

SEC. 4006. TERMINATION OF SANCTIONS.

Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in section 4003(a) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(1) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing—

(A) the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years; and

(B) the request of the President for approval by Congress of the recommendation; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

SEC. 4007. STATE SPONSORS OF INTERNATIONAL TERRORISM.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the export of agricultural commodities, medicine, or medical devices to the government of a country that has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) shall only be made—

(1) pursuant to one-year licenses issued by the United States Government for contracts entered into during the one-year period and completed with the 12-month period beginning on the date of the signing of the contract, except that, in the case of the export of items used for food and for food production, such one-year licenses shall otherwise be no more restrictive than general licenses; and

(2) without benefit of Federal financing, direct export subsidies, Federal credit guarantees, or other Federal promotion assistance programs.

(b) QUARTERLY REPORTS.—The applicable department or agency of the Federal Government shall submit to the appropriate congressional committees on a quarterly basis a report on any activities undertaken under subsection (a)(1) during the preceding calendar quarter.

(c) BIENNIAL REPORTS.—Not later than two years after the date of enactment of this Act, and every two years thereafter, the applicable department or agency of the Federal Government shall submit a report to the appropriate congressional committees on the operation of the licensing system under this section for the preceding two-year period, including—

(1) the number and types of licenses applied for;

(2) the number and types of licenses approved;

(3) the average amount of time elapsed from the date of filing of a license application until the date of its approval;

(4) the extent to which the licensing procedures were effectively implemented; and

(5) a description of comments received from interested parties about the extent to which the licensing procedures were effective, after the applicable department or agency holds a public 30-day comment period.

SEC. 4008. CONGRESSIONAL EXPEDITED PROCEDURES.

Consideration of a joint resolution relating to a report described in section 4003(a)(1) or 4006(1) shall be subject to expedited procedures as determined by the House of Representatives and as determined by the Senate.

SEC. 4009. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title takes effect on the date of enactment of this Act.

(b) EXISTING SANCTIONS.—In the case of any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act, this title takes effect 180 days after the date of enactment of this Act.

This Division may be cited as the ''Fiscal Year 2000 Emergency Supplemental Appropriations Act for Natural Disasters Assistance''.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001''.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

EDWARDS AMENDMENT NO. 3375

Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . REGARDING LAND CONVEYANCE, MARINE CORPS BASE, CAMP LEJEUNE, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, to the city of Jacksonville, North Carolina (City), all right, title and interest of the United States in and to real property, including improvements thereon, and currently leased to Norfolk Southern Corporation (NSC), consisting of approximately 50 acres, known as the railroad right-of-way, lying within the City between Highway 24 and Highway 17, at the Marine Corps Base, Camp Lejeune, North Carolina, for the purpose of permitting the City to develop the parcel for initial use as a bike/green way trail.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall reimburse the Secretary such amounts (as determined by the Secretary) equal to the costs incurred by the Secretary in carrying out the provisions of this section, including, but not limited to, planning, design, surveys, environmental assessment and compliance, supervision and inspection of construction, severing and realigning utility systems, and other prudent and necessary actions, prior to the conveyance authorized by subsection (a). Amounts collected under this subsection shall be credited to the account(s) from which the expenses were paid. Amounts so credited shall be merged with funds in such account(s) and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(c) CONDITION OF CONVEYANCE.—The right of the Secretary of the Navy to retain such easements, rights of way, and other interests in the property conveyed and to impose such restrictions on the property conveyed as are necessary to ensure the effective security, maintenance, and operations of the Marine Corps Base, Camp Lejeune, North Carolina, and to protect human health and the environment.

(d) DESCRIPTION OF THE PROPERTY.—The exact acreage and legal description of the real property authorized to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

DEPARTMENT OF DEFENSE APPROPRIATIONS 2001

LOTT (AND COCHRAN) AMENDMENT NO. 3376

Mr. STEVENS (for Mr. LOTT (for himself and Mr. COCHRAN)) proposed an amendment to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title II under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION'' (DEFENSE-

WIDE) up to $2,000,000 may be made available to the Special Reconnaissance Capabilities (SRC) Program for the Virtual Worlds Initiative in PE 0304210BB.

LOTT AMENDMENT NO. 3377

Mr. STEVENS (for Mr. LOTT) proposed an amendment to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title III under the heading ''PROCUREMENT OF AMMUNITION, NAVY/MARINE CORPS, up to $5,000,000 may be made available for ROCKETS, ALL TYPE, 83mm HEDP.

COMMEMORATING THE 225TH BIRTHDAY OF THE UNITED STATES ARMY

THURMOND AMENDMENT NOS. 3378–3380

Mr. ENZI (for Mr. THURMOND) proposed three amendments to the joint resolution (S.J. Res. 3378) commemorating the 225th birthday of the United States Army; as follows:

AMENDMENT NO. 3378

Strike all after the resolved clause and insert the following:

That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

AMENDMENT NO. 3379

Strike the preamble and insert the following:

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of ''Duty, Honor, Country'' is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

AMENDMENT NO. 3380

Amend the title so as to read: ''A Joint Resolution recognizing the 225th birthday of the United States Army.''.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

BINGAMAN AMENDMENT NO. 3381

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 31, after line 25, add the following:

SEC. 132. CONVERSION OF AGM–65 MAVERICK MISSILES.

(a) INCREASE IN AMOUNT.—The amount authorized to be appropriated by section 103(3) for procurement of missiles for the Air Force is hereby increased by $5,000,000.

(b) AVAILABILITY OF AMOUNT.—(1) Of the amount authorized to be appropriated by section 103(3), as increased by subsection (a), $5,000,000 shall be available for In-Service Missile Modifications for the purpose of the conversion of Maverick missiles in the AGM–65B and AGM–65G configurations to Maverick missiles in the AGM–65H and AGM–65K configurations.

(2) The amount available under paragraph (1) for the purpose specified in that paragraph is in addition to any other amounts available under this Act for that purpose.

(c) OFFSET.—The amount authorized to be appropriated by section 103(1) for procurement of aircraft for the Air Force is hereby reduced by $5,000,000, with the amount of the reduction applicable to amounts available under that section for ALE–50 Code Decoys.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 14, 2000 at 2:30 p.m. in room 485 of the Russell Senate Building to mark up the following: S. 1586, Indian Land Consolidation Act Amendments; S. 2351, Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act; S. Res. 277, Commemorating the 30th Anniversary of the Policy of Indian Self-Determination; S. 2508, the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000; and H.R. 3051, Jicarilla Water Feasibility Study; to be followed by a hearing, on S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the Department of Agriculture. The hearing will be held in room 485, Russell Senate Building.

Those wishing additional information contact committee staff at 202–224–2251.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management.

The hearing will take place on Friday, July 7, 2000, at 10:00 a.m. at the Myles Reit Performing Arts Center, 720 Conifer Drive, Grand Rapids, Minnesota.

The purpose of this hearing is to conduct oversight on the July 4, 1999, blow-down in the Boundary Waters Canoe Area and other national forest lands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey (202) 224–6170.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

SELECT COMMITTEE ON INTELLIGENCE

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a joint oversight hearing has been scheduled before the Select Committee on Intelligence and the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, June 14 at 10:15 a.m. in Room SH–216 of the Hart Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the Loss of National Security Information at the Los Alamos National Laboratory.

For further information, please call Howard Useem at 202–224–6567 or Trici Heninger at (202) 224–7875.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, June 13, 2000, at 10 a.m. on online profiling and privacy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, June 13, at 9:30 a.m. to receive testimony from James V. Aidala, nominated by the President to be Assistant

Administrator for Toxic Substances, Environmental Protection Agency; Arthur C. Campbell, nominated to be Assistant Secretary for Economic Development, the Department of Commerce; and Ella Wong-Rusinko, nominated to be Alternate Federal Co-Chair of the Appalachian Regional Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Drug Safety and Pricing during the session of the Senate on Tuesday, June 13, 2000, at 10:00 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, June 13, 2000, at 10:00 a.m., in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Tuesday, June 13, 2000 at 10:00 am to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES AND FINANCIAL INSTITUTIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Securities and Financial Institutions be authorized to meet during the session of the Senate on Tuesday, June 13, 2000, to conduct a joint hearing on ''Merchant Banking Regulations pursuant to the Gramm-Leach-Bliley Act of 1999.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ALLARD. Mr. President, I ask unanimous consent that Roger Brown, a member of my staff, be allowed on the floor during the debate on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that Sarah Donnar and Jennifer Loesch of my office have access to the floor during the consideration of this bill today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, on behalf of Senator COLLINS, I ask unanimous consent that Kristine Fauser, who currently works in Senator COLLINS' office, be granted the privilege of the floor during the consideration of the Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURNS. Mr. President, I ask unanimous consent that Bob Morgan, a fellow on Senator EDWARDS' staff, be granted the privilege of the floor during the pendency of the DOD appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIVE AMERICAN ALCOHOL AND SUBSTANCE ABUSE PROGRAM CONSOLIDATION ACT OF 2000

Mr. ENZI. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 585, which is S. 1507.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1507) to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Alcohol and Substance Abuse Program Consolidation Act of 2000''.

SEC. 2. STATEMENT OF PURPOSE.

The purposes of this Act are—

(1) to enable Indian tribes to consolidate and integrate alcohol and other substance abuse prevention, diagnosis and treatment programs, and mental health and related programs, to provide unified and more effective and efficient services to Native Americans afflicted with alcohol and other substance abuse problems; and

(2) to recognize that Indian tribes can best determine the goals and methods for establishing and implementing prevention, diagnosis and treatment programs for their communities, consistent with the policy of self-determination.

SEC. 3. DEFINITIONS.

(a) IN GENERAL.—In this Act:

(1) FEDERAL AGENCY.—The term ''Federal agency'' has the same meaning given the term in section 551(1) of title 5, United States Code.

(2) INDIAN.—The term ''Indian'' shall have the meaning given such term in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(d)).

(3) INDIAN TRIBE.—The terms ''Indian tribe'' and ''tribe'' shall have the meaning given the term ''Indian tribe'' in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) and shall include entities as provided for in subsection (b)(2).

(4) SECRETARY.—Except where otherwise provided, the term ''Secretary'' means the Secretary of Health and Human Services.

(5) SUBSTANCE ABUSE.—The term ''substance abuse'' includes the illegal use or abuse of a drug, the abuse of an inhalant, or the abuse of tobacco or related products.

(b) INDIAN TRIBE.—

(1) IN GENERAL.—In any case in which an Indian tribe has authorized another Indian tribe, an inter-tribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this Act, the authorized Indian tribe, inter-tribal consortium, or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this Act).

(2) INCLUSION OF OTHER ENTITIES.—In a case described in paragraph (1), the term ''Indian tribe'', as defined in subsection (a)(2), shall include the additional authorized Indian tribe, inter-tribal consortium, or tribal organization.

SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.

The Secretary of Health and Human Services, in cooperation with the Secretary of Labor, Secretary of the Interior, Secretary of Education, Secretary of Housing and Urban Development, United States Attorney General, and Secretary of Transportation, as appropriate, shall, upon the receipt of a plan acceptable to the Secretary that is submitted by an Indian tribe, authorize the tribe to coordinate, in accordance with such plan, its federally funded alcohol and substance abuse and mental health programs in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.

SEC. 5. PROGRAMS AFFECTED.

The programs that may be integrated in a demonstration project under any plan referred to in section 4 shall include—

(1) any program under which an Indian tribe is eligible for the receipt of funds under a statutory or administrative formula for the purposes of prevention, diagnosis or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or any program designed to enhance the ability to treat, diagnose or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders;

(2) any program under which an Indian tribe is eligible for receipt of funds though a competitive or other grant program for the purposes of prevention, diagnosis or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or treatment, diagnosis and prevention of related problems and disorders, or any program designed to enhance the ability to treat, diagnose or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders, if—

(A) the Indian tribe has provided notice to the appropriate agency regarding the intentions of the tribe to include the grant program in the plan it submits to the Secretary, and the affected agency has consented to the inclusion of the grant in the plan; or

(B) the Indian tribe has elected to include the grant program in its plan, and the administrative requirements contained in the plan are essentially the same as the administrative requirements under the grant program; and

(3) any program under which an Indian tribe is eligible for receipt of funds under any other funding scheme for the purposes of prevention, diagnosis or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or treatment, diagnosis and prevention of related problems and disorders, or any program designed to enhance the ability to treat, diagnose or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders.

SEC. 6. PLAN REQUIREMENTS.

For a plan to be acceptable under section 4, the plan shall—

(1) identify the programs to be integrated;

(2) be consistent with the purposes of this Act authorizing the services to be integrated into the project;

(3) describe a comprehensive strategy that identifies the full range of existing and potential alcohol and substance abuse and mental health treatment and prevention programs available on and near the tribe's service area;

(4) describe the manner in which services are to be integrated and delivered and the results expected under the plan;

(5) identify the projected expenditures under the plan in a single budget;

(6) identify the agency or agencies in the tribe to be involved in the delivery of the services integrated under the plan;

(7) identify any statutory provisions, regulations, policies or procedures that the tribe believes need to be waived in order to implement its plan; and

(8) be approved by the governing body of the tribe.

SEC. 7. PLAN REVIEW.

(a) CONSULTATION.—Upon receipt of a plan from an Indian tribe under section 4, the Secretary shall consult with the Secretary of each Federal agency providing funds to be used to implement the plan, and with the tribe submitting the plan.

(b) IDENTIFICATION OF WAIVERS.—The parties consulting on the implementation of the plan under subsection (a) shall identify any waivers of statutory requirements or of Federal agency regulations, policies or procedures necessary to enable the tribal government to implement its plan.

(c) WAIVERS.—Notwithstanding any other provision of law, the Secretary of the affected agency shall have the authority to waive any statutory requirement, regulation, policy, or procedure promulgated by the affected agency that has been identified by the tribe or the Federal agency under subsection (b) unless the Secretary of the affected department determines that such a waiver is inconsistent with the purposes of this Act or with those provisions of the Act that authorizes the program involved which are specifically applicable to Indian programs.

SEC. 8. PLAN APPROVAL.

(a) IN GENERAL.—Not later than 90 days after the receipt by the Secretary of a tribe's plan under section 4, the Secretary shall inform the tribe, in writing, of the Secretary's approval or disapproval of the plan, including any request for a waiver that is made as part of the plan.

(b) DISAPPROVAL.—If a plan is disapproved under subsection (a), the Secretary shall inform the tribal government, in writing, of the reasons for the disapproval and shall give the tribe an opportunity to amend its plan or to petition the Secretary to reconsider such disapproval, including reconsidering the disapproval of any waiver requested by the Indian tribe.

SEC. 9. FEDERAL RESPONSIBILITIES.

(a) RESPONSIBILITIES OF THE INDIAN HEALTH SERVICE.—

(1) MEMORANDUM OF UNDERSTANDING.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, and the Secretary of Transportation shall enter into an interdepartmental memorandum of agreement providing for the implementation of the plans authorized under this Act.

(2) LEAD AGENCY.—The lead agency under this Act shall be the Indian Health Service.

(3) RESPONSIBILITIES.—The responsibilities of the lead agency under this Act shall include—

(A) the development of a single reporting format related to the plan for the individual project which shall be used by a tribe to report on the activities carried out under the plan;

(B) the development of a single reporting format related to the projected expenditures for the individual plan which shall be used by a tribe to report on all plan expenditures;

(C) the development of a single system of Federal oversight for the plan, which shall be implemented by the lead agency;

(D) the provision of technical assistance to a tribe appropriate to the plan, delivered under an arrangement subject to the approval of the tribe participating in the project, except that a tribe shall have the authority to accept or reject the plan for providing the technical assistance and the technical assistance provider; and

(E) the convening by an appropriate official of the lead agency (whose appointment is subject to the confirmation of the Senate) and a representative of the Indian tribes that carry out projects under this Act, in consultation with each of the Indian tribes that participate in projects under this Act, of a meeting not less than 2 times during each fiscal year for the purpose of providing an opportunity for all Indian tribes that carry out projects under this Act to discuss issues relating to the implementation of this Act with officials of each agency specified in paragraph (1).

(b) REPORT REQUIREMENTS.—The single reporting format shall be developed by the Secretary under subsection (a)(3), consistent with the requirements of this Act. Such reporting format, together with records maintained on the consolidated program at the tribal level shall contain such information as will—

(1) allow a determination that the tribe has complied with the requirements incorporated in its approved plan; and

(2) provide assurances to the Secretary that the tribe has complied with all directly applicable statutory requirements and with those directly applicable regulatory requirements which have not been waived.

SEC. 10. NO REDUCTION IN AMOUNTS.

In no case shall the amount of Federal funds available to a participating tribe involved in any project be reduced as a result of the enactment of this Act.

SEC. 11. INTERAGENCY FUND TRANSFERS AUTHORIZED.

The Secretary of the Interior, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, or the Secretary of Transportation, as appropriate, is authorized to take such action as may be necessary to provide for the interagency transfer of funds otherwise available to a tribe in order to further the purposes of this Act.

SEC. 12. ADMINISTRATION OF FUNDS AND OVERAGE.

(a) ADMINISTRATION OF FUNDS.—

(1) IN GENERAL.—Program funds shall be administered under this Act in such a manner as to allow for a determination that funds from specific programs (or an amount equal to the amount utilized from each program) are expended on activities authorized under such program.

(2) SEPARATE RECORDS NOT REQUIRED.—Nothing in this section shall be construed as requiring a tribe to maintain separate records tracing any services or activities conducted under its approved plan under section 4 to the individual programs under which funds were authorized, nor shall the tribe be required to allocate expenditures among individual programs.

(b) OVERAGE.—All administrative costs under a plan under this Act may be commingled, and participating Indian tribes shall be entitled to the full amount of such costs (under each program or department's regulations), and no overage shall be counted for Federal audit purposes so long as the overage is used for the purposes provided for under this Act.

SEC. 13. FISCAL ACCOUNTABILITY.

Nothing in this Act shall be construed to interfere with the ability of the Secretary or the lead agency to fulfill the responsibilities for the safeguarding of Federal funds pursuant to chapter 75 of title 31, United States Code (the Single Audit Act of 1984).

SEC. 14. REPORT ON STATUTORY AND OTHER BARRIERS TO INTEGRATION.

(a) PRELIMINARY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the implementation of the program authorized under this Act.

(b) FINAL REPORT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the results of the implementation of the program authorized under this Act. The report shall identify statutory barriers to the ability of tribes to integrate more effectively their alcohol and substance abuse services in a manner consistent with the purposes of this Act.

SEC. 15. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE INDIAN ALCOHOL AND DRUG TREATMENT OR MENTAL HEALTH PROGRAMS.

Any State with an alcohol and substance abuse or mental health program targeted to Indian tribes shall be eligible to receive, at no cost to the State, such Federal personnel assignments as the Secretary, in accordance with the applicable provisions of subchapter IV of chapter 33 of title 5, United States Code (the Intergovernmental Personnel Act of 1970), may deem appropriate to help insure the success of such program.

Mr. ENZI. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1507), as amended, was read the third time and passed.

The title was amended so as to read: ''A bill to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes.''.

225TH BIRTHDAY OF THE UNITED STATES ARMY

Mr. ENZI. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S.J. Res. 46, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 46) commemorating the 225th Birthday of the United States Army.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ENZI. Mr. President, I ask unanimous consent that an amendment to the resolution which is at the desk be agreed to, and the resolution, as amended, be read a third time and passed. I further ask unanimous consent that an amendment to the preamble be agreed to, and the preamble, as amended, be agreed to, a title amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3378, 3379, AND 3380 EN BLOC

The PRESIDING OFFICER. The clerk will report the amendments by number.

The assistant legislative clerk read as follows:

The Senator from Wyoming (Mr. ENZI), for Mr. THURMOND, proposes amendments numbered 3378, 3379 and 3380, en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 3378, No. 3379, and No. 3380), en bloc, were agreed to, as follows.

AMENDMENT NO. 3378

Strike all after the resolved clause and insert the following:

That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

AMENDMENT NO. 3379

Strike the preamble and insert the following:

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of ''Duty, Honor, Country'' is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

AMENDMENT NO. 3380

Amend the title so as to read: ''A Joint Resolution recognizing the 225th birthday of the United States Army.''.

The joint resolution (S.J. Res. 46), as amended, was read the third time and passed.

The preamble, as amended, was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 46

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of ''Duty, Honor, Country'' is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

NOMINATION OF JOHN A. GORDON

Mr. WARNER. Mr. President, could I interrupt the proceedings here momentarily and get the attention of the distinguished Democratic leader and the ranking member of the Armed Services Committee?

Early this morning, I say to the distinguished minority leader, on the subject of General Gordon, we talked and I talked to the majority leader. I think there is a consensus that tomorrow morning at some point his nomination can be voted upon.

Could we, at the conclusion of this day, before it is finished, at least represent that?

Mr. DASCHLE. Mr. President, in response to the senior Senator from Virginia, let me say we have no objection to moving to the nomination, with the understanding that at a date no later than a date that we could mutually agree to, we deal with the accompanying nomination.

I think that understanding has now been made, and I believe we can proceed to the first piece of this with that understanding.

Mr. WARNER. I thank our distinguished leader.

Mr. LEVIN. If the Senator will yield on that point, General Gordon has very strong support on both sides of the aisle. He is a Presidential nominee who has gotten a very positive response from just about everybody I know. I think the people look forward to voting on his nomination as early as possible tomorrow morning.

Again, I think there is an effort being made to set a deadline for another vote on a nominee to the same Department, someone who has been waiting for a long time.

Mr. DASCHLE. Mr. President, if the Senator will yield for another moment, Madelyn Creedon has been on the calendar since April 13, and General Gordon has been on the calendar since May 24.

We have no objection to moving to General Gordon first, even though he was just reported out a couple of weeks ago, and Mrs. Creedon has been now on the calendar for almost 2 months, with some understanding that we can move to the Creedon nomination no later than a time on which we can agree.

We have no reason not to want to move to the Gordon nomination.

Mr. WARNER. Mr. President, it would be no longer than the day or day after we return from the July 4 recess.

Mr. DASCHLE. That is acceptable, Mr. President.

Mr. WARNER. July 11 or July 12.

Mr. DASCHLE. With the understanding we would vote no later than July 11, we have no reservations.

Mr. WARNER. Could we make it July 12? I am not in a position to know exactly when votes are ordered on the return.

Mr. DASCHLE. We will make it the July 12.

Mr. LEVIN. If the Senator will yield on that, that opens the possibilities

that we would vote on that nomination prior to the recess because it says ''no later than.''

Mr. WARNER. It does not foreclose earlier consideration. I thank my colleagues.

I yield the floor.

NATIONAL RESPONSIBLE FATHER'S DAY

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 322, introduced earlier today by Senators BAYH, DOMENICI, and others.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 322) encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as ''Responsible Father's Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. ENZI. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, a motion to consider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 322) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 322

Encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as ''Responsible Father's Day''.

Whereas 40 percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father's home;

Whereas approximately 50 percent of all children born in the United States spend at least ½ of their childhood in a family without a father figure;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

Whereas many of the United States leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more two-parent, father-involved families to form and endure;

Whereas it is important to promote responsible fatherhood and encourage loving and healthy relationships between parents and their children in order to increase the chance that children will have two caring parents to help them grow up healthy and secure and not to—

(1) denigrate the standing or parenting efforts of single mothers, whose efforts are heroic;

(2) lessen the protection of children from abusive parents;

(3) cause women to remain in or enter into abusive relationships; or

(4) compromise the health or safety of a custodial parent;

Whereas children who are apart from their biological father are, in comparison to other children—

(1) 5 times more likely to live in poverty; and

(2) more likely to—

(A) bring weapons and drugs into the classroom;

(B) commit crime;

(C) drop out of school;

(D) be abused;

(E) commit suicide;

(F) abuse alcohol or drugs; and

(G) become pregnant as teenagers;

Whereas the Federal Government spends billions of dollars to address these social ills and very little to address the causes of such social ills;

Whereas violent criminals are overwhelmingly males who grew up without fathers;

Whereas the number of children living with only a mother increased from just over 5,000,000 in 1960, to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent;

Whereas between 20 percent and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year and between 40 percent and 60 percent of women with children who receive welfare were abused at some time in their life;

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe, loving environments;

Whereas responsible fatherhood should always recognize and promote values of nonviolence;

Whereas child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child;

Whereas children learn by example, community programs that help mold young men into positive role models for their children need to be encouraged;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers but rather to increase the likelihood that children will have 2 caring parents to help them grow up in loving environments; and

Whereas Congress has begun to take notice of this issue with legislation introduced in both the House of Representatives and the Senate to address the epidemic of fatherlessness: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need to encourage active involvement of fathers in the rearing and development of their children;

(2) recognizes that while there are millions of fathers who serve as a wonderful caring parent for their children, there are children on Father's Day who will have no one to celebrate with;

(3) urges fathers to participate in their children's lives both financially and emotionally;

(4) encourages fathers to devote time, energy, and resources to their children;

(5) urges fathers to understand the level of responsibility required when fathering a child and to fulfill that responsibility;

(6) is committed to assist absent fathers become more responsible and engaged in their children's lives;

(7) designates June 18, 2000, as ''National Responsible Father's Day'';

(8) calls upon fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend ''National Responsible Father's Day'' with their children, and to express their love and support for their children; and

(9) requests that the President issue a proclamation calling upon the people of the United States to observe ''National Responsible Father's Day'' with appropriate ceremonies and activities.

AWARD OF MEDAL OF HONOR TO ED W. FREEMAN, JAMES K. OKUBO, AND ANDREW J. SMITH

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2722, introduced earlier today by Senator AKAKA.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2722) to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith.

There being no objection, the Senate proceeded to consider the bill.

Mr. AKAKA. Mr. President, I am proud to introduce legislation which would award the Medal of Honor to James K. Okubo, Ed W. Freeman, and Andrew J. Smith. There is no doubt that these three individuals are deserving of this award based on their brave and selfless service in defense of our great nation. The passage of this measure makes it possible for these men to receive a long overdue and well-deserve honor.

This legislation marks the culmination of my efforts to recognize James K. Okubo for his acts of gallantry during World War II. James K. Okubo was born in Ancacortes, Washington, raised in Bellingham, Washington, and interned at Tule Lake, California. Mr. Okubo entered military service in Alturas, California on May 22, 1943 and was discharged from the Army in December 1945. Following his military service, Mr. Okubo was a professor at the University of Detroit Dental School. Mr. Okubo passed away following a car accident in 1967.

Mr. Okubo (Tec 5) served as a medic, member of the Medical Detachment, 442nd Regimental Combat Team. For his heroism displayed over a period of several days (October 28, 29 and November 4, 1944) in rescuing and delivering medical aid to fellow soldiers during the rescue of the ''Lost Battalion'' from Texas, he was recommended to receive the Medal of Honor. The medal, however, was downgraded to a Silver Star. The explanation provided at the time was that as a medic, James S. Okubo was not eligible for any award higher than the Silver Star.

Due to my concern that Mr. Okubo did not receive full recognition for his acts of heroism and bravery, I requested reconsideration of Mr. Okubo's case under section 1130, Title 10 of the United States Code. The Senior Army Decorations Board reviewed the case and submitted it to Secretary Caldera recommending an upgrade to the Medal of Honor. Secretary Caldera approved the recommendation which resulted in this important measure.

This legislation is especially significant as fellow members of Mr. Okubo's unit will be awarded the Medal of Honor next week. It is my hope that this legislation will be enacted shortly, thereby allowing the Okubo family to participate in this auspicious event with the other families of members from the 100th Battalion, 442nd Regimental Combat Team.

Mr. Okubo's heroism on the battlefield is an inspiration to all who believe in duty, honor, and service to one's country. Mr. Okubo takes his rightful place among America's great war heroes. He is a shining example of the sacrifices made by so many other Asian Pacific Americans during World War II, who served our country so ably in spite of the difficulties they faced as members of a suspect minority.

Mr. ENZI. I ask unanimous consent the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2722) was considered read the third time and passed, as follows:

S. 2722

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

SECTION 1. AUTHORITY TO AWARD MEDAL OF HONOR TO ED W. FREEMAN, JAMES K. OKUBO, AND ANDREW J SMITH.

(a) INAPPLICABILITY OF TIME LIMITATIONS.—Notwithstanding the time limitations in section 3744(b) of title 10, United States Code, or any other time limitation, the President may award the Medal of Honor under section 3741 of such title to the persons specified in subsection (b) for the acts specified in that subsection, the award of the Medal of Honor to such persons having been determined by the Secretary of the Army to be warranted in accordance with section 1130 of such title.

(b) PERSONS ELIGIBLE TO RECEIVE THE MEDAL OF HONOR.—The persons referred to in subsection (a) are the following:

(1) Ed W. Freeman, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 14, 1965, as flight leader and second-in-command of a helicopter lift unit at landing zone X–Ray in the Battle of the Ia Drang Valley, Republic of Vietnam, during the Vietnam War, while serving in the grade of Captain in Alpha Company, 229th Assault Helicopter Battalion, 101st Cavalry Division (Airmobile).

(2) James K. Okubo, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on October 28 and 29, and November 4, 1944, at Foret Domaniale de Champ, near Biffontaine, France, during World War II, while serving as an Army medic in the grade of Technician Fifth Grade in the medical detachment, 442d Regimental Combat Team.

(3) Andrew J. Smith, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 30, 1864, in the Battle of Honey Hill, South Carolina, during the Civil War, while serving as a corporal in the 55th Massachusetts Voluntary Infantry Regiment.

(c) POSTHUMOUS AWARD.—The Medal of Honor may be awarded under this section posthumously, as provided in section 3752 of title 10, United States Code.

(d) PRIOR AWARD.—The Medal of Honor may be awarded under this section for service for which a Silver Star, or other award, has been awarded.

ORDERS FOR WEDNESDAY, JUNE 14, 2000

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, June 14.

I further ask unanimous consent that on Wednesday, 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 resume consideration of S. 2549, the Department of Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ENZI. For the information of all Senators, the Senate will convene at 9:30 a.m. tomorrow, and will immediately resume debate on the Defense authorization legislation. As a reminder, there are over 200 amendments filed to this authorizing bill. Senators can expect amendments to be offered and voted on throughout the day. It is hoped that all Senators who have amendments in order will work with the bill managers in an effort to complete this important legislation. Senators should be aware that the Senate may begin consideration of the Transportation appropriations bill as early as tomorrow afternoon.

MEASURE PLACED ON THE CALENDAR—H.R. 4475

Mr. ENZI. I now ask unanimous consent that H.R. 4475 be discharged from the Appropriations Committee and placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ENZI. 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 7:27 p.m., adjourned until Wednesday, June 14, 2000, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 13, 2000:

DEPARTMENT OF TRANSPORTATION

FRANCISCO J. SANCHEZ, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE CHARLES A. HUNNICUTT, RESIGNED.

DEPARTMENT OF STATE

RICHARD A. BOUCHER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (PUBLIC AFFAIRS), VICE JAMES P. RUBIN.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. WILLIAM F. KERNAN, 0000

EXTENSIONS OF REMARKS

HONORING MS. ELIZABETH ''LIZZY'' SEARLE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize the accomplishments of an outstanding student, Elizabeth ''Lizzy'' Searle. Her creative mind has earned her a distinguished award, the United States National Award Winner in Art.

In addition, Ms. Searle will appear in the United States Achievement Academy Official Yearbook in recognition of her academic performance, interest and aptitude, leadership qualities, responsibilities, enthusiasm, citizenship, attitude, motivation to learn and improve and dependability. Ms. Searle received her award for her remarkable dedication to learning. Ms. Searle is a model for all students to follow and one that will be sure to achieve great things. She has proven to be an asset to her school and the community.

It is with this, Mr. Speaker, that I say congratulations to Elizabeth Searle on a truly exceptional accomplishment. Due to her dedicated service and creativity, it is clear that Colorado is a better place.

TRIBUTE TO WALTER L. SMITH, PH.D., SCHOLAR, DISTINGUISHED EDUCATOR AND GREAT AMERICAN

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mrs. MEEK of Florida. Mr. Speaker, as Americans all across this land of ours celebrate graduation—a time of transition—from schools and colleges, I rise to pay tribute to Walter L. Smith, Ph.D., a scholar and professor of many years who will be transitioning from a distinguished and storied career in education into retirement this spring.

When I think about Dr. Smith and his many contributions to higher education, our nation, and the world, I'm reminded of a phrase from a favorite old poem:

''To sow a dream and see it spread and grow
To light a lamp and watch its brightness gleam
Here is a gift that is divine I know
To give a young child a dream.''

Mr. Speaker, throughout his nearly forty year career in education, Dr. Smith has given generations of young men and women, the world over, so many wonderful dreams. It's been said that our children are our gift to a future that we will never see: Through his many years of labor and unselfish devotion to education Dr. Smith has helped generations of young Americans transform their wonderful dreams into a beautiful reality. These efforts will continue to bear fruit for generations to come.

Dr. Smith has always believed that the vast majority of our nation's children can be good students who will become good citizens. They are intelligent and they are longing for knowledge. He has also always insisted that society cannot, and should not, forget that small minority of students who are not ''good'' students or citizens. He's believed that we cannot just cast those few children, who simply lack proper leadership, out in to the cold solitude of ignorance. Rather he believes that it is these few, who we as a society, must truly concentrate upon. Dr. Smith has taught us all that it is our responsibility as role models to keep our youth on the right path—in schools, in class, and involved.

Mr. Speaker, I congratulate Dr. Walter L. Smith, upon his retirement. He has truly lived the life of a model citizen and he has earned the right to say that he's made a difference.

Few have achieved the success that Walter Smith has known in his profession. Few have achieved such universal respect and love from his fellow man. Few men have known the thrill that has come to this compassionate giant in taking young men and women and instilling confidence and pride in them to the extent that those lessons are never forgotten.

Mr. Speaker, It is with great pride that I ask this body to join with me in saluting, Dr. Walter L. Smith, a giant among men, a great Floridian, and indeed, truly a great American.

PERSONAL EXPLANATION

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. NEY. Mr. Speaker, due to my flight originating from Columbus, Ohio on June 12, 2000, being delayed several times, I missed rollcall votes No. 255 and No. 256. If I were present, I would have voted ''no'' on both rollcall votes.

PERSONAL EXPLANATIONS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. SMITH of Washington. Mr. Speaker, on the evening of Thursday, June 8, and Friday, June 9, I was unable to vote for family reasons.

If I had been present, I would have voted: ''yea'' on rollcall No. 250, the Traficant amendment to H.R. 4577; ''yea'' on rollcall No. 251, to approve the House Journal; ''yea'' on rollcall No. 252, the Rangel substitute amendment to H.R. 8; ''yea'' on rollcall No. 253, the Motion to Recommit with Instructions on H.R. 8; and ''yea'' on rollcall No. 254, final passage of H.R. 8, the Death Tax Elimination Act.

HONORING JOHN SCHWARZ

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. McINNIS. Mr. Speaker, I would like to take a moment to honor a man that has devoted his career to protecting the health of Colorado's environment, John Schwarz. In doing so, I would like to honor this individual who has exemplified the notion of public service and civic duty. Recently, the Public Lands Foundation named Mr. Schwarz its Outstanding Public Land Professional.

Mr. Schwarz was presented the monumental task of restoring the Blanca Wetlands, a dry arid area, back into a highly productive ecosystem. In doing so, his main focus was on designing a formula that would deal with the strong water opposition, while moving the project forward. His tenacity and professionalism were instrumental in reviving the wetlands into a vibrant and productive ecosystem. In recognition of his success in restoring this splendid natural system, John was named the Outstanding Public Land Professional. He traveled to Washington D.C. to receive the award on December 10, 1999. Public Lands Foundation President George Lea said at the ceremony that he hoped that ''Mr. Schwarz's work will help the real owners of these lands to better understand and appreciate the high ideals and integrity that Mr. Schwarz and the Bureau of Land Management bring to this difficult task each day.''

It is with this, Mr. Speaker, that I would like to pay tribute to Mr. Schwarz and his efforts to make his community a better place to live. His dedication and know-how have distinguished him greatly. The citizens of Colorado owe John a debt of gratitude and I wish him well.

A TRIBUTE TO LAUREN POLLINI AND IRENE SORENSEN

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine achievement of Lauren Pollini, a seventh-grade student from Home Street Middle School in Bishop, CA. Lauren was a recent competitor in the National History Day Competition (June 11–15) at the University of Maryland. The competition involved students from across the United States who submitted projects on this year's theme: ''Turning Points in History, People, Ideas, Events.''

Lauren qualified for the national competition by first winning California State History Day competitions at the county and state levels. Her essay, entitled ''Sunset School of Weedpatch, California: A Turning Point for

Children, Teachers And Community,'' won the State historical research category. Lauren also won three special recognition awards and two historical groups would like to publish her paper in their official publications.

Lauren's outstanding accomplishments were undoubtedly guided by the leadership of her teacher, Mrs. Irene Sorensen. Irene is a past winner of the Richard Farrell Award from the National History Day as the 1996 Teacher of Merit.

Irene retired this month after 19 years of teaching at Home Street School and leading students to statewide and national recognition. The town of Bishop, and Home Street School are 200 miles from the closest university library or other academic research facility. Yet under Irene's direction, Home Street students have won at the State level and qualified for National History Day nine times during the 13 years of History Day competition. Clearly, the dedication of young students like Lauren, and the guidance of teachers like Irene Sorensen, make our public school system the finest in the world.

Mr. Speaker, I ask that you join me and our colleagues in recognizing Lauren Pollini for her fine accomplishment. To say the least, her fine work is admired by all of us. I'd also like to commend Irene Sorensen for her fine leadership and her devotion to such remarkable educational standards, and wish her well in her new endeavors. Students like Lauren and instructors like Irene set a fine example for us all and it is only appropriate that the House pay tribute to them both today.

IN HONOR OF WISCONSIN STATE SENATOR GWEN MOORE, RECIPIENT OF THE NATIONAL ASSOCIATION OF CHILD ADVOCATE'S ANNUAL LEADERSHIP IN GOVERNMENT AWARD

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. BARRETT of Wisconsin. Mr. Speaker, I am pleased to have this opportunity to honor Wisconsin State Senator Gwen Moore. She is a remarkable citizen, and I salute her for being recognized today as the recipient of the National Association of Child Advocate's [NACA] Annual Leadership in Government Award.

The NACA initiated this awards program nearly 5 years ago to recognize excellence in the field of child advocacy. The Leadership in Government Award is given to city, county or State government leaders who have demonstrated consistent leadership, creativity, and courage in their political arena speaking out for and securing legislation that has a positive impact on the lives of children.

There is no one more deserving of this award. Senator Moore has served in the Wisconsin Legislature since 1989, and she has distinguished herself in the field of child advocacy. She is considered to be one of the most vocal, powerful and respected advocates working to improve the lives of children in Wisconsin. She worked hard to negotiate changes to Wisconsin's Temporary Assistance for Needy Families [TANF] program in a highly partisan political environment. In addition, she has successfully obtained funds for community health centers and nutritional outreach activities through the WIC program, the school breakfast program and child immunization efforts.

As government leaders, we all have a responsibility to act in the best interests of our children. Hubert Humphrey once said that, ''the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped.'' Senator Moore is a shining example of what good government is all about, and we should all follow in her footsteps.

Again, I am pleased to have this opportunity today to honor Senator Gwen Moore. I am thankful that our community has been represented strongly through her leadership. And I know that she will continue to play an important role in our community for decades to come and that America will continue to benefit from her service, dedication and hard work.

HONORING MAESTRO RAFFI ARMENIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Maestro Raffi Armenian on the occasion of his visit to Fresno, on April 15, 2000.

I want to welcome Maestro Raffi Armenian to the Pilgrim Armenian Congregational Church, where he will conduct Verdi's ''Il Trovatore'', featuring Fresno's Edna Garabedian in the role of Azucina. The people of Fresno are happy to have the chance to see Maestro Raffi Armenian conduct.

Maestro Armenian's passion for the human voice has manifested itself with conduction appearances at such illustrious companies as the Canadian Opera Company in Toronto, the Michigan Opera Theater, L' Opera de Montreal, Opera Hamilton, and Opera Columbus.

While living and working in Canada, Maestro Armenian garnered numerous awards for his work including an Emmy Award for Menotti's ''The Medium'', a Juno nomination for a recording a Ravel and Schoenberg with Maureen Forrester and the Canadian Chamber Ensemble. Over the years he has composed some twenty-four albums.

Mr. Speaker, I want to honor Maestro Raffi Armenian, as he visits Fresno. I urge my colleagues to join me in wishing Maestro Raffi Armenian many more years of continued success.

HONORING CHARLES GALLAGHER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. MCINNIS. Mr. Speaker it is with personal privilege and honor that I enter this tribute in acknowledgment of Charles Gallagher, a friend, a philanthropist and humanitarian.

On June 1, Mr. Gallagher was recognized by the Mizel Museum of Judaica as the recipient of the Community Cultural Enrichment Award. The award publicly notes Mr. Gallagher's commitment to education as well as his deep commitment to the State of Colorado, its people and its future.

I would note, Mr. Speaker, that Mr. Gallagher's wife Diane is a critical element of her husbands success and that she shares the commitment to Colorado and dedication to education.

Mr. Gallagher serves on the board of the Metropolitan Denver Area Chamber of Commerce, the Metro Denver Network Board of Governors, the University of Colorado at Denver Graduate School of Business Administration, the Metropolitan State College of Denver Foundation, the National Jewish Medical and Research Center, Denver Art Museum, Denver Area Council Boy Scouts of America, Colorado UpLIFT, The Denver Foundation, The Catholic Foundation for the Archdiocese of Denver, Irish Community Center, and Xavier University in Cincinnati. Mr. Gallagher is also a member of The Colorado Forum, Colorado Concern, and a Regent for Regis University. He and Diane have four married children and nine grandchildren.

The people of Colorado have every right to be proud of Mr. Gallagher and his family. On behalf of the people of Colorado, I thank the Gallagher's for their involvement.

CONGRATULATING THE STUDENTS AND STAFF OF CORAL SHORES HIGH SCHOOL

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. DEUTSCH. Mr. Speaker, I rise today to acknowledge the accomplishments of Coral Shores High School in Tavernier, Florida, congratulating the school for having been named a Service-Learning Leader School by the Corporation for National Service. This prestigious award recognizes the service-learning program that Coral Shores H.S. has integrated into its curriculum, a program that has promoted civic responsibility, strengthened community activism, and improved student performance since its inception.

This year, the Corporation for National Service has recognized 66 schools nationwide for promoting the benefits of service in the community. Community service cultivates generosity and gratitude in the lives of all parties involved—enlightening volunteers and providing those who receive help with a sense of hope. I firmly believe in the benefits of community service, and I am quite pleased to see that Coral Shores H.S. in Monroe County, Florida, is setting such a wonderful example for schools across the nation.

One of five Florida schools that were named a Service-Learning Leader School, 71 percent of the students at Coral Shores H.S. are involved in voluntary service programs. Integrating service-learning into a variety of courses including environmental science, English, history, art, and television production, students interested in virtually any area of study have had the unique opportunity to relate community service to their course work. With over 750 students currently enrolled at Coral Shores High School, this integrated experience has greatly benefitted the community

while enabling the school's students to master a particular subject through accompanying field work. The National Service-Learning Leader School Program will be instrumental in opening up the door for Coral Shores to assist other schools in the advancement of nationwide service. Over the course of the next two years, Coral Shores students and teachers will serve as mentors to other schools in the South Florida community. Through presentations and peer exchanges, the Coral Shores High School methodology that promotes a life of service will be shared with other schools. Mr. Speaker, I ask my colleagues to join me in commending Coral Shores High School for all of the wonderful work they are doing to benefit the community. I would like to thank the Monroe County School Board, the administrative team at Coral Shores High School, the teachers, and all of the school's students for their extraordinary efforts in bettering the South Florida community. Under the leadership of Principal Al Rother, Coral Shores High School has demonstrated that by starting with the individual we can make widespread change—change that will result in a nation dedicated to helping others.

SAN ANTONIO'S CITY PUBLIC SERVICE WINS COVETED EISENHOWER AWARD FOR SMALL BUSINESS

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. RODRIGUEZ. Mr. Speaker, we all know the importance of small business to our economies and local communities. I am proud today to let my colleagues know that our municipally owned utility, City Public Service of San Antonio, TX (CPS), has put words into action in its efforts to increase small business participation. In recognition of these efforts, CPS this week is receiving the coveted Dwight D. Eisenhower Award for Excellence from the United States Small Business Administration. Competing against 2,500 utilities nationwide, CPS won this honor for its proven record of reaching out to and including small business in its contracting operation.

CPS has made the participation of small and historically disadvantaged businesses a central tenet of its operating policy. CPS conducted numerous seminars and individual interviews to explain the purchasing process and identify potential obstacles. By listening to the target audience—small, minority and women-owned businesses—CPS learned what was needed to make its outreach efforts most productive. Among other actions taken to increase subcontracting opportunities, CPS subdivided larger contracts into smaller ones, eliminated bonding, except in high risk areas, implemented longer contract terms in certain cases to allow small businesses the chance to amortize their capital costs, significantly reduced and sometimes eliminated insurance requirements, facilitated meetings with CPS personnel to foster communication, expanded the use of target businesses in professional contracting, lowered the subcontracting requirements for prime contractors to submit a plan for the use of small businesses from $500,000 to $100,000, and waived contract requirements on low-risk jobs under $50,000.

CPS has been a leader in developing programs for small business. For example, in July 1998, CPS launched the first Mentoring/Protege year-long program for small, minority and women-owned businesses. The goal of this program is to enhance business skills for start-up businesses and to assist in the development of firms in operation from 4 to 7 years. In 1999, CPS joined with the city of San Antonio and other local governments to establish the South Central Texas Regional Certification Agency to centralize, and thereby simplify, the process for certification as a small, disadvantaged, or woman-owned business. CPS has also found success in its one-stop Supplier Diversity Program, which now has 3,800 certified vendors.

CPS works with local chambers of commerce to increase local and small business participation in contract bidding. Through educational programs and one-on-one meetings, the utility has been able to identify potential business partners. As a result, millions of dollars in contract awards have gone to businesses owned by women, Hispanics, and African-Americans.

The SBA's Eisenhower Award is a great tribute to the years of hard work by CPS leadership and its small business team. I welcome the CPS Chairman of the Board, Clayton Gay, and the Director of Purchasing, Contracts and Small Business Development, Fred Vallasenor, to Washington, and I congratulate CPS General Manager and CEO Jamie Rochelle for her leadership and vision. As you accept this award, I hope that it will be for you and the company an inspiration to continue your leadership in small and minority business contracting. You and all of CPS have made us proud.

A TRIBUTE IN HONOR OF ROSELLA COLLAMER BAUMAN

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. BARCIA. Mr. Speaker, I rise today to congratulate Mrs. Rosella Collamer Bauman on her retirement from the Michigan Women's Studies Association. Rose has truly led a unique and inspiring life, and one which will leave an indelible mark on her community, and the entire state of Michigan.

Born in 1920 to Edna and Ward Smith, Rose's family moved around quite a bit during her childhood, sometimes more than once in the same year. Determined to graduate high school, she left home at 15 and worked for room and board. When she was 18, the met Max Collamer and the two were married when Rose was 18. The couple would have three children, Larry, Jerry, and Mary, in the next 10 years.

After raising their three children, which is no small feat in its own right, and at a time when ''nontraditional'' students were uncommon, Rose went back to school to further her education. She earned an associate degree from Delta College, a bachelor of arts degree at my alma mater, then called Saginaw Valley State College, and a master degree in English at Central Michigan University. Rose appreciated the value of her education and the hard work it took to achieve it, so she founded the Chrysalis Center at Saginaw Valley to help women like herself have access to higher education. The center is thriving today, as Saginaw Valley State University awarded its first Chrysalis Scholarship to a student for this coming fall.

Rose continued to be a pioneer in the field of Women's Studies by being a founding member of the Michigan Women's Studies Association in 1973, and, in 1979, the association began the development of the Michigan Women's Historical Center and Hall of Fame to honor the achievement of Michigan women. And today, on the occasion of her retirement, I am proud to honor her years of service on the center's board and as editor of the newsletter.

Mr. Speaker, I could go on about Rose's service to the community, her impressive leadership in advancing women's studies, her career as an educator (with which I have had the honor of having firsthand experience), or her unparalleled commitment and dedication to her family. But I wanted to wish her well and hope that the days ahead are filled with all the good fruits of a well deserved retirement. I know that she will spend even more time with her second husband, William Bauman, and her children, grandchildren, and great grandchildren. Rose Collamer Bauman has lived a truly incredible life, and serves as a role model and an inspiration to everyone who has ever met her.

IN HONOR OF ALICE McGRATH

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. GALLEGLY. Mr. Speaker, I rise to honor Alice McGrath, whose six decades of devotion to disadvantaged and oppressed people here and abroad will be recognized this weekend at the Interface Children Family Services' Tribute Dinner, in my district.

Alice McGrath's life and efforts on behalf of others have been memorialized in a play, documentary film, and two books. She began her life of humanitarianism in the early 1940s as Executive Secretary of the Sleepy Lagoon Defense Committee. The committee was formed to protect the rights of a group of young Mexican-Americans who were falsely convicted of murder.

Her efforts on their behalf were depicted in the well-known play Zoot Suit, and the documentary about her, From Sleepy Lagoon to Zoot Suit.

Since 1984, Alice McGrath has organized and led delegations of United States citizens to observe conditions in Nicaragua and to facilitate academic research in its political processes. In 1990, she began to deliver donated pharmaceuticals to the children's hospital in Managua. Alice McGrath has made more than 80 trips to Nicaragua.

At home, Alice McGrath developed and managed the Pro Bono Program of the Ventura County Bar Association and coordinated volunteer services at the Ventura County Superior Court.

Not surprisingly, Alice McGrath has received numerous honors for her work on behalf of others, including the Woman of Distinction Award from Soroptimist International of the

Americas, Human Rights Award from the Bahai Community of Ventura County, Cruz Reynoso Award of the American Bar Association of Los Angeles County, and Community Hero Award from the Ventura County Diversity Board.

Studs Terkel devoted a chapter to her in his book Coming of Age, and Debra Sands Miller did the same in her book Independent Women. Her oral history has been recorded for posterity by the UCLA Research Library.

Mr. Speaker, I have been a strong supporter of Interface Children Family Services for more than twenty years. The work of the organization and its volunteers has bettered the lives of countless families in my community. I know my colleagues will join me in congratulating Alice McGrath for the honor she so richly deserves and thank her for decades of helping others.

REFORM OF THE 1872 MINING LAW

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. HOEFFEL. Mr. Speaker, last week the Budget Committee held a hearing on my legislation H.R. 3221, the Corporate Welfare Commission Act. The Committee heard testimony from several witnesses including members of Congress about the most egregious examples of unnecessary and wasteful subsidies to industry. While members of Congress have mixed feelings about many of the items other members consider corporate welfare, there is virtual unanimity in the belief that the 1872 Mining Law needs reform.

The 1872 Mining Law was enacted to promote mineral exploration and development on federal lands in the western United States and to encourage settlers to move west. This law granted free access to individuals and corporations to prospect for minerals on public lands. Once a discovery was made, they were allowed to stake a claim on the deposit.

The law works this way:

Once the prospector does some exploration work on public land, he may stake a claim on an area that he believes to contain a valuable mineral. The price of holding such a claim is $100 per claim per year.

If the prospector spends at least $500 on development work on the parcel and the claimed mineral deposit is determined to be economically recoverable, the claim holder may file a patent application for the title to surface and mineral rights.

If the application is approved, the claimant may purchase surface and mineral rights for between $2.50 and $5.00 an acre. These amounts have not been adjusted since 1872.

There is no limit on the number of claims a person can locate, nor is there a requirement that mineral production ever commence.

And as if this policy were not bad enough, the 1872 Mining Law lets mining companies extract the minerals without paying a royalty. This is unlike all other resources taken from public lands. For example, oil, gas and coal industries operating on the public lands pay a 12.5 percent royalty on gross income of the operation. On tribal lands, the average royalty paid for copper was 13 percent. In the private sector, gold royalties range from 5 to 18 percent.

As an unnecessary subsidy, this policy should have been reformed long ago. But the harm of this policy does not end with wasteful government support for the mining industry. Once the land has been exploited, the environmental damage is the additional price that taxpayers are forced to pay. Over the past century, irresponsible mining operators have devastated over half a million acres of land through carelessness and abandoned mines. According to the EPA, waste from mining operations has polluted more than 12,000 miles of our nations waterways and 180,000 acres of lakes and reservoirs.

My amendment to the FY 2001 Interior Appropriations Bill, which was rejected by the Rules Committee, would impose a 5 percent royalty on all hard rock minerals mined from public lands. The funds generated from the royalty would be devoted entirely to environmental cleanup of these mining sites. The amendment would also make the current one year moratorium on the issuance of mining patents permanent (the current moratorium has been extended each year over the past five years).

Mr. Speaker, this policy is in need of repair and reform. I am disappointed that the Rules Committee did not allow for House consideration of my amendment. I will continue to work with my colleagues to reform this outdated and wasteful policy.

HONORING MS. VALERIE BEASCOCHEA

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize the accomplishments of an outstanding student, Valerie Beascochea. Her sharp mind and strong work ethic recently won her the high distinction of being named the United States National Collegiate Award winner in Nursing. In addition, Valerie will appear in the United States Achievement Academy Official Collegiate Yearbook in recognition of her academic performance, interest and aptitude, leadership qualities, responsibilities, enthusiasm, citizenship, attitude, motivation to learn and dependability.

What makes these accomplishments even more remarkable is that Valerie is a wife and a mother of two. Her ability to successfully juggle the rigors of school, work and family underscores the significance of these outstanding achievements. She is a model that other students should follow and one that will be sure to achieve great things for the good of our community. She has proven to be an asset to her school, community, state and nation.

It is with this, Mr. Speaker, that I say congratulations to Valerie Beascochea on a truly exceptional accomplishment. Due to her dedicated service and integrity, it is clear that Colorado is a better place. We are all proud of Valerie.

HAILING GENERAL SERRANO, VALIANT DRUG FIGHTER AND GREAT FRIEND OF THE UNITED STATES

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. GILMAN. Mr. Speaker, today I praise General Rosso Jose Serrano on his retirement as head of the Colombian National Police (CNP) as a valiant drug fighter and great friend of the United States. He will be hard to replace.

General Serrano saved countless American families from the nightmare of drug addiction. For this, we owe him a debt of gratitude.

In his nearly 40 years as a policeman in Colombia, General Serrano has fought corruption and drug traffickers and made the CNP the model of Latin American police agencies. Through his tireless and selfless leadership, General Serrano won the support of the Colombian people and the world for his valiant police officers, more than 5,000 of whom have died in the last 10 years in Colombia's drug-financed civil war.

General Serrano destroyed the powerful Medellin and Cali drug cartels. When finally provided with the Black Hawk utility helicopters, Serrano's CNP officers began inflicting massive damage on narco-terrorists, producing significant results in destroying cocaine labs and reducing opium and coca leaf crops.

I invite our colleagues to join in wishing General Serrano and his family our sincerest best wishes for a long, happy, and healthy retirement. We hope that he will continue to serve the international community by sharing his years of expertise through such institutions as the planned International Law Enforcement Academy (ILEA) for the Americas.

RECOGNITION OF CARMEN SCIALABBA

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. MURTHA. Mr. Speaker, I would like to share with my colleagues the attached newspaper article describing an achievement award recently bestowed upon a long-time member of my staff, Carmen Scialabba, by his high school alma mater. It is a fitting tribute to an extraordinary individual and I hope you will take the time to read it.

Many of you recognize or have gotten to know Carmen over the 24 years he has worked with me. He is a patient and tireless attendee of appropriations hearings and markups and has been absolutely indispensable in his role as Associate Staff, handling all manner of appropriations-related issues as well as a wide array of constituent services. He has been an indispensable aide, conceiving numerous economic development projects with me and overseeing them to their fruition, to the benefit of countless workers and families back home in Pennsylvania.

Many of you probably do now know, however, the heroic story of how Carmen Scialabba has overcome the harshest adversities, beginning in his early childhood when the

untimely death of his mother landed him and his brothers in an orphanage while his father went off to war.

You may not know that he had enlisted in the Marine Corps and become a champion boxer before he was tragically stricken with polio and collapsed before a fight at the height of his career.

You may not know how he overcame his debilitating illness to raise four daughters as a single parent after their young mother succumbed to leukemia; how he fought against appalling prevailing attitudes toward the disabled to be able to attend college, ultimately earning a masters degree; how he made a difference to hundreds of young students as a high school history teacher; how he then served his community as a local magistrate before he joined me in coming to Washington to help the people of Pennsylvania in yet another capacity.

He has been fighting for years to eradicate institutional discrimination against the disabled. Whether it involves helping a single long-suffering Veteran to obtain needed rehabilitation services and regain self-sufficiency or developing partnerships with employers and vocational rehabilitation facilities to help employ people with special needs, he has been a tireless advocate for ''leveling the playing field'' for the economic, as well as the physically, disadvantaged.

His passionate advocacy for 'doing the right thing' and his blunt, no-nonsense demeanor have earned him a somewhat fearsome reputation befitting a champion prizefighter. They've coined an expression in Washington. It is known as being ''Carmenized,'' and they say you certainly know when it has happened to you. Yet to those who know him best he is a gentle soul with an enormous heart of gold.

I realize such achievements and praise are usually only associated with high-profile public servants. Carmen has never been high-profile. A true product of the blue-collar hardscrabble steel and coal regions of Pennsylvania from which he hails, he has set about his extraordinary life with near-Biblical humility. He has never once lost sight of his guiding belief that his purpose in life is to serve others and that, although life is certainly not always fair, everyone deserves fair treatment by their government as well as their fellow man.

Again, I am glad to be able to share the attached article with my colleagues and submit it for inclusion in the CONGRESSIONAL RECORD so that history will remember the life and work of this consummate public servant as staff to the United States Congress.

[From the Eagle, June 9, 2000]

POLIO CAN'T KEEP '53 GRAD DOWN—CARMEN SCIALABBA WINS PRESTIGIOUS BHS AWARD

(By Shari Kitzmiller)

BUTLER TWP—Base your life on what you can do for other people, not what they can do for you.

That's the doctrine that has gotten Butler alumnus Carmen Scialabba where he is today.

It's also the attitude that has earned him a prestigious award from his high school alma mater.

Scialabba was named the 21st recipient of the Butler School District Distinguished Graduate Award during commencement ceremonies Wednesday night.

He is a 1953 graduate of the school.

High school Principal Dale Lumley said recipients are not invited to attend commencement because it usually is too hard for those who no longer live in the Butler area to guarantee they can make it.

Winners are notified after the announcement is made public.

A committee of students picked Scialabba from more than 50 nominees.

Scialabba lives in Silver Spring, Md., with his second wife.

Scialabba's first wife, Janice Ann Collins, died in 1979. She also was a Butler graduate.

Receiving the award is an honor, he said, because a teacher he admired—Margaret Puff—also won the award in 1986.

Puff was a geography teacher in the district who sparked Scialabba's interest in the subject, he said.

''Because of her, I got my master's in geography,'' he said.

Since that time, Scialabba has led a busy life.

A current associate staff member for the U.S. House of Representatives and a top aide to U.S. Rep. John Murtha of Johnstown, Scialabba started his career in the House in 1975.

Piror to that time, he served as a district magistrate in Johnstown. He also was a junior high history teacher in the Johnstown public school system.

A former Marine, Scialabba once thought he was destined for a professional boxing career.

In 1956 he represented the U.S. Marine Corps in the Southwest Olympic Trial. In 1959, he gained the ALL U.S. Marine Corps Lightweight Boxing Champion title and represented the Corps in the Pan American trials.

He began his professional boxing career when he left the Marines and was named Ring Magazine's Prospect of the Month in August 1960.

His career was cut short just a year later, however, when he was diagnosed with polio. The illness left him paralyzed from the waist down.

But he didn't let his paralysis keep him from achieving his goals. Told he would never walk again, he fought against medical odds and learned to walk with leg braces.

That was just the start of his fight for the rights of the disabled.

Scialabba has taken his personal experience and used it to help others in similar situations.

He is working to get rewarding jobs for Americans who currently are receiving disability compensation because they have been unable to get employment.

''I want to form a non-profit group to talk to industry people to convince them it's wise to hire people with disabilities,'' Scialabba said, ''I have a few members already in place. We're getting there, but we're not quite there yet.''

He also has worked with engineers at Penn State University to create what he affectionately calls the ''Lazy Carmen.''

The invention, which he uses in this office at work, allows him to turn 360 degrees in his wheelchair without having to do it manually.

''It takes a lot of effort to turn this thing around,'' Scialabba said of his wheelchair. ''(Lazy Carmen) saves a lot of energy and a lot of time.''

More information on the invention can be found on Penn State's Web site at www.psu.edu.

Scialabba said the invention is not yet ready to market, but he is looking for a manufacturer for the product.

Aside from his desire to help the disabled, Scialabba has some advice for the graduating class at Butler High School.

''This may sound kind of corny, but work awful hard,'' he said.

He also encourages the graduates to help those who can't help themselves because it builds good character.

''I've tried to frame my life around what I can do for other people, not what they can do for me,'' Scialabba said.

Also stay close to your family, he said, no matter where you life takes you.

Scialabba, who said his brother Nick helped him get into college, is still an important part of his life.

Nick and another brother, Anthony, still live in Butler.

CARMEN SCIALABBA

WHAT: 2000 Butler School District Distinguished Graduate Award recipient.

EDUCATION: 1953 Butler High School graduate; 1966 graduate of the University of Pittsburg at Johnstown; 1965 history department scholar; master's degree in the arts from Indiana University of Pennsylvania.

ORGANIZATIONS: Formed the Johnstown Boxing Club.

EXTRA DUTIES: Serves on the Board of Directors for the Governor's Council for the Office of Vocational Rehabilitation; Operations and Planning Board member; New Partnerships Task Force member for the Hiram G. Andrews Center in Johnstown; Penn State University Review Board of the Institute for Non-Lethal Defense Technology; the City Planning Commission of Johnstown; and the Governor's Council for the Physically Handicapped.

AWARDS AND HONORS: 1974 Commonwealth of Pennsylvania Handicapped Person of the Year; 1975 inductee to the Butler Area Sports Hall of Fame; National Guard Ben Franklin Award for dedicated service to Pennsylvania; National Guard Patrick Henry Award for distinguished patriotic service.

HONORING MICHAEL E. MATZNICK FROM THE SIXTH DISTRICT OF NORTH CAROLINA

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. COBLE. Mr. Speaker, with health care reform taking the congressional stage once again, I would like to recognize a constituent and friend of mine from the Sixth District of North Carolina, who will be a key player in the debate. We are proud to announce that a resident of the Sixth District was recently selected as the new president of the National Association of Health Underwriters (NAHU).

Mr. Michael E. Matznick was sworn in as NAHU's president for the 2000–2001 term by Alan Katz, the outgoing president. Michael has been a member of NAHU since 1980. He has served as president of the North Carolina state chapter of NAHU and received its distinguished service award. Michael joined NAHU's board as the vice president of the Southeast region in 1996.

Michael is the president of Med/Flex Benefits Center, Inc., a firm founded in 1986 that specializes in individual and group health insurance, employee benefits plans and Section 125. He has a degree in business administration from Illinois State University, and lives in Greensboro, North Carolina, with his wife Carol and their two sons.

On behalf of the citizens of the Sixth District of North Carolina, I would like to congratulate Michael Matznick for being selected for this national position. We wish him the best of luck

as he leads the National Association of Health Underwriters into the twenty first century.

GUAM'S YOUTH MONTH ISLAND LEADERSHIP DAY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. UNDERWOOD. Mr. Speaker, each year, Guam's Department of Education celebrates April as Youth Month with several activities, including an oratorical contest, a student exchange program, a school showcase, a youth conference, and the much-anticipated Island Leadership Day, during which students assume the roles of Guam's public, private, and military leaders for a day. In coordination with these sectors of our community, the activity gives middle- and high-school students the opportunity to play ''boss'' at participating offices and agencies. From senators and company accountants to military colonels and hospital nurses, selected students shadow such career men and women to experience an entire day's work.

On the morning of April 26, 2000, three high school students looking sharp and studious, ready to take on the challenge, walked in my office. They were Guam's student Washington Delegate William B. Jones, a senior from George Washington High School, Jonathan Pador, also a GW senior, who was my student District Director, and Madelene Marinas, a senior from the Academy of Our Lady of Guam, who was my student Communications Director. Their eagerness—tempered by a not surprising bit of nervousness—took me back to my own high school days and to the very first Island Leadership Day, for which I earned the privilege to be a senator for a day.

After arriving at the legislative session hall on that day in 1964, I made a bee line for the desk of my hero, Senator Antonio B. Won Pat, who, in 1965, was elected as Guam's first delegate to Congress. In 1972, Congress recognized the Guam delegate and Mr. Won Pat served in that office until 1984. Perhaps without realizing it, I took my dreams a step further and began setting my goals on that first Island Leadership Day in 1964. To the extent that Island Leadership Day is intended to introduce and inspire students to leadership positions in the community, I am proud to say that I was among many over the years who were inspired.

With the enthusiastic support of Guam's public, private and military sectors, more than 300 students from nearly every public, private and DoDEA middle and high school took part in Island Leadership Day 2000. At the Office of the Governor, in the pre-existing official order of precedence, Student Lieutenant Governor Ellen Randall, an Academy of Our Lady of Guam senior, had the opportunity to double as the Acting Governor of Guam. Her student special assistant that day was Bishop Baumgartner Middle School student, Maya Lujan. Meanwhile, at the Guam Legislature, the Student Speaker, Lourena Yco, also of Bishop Baumgartner, was also Guam's Student Acting Lieutenant Governor. In all, thousands of Guam's students participated in the various activities of Youth Month, each planned and coordinated by student leaders themselves. In particular, the Youth Month Central Planning Committee, was made up of students from Southern High School, specifically Cherika Chargualaf, president; Jermaine Alerta, vice president; Erwin Agar, secretary; Joseph Cruz, treasurer; and Angela Tamayo, activities coordinator. In having planned and executed a very impressive and successful schedule of varied events, our youth genuinely embodied in this year's Youth Month theme, ''I Manhoben i Isla-ta, i Fuetsan i Tiempo-ta—The Youth of Our Island, the Strength of Our time.''

Our youth are the stepping stones toward a bright future. Oftentimes we hear that children are our future. And indeed they are. Today they play our roles, but tomorrow those roles will be theirs. Seeing these success-bound students taking roles in the different career areas gives me a wonderful vision of Guam's future.

HONORING DR. R. DOUGLAS YAJKO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. MCINNIS. Mr. Speaker, I consider it a personal privilege and honor to offer this tribute in acknowledgment of Dr. R. Douglas Yajko, an avid hunter and great humanitarian. Recently, Dr. Yajko was recognized by the Safari Club International as the recipient of the highest award given to hunters, the Hunting Hall of Fame Award. The award is given to a member of the SCI who has had noteworthy contributions to the organizations.

Dr. Yajko has spent a lifetime working on behalf of hunters from around the world. His contributions to the hunting community have helped hunters everywhere educate the public about the nuances of hunting and wildlife. Dr. Yajko has participated in an array of associations, including the Foundation for North American Wild Sheep, the Rocky Mountain Elk Foundation, International Sheep Hunters Association, Boone and Crockett Club, and the National Rifle Association. In addition, the good doctor founded the SCI's Upper Colorado River Chapter in Glenwood Springs, Colorado, and served as president for five years. Dr. Yajko has been an avid hunter since his early childhood and has traveled to six continents in which he has successfully taken over 16 dozen distinct big game animals, many of which qualified as SCI records for trophy animals.

Although Dr. Yajko hunting exploits are formidable, his contributions to the medical community are probably more impressive. A general, vascular and thoracic surgeon, Dr. Yajko has been a committed surgeon in my district for more than 25 years, and has been published in various medical journals during that time.

It is with this, Mr. Speaker, that I say thank you and congratulations to Dr. Yajko for his life of service and success. Colorado is proud—and fortunate—to call him its own.

PERSONAL EXPLANATION

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. HOEFFEL. Mr. Speaker, last night I missed two votes on procedural motions numbered 255 and 256. I was attending my son's graduation from high school. If present, I would have voted ''aye'' on both motions.

IN HONOR OF LARRY AND BARBARA MEISTER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. GALLEGLY. Mr. Speaker, I rise to honor Larry and Barbara Meister, whose many years of volunteer service to the people of Ventura County, CA, in my district, will be recognized this weekend at the Interface Children Family Services' Tribute Dinner.

Larry and Barbara Meister have dedicated their lives to the values of education, charity, and compassion and have served as role models by leading and supporting many charitable causes.

Some of the organizations that have benefited from their dedication are Interface, Ventura Education Partnership, Jewish Family Service, Casa Pacifica, Rubicon Theatre Company, New West Symphony, Ventura Boys & Girls Club, Foster Library, and several local hospitals.

Through their commitment to their Jewish Heritage, Larry and Barbara Meister have received Temple Beth Torah's highest honor. The Meister Scholarship Fund—Youth Trip to Israel has sent 18 students to Israel in the past 13 years.

The social hall at Temple Beth Torah, the boardroom at Casa Pacifica, and the lobby at the Rubicon Theatre Company have been named in honor of Barbara and Larry Meister.

Barbara Meister has served on the board of Casa Pacifica and is a cofounder of its Angels program. She also has served on the boards of Community Memorial Healthcare Foundation and United Jewish Appeal Women's Division. She was chair of the Rubicon Theatre Company's Education Outreach Program. She is a member of Hadassah, National Council of Jewish Women, the National Women's Political Caucus, and the Ventura County Community Foundation's Women's Legacy Fund Grants Advisory Committee. The latter organization recently established the Barbara Meister Fund for Women.

Larry Meister is a successful business leader as President and CEO of Barber Ford/Volkswagen/Isuzu and Barber Recreation Vehicles. He has received the Ford Distinguished Achievement Award for 32 years and the North American Customer Satisfaction Award for the past 5 years. He was recently awarded the prestigious President's Award from Ford Motor Co. for the second time. He has also supported a host of charitable organizations' events.

Mr. Speaker, I have been a strong supporter of Interface Children Family Services for more than 20 years. The work of the organization

and its volunteers has bettered the lives of countless families in my community. I know my colleagues will join me in congratulating Larry and Barbara Meister for the honor they so richly deserve and thank them for decades of dedication to others.

HOGAN FAMILY REUNION

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. BARR of Georgia. Mr. Speaker, it is my privilege to honor and recognize the descendants of the city of Hogansville, GA, as they set aside June 15–18, 2000, to have the second, ever, Hogan Family Reunion. The founding father, William Hogan, established a one-man plantation in the 1930's which encompassed much of the current town of Hogansville.

William Hogan's efforts to stimulate the local economy began by ceding the right of way to the Atlanta and West Railroad, which eventually led to the town being chartered in 1870.

William had 18 children, accounting for 11 lines of descendants. Representatives of nine of those lines from 11 states, along with the entire town of Hogansville are invited to share in the festivities as Hogansville remembers its founding father, William Hogan.

Frances Hogan Moss, following in the footsteps of her father, William Hogan, Jr., has been instrumental in coordinating the reunion and is looking forward to the momentous occasion.

TRIBUTE TO RANDOLPH D. SMOAK, JR., M.D.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. CLYBURN. Mr. Speaker, today I honor Dr. Randolph D. Smoak, Jr., a renowned surgeon from Orangeburg, South Carolina. Tomorrow, June 14, Dr. Smoak will be inaugurated as 155th President of the American Medical Association (AMA) at its annual convention in Chicago, Illinois. A member of the AMA Board of Trustees since 1992, Dr. Smoak has been a member of its Executive Committee since 1994. Dr. Smoak currently chairs the American Medical Accreditation Program (AMAP) Governing Body, and is lead spokesperson for AMA's anti-smoking campaign. He served as AMA Commissioner to the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) from 1996–1999 and as the AMA's official representative to the National Health Council since 1994.

Born in Bamberg, South Carolina, Dr. Smoak received a Bachelor of Science degree from the University of South Carolina (USC) in Columbia, and his medical degree from the Medical University of South Carolina (MUSC) in Charleston. After completing his internship at Grady Memorial Hospital in Atlanta, Georgia, and residency training at the University of Texas Anderson Cancer Center in Houston, Texas, he returned to his home state to establish a surgical practice.

Dr. Smoak's dedication to organized medicine has been evident through his years of service on the state and national level. He has served in virtually every leadership capacity in the South Carolina medical community, including President of SCMA, Chair of the SCMA Political Action Committee, and President of the South Carolina Medical Care Foundation. He is a founding member of the South Carolina Oncology Society and served from 1992 to 1998 as Governor to the American College of Surgeons.

Dr. Smoak is a fellow of the American College of Surgeons and a diplomat of the American Board of Surgery. He is a clinical professor of surgery at the Medical University of South Carolina and clinical associate professor of surgery at the USC School of Medicine. Dr. Smoak's involvement in civic activities includes service as President of the South Carolina Division of the American Cancer Society, a member of the Orangeburg-Calhoun Technical College Foundation Board, and Lt. Governor of Carolina's Kiwanis Club.

Mr. Speaker, please join me in honoring Dr. Randolph D. Smoak for his meritorious service, indelible leadership, and unparalleled devotion in the field of medicine, and his continued success as the President of the American Medical Association.

IN HONOR OF RICHARD DIBARI ON HIS RETIREMENT FROM THE JERSEY CITY POLICE DEPARTMENT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Richard Di Bari on his retirement from the Jersey City Policy Department after 29 years of serving and protecting the public.

Officer Di Bari began his career in 1971 as a foot patrolman. Since then, he has served with distinction and honor in a variety of positions, including scooter patrol, motorcycle radar instruction and enforcement, breathalyzer operator, grant writer, patrol officer, staff member of Support Services, Chief's office staff, and day tour desk assistant.

For three decades, Officer Di Bari has worked tirelessly to serve his community. His career reflects the character and dedication police officers require to succeed at meeting the considerable challenges of police work. This degree of dedication is based on a simple truth: the police have an obligation to serve and protect; and a community only prospers when its citizens are enabled to work and live in safety. Officer Di Bari understands this truth, and he lives by it.

He has received a commendation, a valor award FOP, a Motorcycle Unit Citation, and has been awarded four times for excellent police service.

I ask my colleagues to join me as I honor Richard Di Bari for his distinguished 29-year career as a police officer.

THE RETIREMENT OF JOHN BURKE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. GILMAN. Mr. Speaker, I rise to call to the attention of our colleagues the retirement of an outstanding teacher who dedicated his life to helping his students.

John Burke has influenced the lives of so many and is a man of great character and notoriety. He is looked upon with great respect and honor in the teaching profession.

Since 1967, John has served the Nanuet School District in Nanuet, New York, beginning his career as a Business Law Teacher. After serving as a business teacher for six years, he then became Nanuet's Assistant Principal from 1973–1978. From 1978 to the present he has served as Principal of Nanuet High School.

In 1994, John Burke was awarded the Robert J. Drennan Administrator of the Year Award from Rockland School Administrators Association. In addition to that John has other outstanding accomplishments such as the M.B.W.A., a degree in administration, known as Management By Walking Around, and two degrees. In addition to being principal, John has been involved in the school's extracurricular activities. He established the L.E.N.S (Leadership Exchange for Network Students) program.

John's students have said: ''Through the years you have always come to our games to cheer us on, to applaud our plays, to sing along with us at our concerts; wherever we look you were there to support us. If we were involved, you were involved. You have shown this affectionate concern with us and the Nanuet community. Our parents trust you and believe that we children are safe with you. We thank you for your invisible warm hands.''

Mr. Speaker, I invite our colleagues to join in extending a warm thank you to John Burke for his dedication, his support, faithfulness, and love for his students, community, and his job. Well done John!

RABBI DR. H. JOSEPH SIMCKES AND CHANA SIMCKES

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. ACKERMAN. Mr. Speaker, I rise today to celebrate and honor Rabbi Dr. H. Joseph and Chana Simckes on the occasion of the 25th Anniversary of their association with the Hollis Hills Jewish Center. It is with great pride that I pay tribute to two people who I have known closely, and with whom I have worked with on numerous issues critical to the Jewish community and beyond. Joseph and Chana Simckes have made the Jewish sage Hillel's ancient dictum, ''Do not separate yourself from the community,'' a living guide for their lives and the basis for their continuing efforts to promote social justice and human dignity from within and beyond the walls of the synagogue.

Rabbi Simckes has been an exemplary spiritual leader, teaching Jewish values and providing moral guidance by his personal example, and I confidently expect that he will continue to be a source of leadership, learning

and compassion for his congregation. Rabbi Simckes came to the Hollis Hills Jewish Center from a pulpit in Massachusetts and has been an energetic community leader in Jewish philanthropy, Jewish education and pro-Israel advocacy. Holding a doctorate in Pastoral Counseling, with experience in psycho-therapy, Rabbi Simckes has been a source of counsel and comfort for hundreds of my constituents, sharing his great wisdom and boundless compassion.

Equally, Chana Simckes has won the hearts and respect of the Hollis Hills Jewish Center, and the larger Jewish community beyond, through her commitment and involvement in sustaining Jewish continuity and values. A refugee from Nazi Germany, Chana Simckes has embodied the American dream: graduating from Columbia University, succeeding as a professional in Jewish education, and rising to the leadership of numerous Jewish community organizations, all while raising a growing family.

Joseph and Chana Simckes have elevated and improved the lives of their community, providing those around them with guidance, education, support and leadership. Stalwart advocates of social action, tireless champions of the Jewish people and the values of the Torah, I am honored to share with this House their marvelous example, and to hold them up for the recognition they both so richly deserve.

REGARDING THE SMALL BUSINESS SUBCOMMITTEE HEARING ON EMPOWERMENT ZONES

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. PHELPS. Mr. Speaker, I rise today in support of Empowerment Zones, and strongly encourage my colleagues to support this worthwhile program. Recently, the Small Business Subcommittee on Rural Enterprises, Business Opportunities and Special Small Business Problems, of which I am a member, held a hearing to discuss the benefits of Empowerment Zones and the need to authorize funding for Round II EZs.

The EZ and Enterprise Communities (EC) program, target federal grants to distressed urban and rural communities for social services and community redevelopment, and provide tax and regulatory relief intended to attract and retain businesses in these areas. The enacting legislation designated 104 communities as either EZs or ECs. As a part of this program, each urban and rural EZ receives $100 million and $40 million, respectively, in flexible Social Service Block Grant (SSBG) funds. In addition, qualifying EZ employers are entitled to a 20% credit on the first $15,000 of wages paid to certain qualified zone employees.

The district I represent in Southern Illinois is home to the Southernmost Illinois Delta Empowerment Zone (SIDEZ). SIDEZ, is one of only eight rural empowerment zones in the United States, and provides a much needed economic boost to Southern Illinois. Currently, SIDEZ is working on community and economic development in seven areas. Those seven goals are, Infrastructure, Economic Development, Tourism Development, Stronger Unity/Sense of Community, Life-long Learning and Education, Housing and Health Care.

The enactment of EZ/EC legislation brought about an innovative, 10-year program to reduce urban and rural poverty and distress. I have seen how effective and well utilized these programs have been and I urge my colleagues to support full funding of current and future Empowerment Zones.

TRIBUTE TO CHRISTOPHER STONE ''KIT'' DOVE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor Kit Dove, an outstanding environmental activist of California's San Mateo County coast who passed away on April 20, 2000, and who will be honored in a public memorial service at Quarry Park in El Granada, California on June 17, 2000.

Mr. Dove was very active in politics since he first moved to the Coastside with his family in 1980. He served as a board member and President of the Granada Sanitary District in the 1980's, and more recently, he served on the San Mateo County Agricultural Advisory Committee. In 1986, he was a co-author of the successful San Mateo County Measure A, a growth control measure for the unincorporated areas of the Coastside. In 1994, he helped pass the Coastal Protection Initiative which closed certain loopholes in Measure A.

I had the honor of working closely with Kit to form the Midcoast Community Council in 1991 and I was always impressed with this passion and tireless dedication to the Coastside and environmental preservation. He was subsequently elected to serve on the first Midcoast Community Council and was chosen to be Chairman.

Kit Dove was not only active in politics, he was also active in getting others to participate in the public arena. Numerous Coastside environmentalists and elected officials have credited Kit with their own activism in politics, environmental issues and public participation in the community. His wisdom and ability to bring together diverse groups of individuals made him a much sought after advisor and a well respected member of the Coastside community.

Mr. Speaker, Kit Dove was a very kind, selfless man dedicated to his family and his community. Anyone who ever came in contact with him gained a greater appreciation for the environment. He lives on through his two children, through his devoted wife Mary and through all of us who were fortunate to have known him.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a wonderful man who lived a life of purpose and to extend our deepest sympathy to Mary Freeman Dove and the entire Dove family.

IN HONOR OF LEONARD AND LUPE ORTIZ

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. GALLEGLY. Mr. Speaker, I rise to honor Leonard and Lupe Ortiz, whose devotion to the people and culture of Ventura County, CA, in my district, will be recognized this weekend at the Interface Children Family Services' Tribute Dinner.

Leonard and Lupe Ortiz have lived in Ventura County their entire lives and are close personal friends. They raised four children here, three of which continue to live in Ventura County. In 1952, the Ortiz family launched Ortiz Trucking, which flourished. While building and running a successful business and raising and nurturing a fine family, Leonard and Lupe Ortiz also made time to dedicate themselves to their community.

Leonard Ortiz has served on the boards of Interface, the United Way, Easter Seals, and Community Memorial Hospital. He has been a member of the Sheriff's Posse, which is involved in search and rescue operations. He is now a member of the newly formed La Voz—Voice of Santa Paula. Its goal is to preserve the history of Santa Paula and promote its development.

Lupe Ortiz has served on the Fine Arts Committee of the Ventura County Museum of History and Art. She has also assisted the fundraising efforts of several charitable organizations, including Interface and Easter Seals.

Their tireless commitment to enrich the lives of their family and their neighbors deserves our deep appreciation.

Mr. Speaker, I have been a strong supporter of Interface Children Family Services for more than twenty years. The work of the organization and its volunteers has bettered the lives of countless families in my community. I know my colleagues will join me in congratulating Leonard and Lupe Ortiz for the honor they so richly deserve and thank them for decades of helping others.

SUPPORTING CHILD CARE DEVELOPMENT BLOCK GRANTS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Ms. LEE. Mr. Speaker, I rise in strong support of increasing the Child Care Development block grant by $417 million in order to meet the dire needs of our children and families.

How in the world do we expect single women to get a job and become self sufficient if affordable and adequate child care is not available?

Reliable and quality child care is necessary for the healthy development of our children and for parents' productivity at work.

I was in the California State Senate when the Welfare Reform Bill was signed into law. Then, I adamantly opposed the bill because I knew that while most women on Welfare want to work, they do not have affordable and accessible child care.

I was on the Conference Committee in the State Senate that negotiated the California Plan. Over and over again we heard testimony from women who pleaded with us to provide resources for child care so that they could go to work. While we directed additional resources for child care, today there are still over 200,000 families on the waiting list in California.

In many states, parents pay more than 10 percent of their income for child care. Women

who make minimum or low wages can not afford 10 percent of their income for child care. Yet, welfare reform has forced women to take low paying jobs to meet the very stringent work requirements that the Congress has imposed. And now, we want to reduce even further these meager resources to low-income working families who need it now, more than ever.

I raised 2 boys as a single parent. I will never forget the long waiting lists, being told there were not enough slots for my kids and then, when I could find decent child care, I couldn't afford it. And, that was in the 70's and 80's.

This country is enjoying an incredible economic boom, and in the dawn of a new century, we can certainly establish children as our priority. We must do whatever it takes to find the resources to ensure the future.

It is unconscionable that in the year 2000 families must choose between food, clothing, housing, or child care. We can and we must do better.

Also, in no way, in the year 2000 should we be reducing the number of children being served in child care centers. This debate really does go to our fundamental values, our most basic priorities. Do we care about our children's future or not?

PERSONAL EXPLANATION

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the chamber today during rollcall votes No. 257 and No. 258. Had I been present, I would have voted ''yea'' on rollcall vote No. 257 and ''yea'' and rollcall vote No. 258.

PRESIDENT PUTIN'S VISIT TO MOLDOVA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. SMITH of New Jersey. Mr. Speaker, President Putin of Russia continues to maintain a heavy schedule of international visits. Among the several destinations, he is scheduled to visit Moldova later this week.

The Republic of Moldova is located principally between the Prut River on the west and the Dniestr River to the east, between Romania and Ukraine. A sliver of the country, the ''left bank'' or ''Transdniestria'' region, extends beyond the Dniestr River and borders with Ukraine. The 4.3 million population in Moldova is 65 percent ethnic Romanian, with significant Ukrainian and Russian minorities. Gagauz, Bulgarians, Roma, and Jews constitute the bulk of the remainder.

While Moldova and Romania were united between World Wars I and II, following seizure by the Soviets in World War II, Moldova became a Soviet ''republic.'' When the Soviet Union collapsed in 1991, Moldova gained its independence and is now an internationally-recognized sovereign state, a member of the United Nations, the Organization for Security and Cooperation in Europe, and a host of other international organizations.

When Moldova became independent, there were approximately 15,000 Soviet troops of the 14th Army based in the Transdniestria region of Moldova. In 1992, elements of these troops helped pro-Soviet elements establish a separatist state in Transdniestria, the so-called Dniestr Moldovan Republic. This state, unrecognized and barely changed from the Soviet era, continues to exist and defy the legitimate authorities of Moldova.

Meanwhile, elements of the former Soviet army, now the Russian army, remained in Transdniestria after the collapse of the Soviet Union. Renamed the Operational Group of Forces, they presently number about 2,500. The Moldovan Government has wanted the troops to leave, and the Russians keep saying they are going to leave. The Moldovan and Russian Governments signed an agreement in 1994 according to which Russian forces would withdraw in three years. Obviously, that deadline has passed. Russia was supposed to remove her forces from Moldova as a part of the Council of Europe accession agreement in February 1996.

In fact, language in the declaration of the 1999 OSCE Istanbul Summit insists that Russia remove its military arsenals from Moldova by December 2001 and its forces by December 2002. This latest OSCE language enhances language included in the 1994 Budapest document and the 1996 Lisbon document calling for complete withdrawal of the Russian troops.

Mr. Speaker, there is no legitimate security reason for the Russian Government to continue to base military forces on the territory of a sovereign state that wishes to see them removed. This relatively small contingent of troops is a vestige of the Cold War. I would add also that the United States Government has agreed to help finance some of the moving costs for the Russian equipment. I would hope President Putin will assure his hosts in Moldova that the Russian forces will be removed in accordance with the OSCE deadline, if not earlier.

CONGRATULATING MICHAEL & COLLEENA MCHUGH

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Ms. ESHOO. Mr. Speaker, I rise today to congratulate Mr. and Mrs. McHugh of Belmont, California for their actions of good will. Colleena and Michael McHugh were on a weekend visit to Los Angeles when they spotted a van that had been profiled on a news report as belonging to a known kidnapper. Colleena reported the van to authorities on her wireless phone and was asked by the dispatcher to keep a close distance until California Highway Patrol units could take over. The couple kept the van in sight for about 40 miles before police began their pursuit and eventually made an arrest.

Mr. Speaker, I'm proud to honor the McHugh's for making California safer. Because of their assistance in this emergency situation they are also being honored by the Cellular Telecommunications Industry Association with the Wireless Samaritan Award. This award is given to individuals from each state across the country recognizing the contributions heroic individuals make to their communities. The McHugh's have more than earned this award for their exemplary civic service. I'm proud to represent them and I salute them for the distinction they bring to California's 14th Congressional District.

IN MEMORY OF JOSHUA MYRON

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. GILMAN. Mr. Speaker, it is with deep sorrow that I rise to inform my colleagues of the recent passing of a remarkable individual in my 20th Congressional District of New York who devoted his life to his work, family, and the Jewish community.

Joshua Myron was born in Rishon le Zion, Israel in 1897. He attended the Talmud Torah, where he received his Jewish education. Upon graduation, he moved to Jerusalem to enter the Secular Lemel School and the famous David Yellin Hebrew Institute, the best secular school for higher education.

In 1916, Joshua volunteered as a member of the first Jewish Brigade in the British Army to chase out the Turkish Army from Palestine. He persevered to become company sergeant in charge of transport. After his army service, he helped to get arms for the Jewish underground group so that they could effectively fight the Arabs at that time.

Upon his honorable discharge from the Army he moved to the United States to further advance his education. He entered the Albany College of Pharmacy and graduated with a pharmaceutical chemist degree. He stayed in pharmacy until his retirement in 1967.

He met his wife, Sybil, in New York City. Together, they had one daughter, Naomi, who has presented Joshua and his wife with three grandchildren and four great grandchildren. Although Sybil passed away many years ago, he never remarried. He resided in Suffern, NY, since 1938.

Joshua became an active member of The Congregation Sons of Israel 45 years ago. He held the job of Gabai, a Member of the Religious Committee Board of Trustees, a Member of the Chevra Kidisha (Burial Society) and received a testimonial award from Israel Bonds in 1985. He was a member for a long time in AIPAC, a congregational UJA chairman for 25 years, and a contributing member to many Jewish Organizations especially those which help out in the cause of Israel.

He was buried in Suffern, New York on June 11, 2000 by the Congregation Sons of Israel.

Joshua is survived by his daughter: Naomi Scheuer. He is also survived by three grandchildren, Marcus Lubin, Eve Lubin, and Abigail Scheuer and four great grandchildren, Caroline, Emily, Alexander Lubin and Ella Atema. While no words can ease the grief that his family and community must be experiencing, the deep sense of loss many of us are experiencing at the passing of this remarkable individual hopefully will provide some consolation.

Mr. Speaker, I invite our colleagues to join in extending our deepest sympathies to all of

Joshua Myron's many loved ones, and the numerous individuals who were inspired and influenced by this outstanding human being.

TRIBUTE TO RICHARD SIMMONS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a man who is a dear friend of mine, Richard Simmons, on the occasion of his retirement from elected service to the constituents of State House District 84.

Richard Simmons has served the State of Arkansas and his country all of his life. He graduated from Rector, Arkansas High School in 1959 and later Mississippi State University with a degree in agriculture. In addition to Richard's schooling, he served six years in the Air Force Reserves. He is a lifelong resident of Clay County and has been active in farming since 1965.

Through his years in Arkansas, Richard has been active in state, civic, and community life and has always worked to represent agriculture, the greatest profession ever. He has served on the Clay County Conservation District Board for twenty years. He is currently Vice Chairman of that agency. Richard has also served on the Democratic Central Committee for twenty years and has been the Chairman of the Democratic Central Committee for ten years now.

Richard has been the State Representative from District 84 since 1995 and is unfortunately ending his elected career due to term-limits. He has helped make strides in agriculture and economic development all across Arkansas by serving on the Rules Committee, House Revenue and Taxation Committee, Game and Fish Funding Sub-Committee, and Chairman of the House Agriculture and Economic Development Committee. Richard is also the Chairman of the First District House Caucus.

Richard Simmons resides in Rector, Arkansas, where he grew up. He has devoted his life to agriculture and Arkansas and the world is a better place becasue of his service. I am proud to call him my friend and I wish him the best of luck in the future and many more years of happiness and service to this great country of ours.

CONGRATULATING RAY AND BETTY WELLS

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Ray and Betty Wells on their long record of contributions to community service and historic preservation in northern New Jersey. The Wells will be recognized this weekend as the honorees of the annual Rose Ball at the Hermitage, a priceless historic site they have been instrumental in helping preserve and restore. This honor has been prompted not only by Ray and Betty's activities on behalf of the Hermitage, but by their roles as leading members of our community through their church and many civic organizations as well. They are outstanding examples of the type of people who make Bergen County such a wonderful place to live, work, and raise a family.

Ray and Betty Wells have been active supporters of the Hermitage since they chaired the Hunt Breakfast fund-raiser in 1979. Betty has served as a trustee of the Friends of the Hermitage, as a docent and on a number of related committees. Ray has been a member of the Heritage Community Advisory Board and was the architect of the Hermitage Education and Conference Center completed last year.

Built in 1740 in what is now Ho-Ho-Kus, NJ, the Hermitage was the home of Theodosia Prevost, who invited George Washington and his officers to stay at the estate in July 1778, after the Battle of Monmouth. One of Washington's officers, Aaron Burr, became a frequent visitor afterward and eventually proposed marriage to the widow. Guests at the July 2, 1782, wedding included future President James Monroe, Alexander Hamilton, the Marquis de Lafayette, and New Jersey Governor William Paterson.

The Hermitage estate was purchased in 1807 by Dr. Elijah Rosencrantz, one of Bergen County's first physicians and an industrialist who built a cotton mill on the banks of the Hohokus Brook. Rosencrantz's son, Elijah Rosencrantz, Jr., enlarged and improved the original house, resulting in the Gothic Revival mansion we see today. The home remained in the Rosencrantz family until 1970, when it was bequeathed to the State of New Jersey by Mary Elizabeth Rosencrantz upon her death. Today, the estate has been restored as a museum by the nonprofit Friends of the Hermitage and is a National Historic Landmark. Through the Education and Conference Center designed by Ray Wells, the Hermitage provides extensive educational services for the public and through area schools.

In addition to their commendable dedication to the Hermitage, Ray and Betty have been leaders in a wide variety of community activities. Betty has served as an elder, deacon, choir member, Sunday School teacher and president of the Women's Guild at the Old Paramus Reformed Church. Ray has served as a Sunday School teacher, departmental superintendent and member of various building committees during their 46 years of membership in the church.

Betty has served as president of the Paramus Junior Woman's Club, the Paramus Garden Club, the Stony Lane School Parent-Teacher Organization and in several leadership roles with the Paramus Girl Scouts. Ray has been active with Rotary International, serving as president of the Paramus club. He has also been a member of the Paramus Board of Education, served as president of the Paramus Jaycees, a member of the Paramus Chamber of Commerce, with the Bergen County museum and as a member of the Oradell Planning Board.

Betty and Ray are the parents of 6 children, have 18 grandchildren and 1 great grandchild. They made their home in Oradell.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in congratulating this wonderful couple for all they have done for their community and for the outstanding example they set for all.

TRIBUTE TO RICHLAND ''FRIENDS OF THE LIBRARY''

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. SKELTON. Mr. Speaker, I wish to pay tribute to Mary and Jearl Cobb and Maxine and Gordon Warren, of Richland, Missouri, for demonstrating extraordinary commitment to their community in the effort to obtain a public library.

Mary and Jearl Cobb served successive terms as president of the ''Friends of the Library''. During this time, they volunteered to become involved in the effort to maintain a public library service for Richland. Long-time Richland residents, Maxine and Gordon Warren, bought the run down Earl Morgan building to rehabilitate and offered it to the library for a minimal annual amount. They also donated $40,000 to remodel the building and established a $50,000 annual trust for additional community projects. Once the building was identified, Mary and Jearl Cobb voluntarily dedicated numerous hours to the library project in order to make it a reality. Mary raised over $100,000 for mechanical equipment, lumber, paint, and other materials and also organized free lunches for the workers. Jearl recruited dozens of volunteers from all branches of the Armed Services stationed nearby and from the community to install air conditioning, siding and plumbing. He personally helped during every phase of the construction overhaul and even drove to St. Louis to pick up furniture donated to the library. The efforts of Mary and Jearl Cobb and Maxine and Gordon Warren have resulted in the new ''Maxine Warren Library Building'' which was dedicated on April 29, 2000.

Mr. Speaker, these Missourians deserve special recognition for completing an extraordinary job. I know the Members of the House will join me in paying tribute to them for their exceptional efforts.

HONORING RETIRED COMMANDER WILLIAM ROBERT ANDERSON

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. DUNCAN. Mr. Speaker, today I honor retired Commander William Robert Anderson for his service to his Country in both the military and the House of Representatives.

Commander Anderson distinguished himself in combat and scientific accomplishment during his long career in the submarine service. During World War II, he completed a total of 11 submarine wartime patrols and earned a Bronze Star for his assistance in the sinking of 17 cargo-carrying crafts and the rescue of a downed aviator.

In May of 1953, Captain Anderson was granted his first command, the submarine U.S.S. *Wahoo,* and saw even more action during the Korean War. Two years later he would be chosen for another type of command, as head of the Tactical Department at the U.S. Submarine School in New London, Connecticut.

This would not be the end of his sea duty, though. In fact, his most important command and date with history was yet to come. It was actually while Anderson was at the U.S. Submarine School that the United States commissioned its first nuclear submarine, the U.S.S. *Nautilus* on January 17, 1955.

The potential of this new type of submarine brought a need for more officers trained in nuclear operations. And so, Commander Anderson found himself being called into Rear-Admiral H.G. Rickover's office to interview for the program in January of 1956.

He soon found himself recruiting and awaiting a new command. During this time Rickover asked Anderson to devise a method of study for new officers entering the program. This project eventually evolved into the core study program for all nuclear submarine commanders.

It was on April 30, 1957, that Captain Anderson was ordered to assume command of the U.S.S. *Nautilus.* His classified mission was to be ready to take his submarine and crew under the Arctic polar ice cap whenever he received the order.

Known as ''Operation Sunshine'' by the Navy, this project would challenge both Captain Anderson's leadership skills and his nautical training.

No one had ever succeeded in finding a northern sea passage before, and the lack of information and charts on the pack ice, the inability of normal navigational instruments to operate so near to the magnetic North Pole and other instrumentation problems had to be sorted out and solved—all in the deepest of secrecy.

With the summer of 1957 ending, the crew of the *Nautilus* made its first attempt to traverse the ice pack while submerged. Using special ice detecting sonar, the *Nautilus* started maneuvering around the icebergs. It would not succeed on this attempt or the next one in June of 1958.

The same cannot be said for the third attempt, and on August 3, 1958, Captain Anderson and the crew of the *Nautilus* finally crossed under the North Pole. Upon return to the United States, the entire crew was honored with a ticker tape parade in New York City, and Anderson was personally awarded the Legion of Merit by President Eisenhower.

Commander Anderson's career continued to flourish—from his serving as an aide to the Secretary of the Navy, Fred Korth, to his appointment as the Director of the National Service Corps, which would be renamed the Peace Corps in later years by President Kennedy.

In 1960, Anderson was even considered as a possible gubernatorial candidate in Tennessee, but he decided to fulfill his 20 year commitment to the Navy. Upon retirement from the Navy, Anderson was elected as the Representative from the Sixth District of Tennessee in 1965, and he continued to serve his constituents for four successive terms in office before retiring to Virginia.

I, for one, am proud of the accomplishments of my fellow Tennessean, William Robert Anderson. For his diligent and long-standing service to this great Country and the State of Tennessee, I would like to return the honor by paying him this tribute to his great accomplishments.

While Commander Anderson now resides in the great state of Virginia, we Tennesseans still choose to claim him as one of our native sons.

CENTRAL NEW JERSEY RECOGNIZES DOUGLAS H. NIECE AS THE LONGEST SERVING CUBMASTER IN THE U.S.

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2000

Mr. HOLT. Mr. Speaker, I rise today in recognition of Mr. Douglas H. Niece, the longest-serving Cubmaster in the United States. For over 50 years, Mr. Niece has made tremendous contributions to our community through his commitment and dedication as the Cubmaster of Pack 61, the oldest Cub Scout pack in Hunterdon County.

In January 1948, several community leaders in Flemington decided to start a Cub Scout Pack in Hunterdon County. The Pack was founded on the principle of helping young men achieve a sense of self worth and satisfaction from knowing they can accomplish their goals. Today, Pack 61 continues to provide young men with the values and experiences that cultivate discipline and a sense of responsibility; traits that they will carry with them throughout their lives.

Mr. Niece has served as Cubmaster of Pack 61 since its inception over 50 years ago. As Cubmaster he has been a mentor to over 5,000 boys during his extraordinary tenure. Mr. Niece has taught Cub Scouts from Pack 61 the value of community and service to our nation. He has instilled lifelong values that will be used to build a foundation for future growth. Many of Mr. Niece's scouts have continued to serve their communities in a variety of ways, including volunteering their time as a Scouter or Cubmaster.

Mr. Niece is one of the few surviving graduates of the Flemington Children's Choir School, a school founded at the turn of the 20th century to train children to sing in the local church choirs. Even at the age of 80, he leads carolers around Flemington on Christmas morning, singing carols at any home with the porch light on—a tradition begun by the Choir School in the early 1900's.

Mr. Niece is a life-long member of the Flemington Presbyterian Church where he continues to teach Sunday School. He has served as both at Elder and Deacon of the Church and was Superintendent of the Sunday School for over a decade. Several years ago, on Boy Scout Sunday, the church honored him with the ''God and Service Award'' in recognition of his many years of service and dedication to the youth within the community. Mr. Niece embodies the true spirit of giving and dedication. He has centered his life around service to his community.

Mr. Douglas H. Niece has been, and continues to be, a strong presence in Central New Jersey. I urge all my colleagues to join me today in recognizing Mr. Niece's commitment and dedication to the children of our community.

Daily Digest

HIGHLIGHTS

Senate passed Defense Appropriations bill.

The House passed H.J. Res. 101, to recognize the 225th birthday of the United States Army and honor the valor, commitment, and sacrifice of American soldiers throughout its history.

Senate

Chamber Action

Routine Proceedings, pages S4973–S5058

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 2713–2725, and S. Res. 322. **Page S5027**

Measures Reported: Reports were made as follows:

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. (S. Rept. No. 106–307)

S. 2720, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001. **Page S5027**

Measures Passed:

Defense Appropriations: By 95 yeas to 3 nays (Vote No. 127), Senate passed H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, after taking action on the following amendments proposed thereto: **Pages S4980–S5020**

Adopted:

Boxer Amendment No. 3363, to protect the privacy of an individual's medical records. **Pages S4983–84**

Allard Amendment No. 3346, to provide for an additional payment from the surplus to reduce the public debt. **Pages S4984–87**

Ashcroft Modified Amendment No. 3304, to set aside $43,000,000 for research, development, test and evaluation for the extended range conventional air-launched cruise missile program of the Air Force. **Pages S4987–88**

Stevens (for Collins/Stevens) Modified Amendment No. 3175, to provide for the continued design and analysis under the reentry systems applications program for the advanced technology vehicle. **Pages S4990–92**

Inouye (for Bingaman) Modified Amendment No. 3284, to provide for the conversion of the configuration of certain AGM–65 Maverick missiles. **Pages S4990–92**

Stevens (for Shelby) Amendment No. 3288, to make additional funds available for carrier modifications. **Pages S4990–92**

Stevens (for Shelby) Amendment No. 3289, to make additional funds available for the Printed Wiring Board Manufacturing Technology Center. **Pages S4990–92**

Stevens (for Kyl) Modified Amendment No. 3291, to provide, with an offset, $6,000,000 for research, development, test, and evaluation Defense-Wide for the Arrow Missile Defense System for enhanced interoperability of the system between the United States and Israel. **Pages S4990–92**

Inouye (for Landrieu/Breaux) Modified Amendment No. 3293, to make certain funds available for the Information Technology Center. **Pages S4990–92**

Stevens (for Helms) Amendment No. 3298, to provide funding for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory. **Pages S4990–92**

Stevens (for Helms) Amendment No. 3299, to provide funding for the Innovative Stand-Off Door Breaching Munition technology. **Pages S4990–92**

Inouye (for Robb) Modified Amendment No. 3300, to make available $3,000,000 for high-performance, non-toxic, inturnescent fire protective coatings aboard Navy vessels. **Pages S4990–92**

Inouye (for Robb) Modified Amendment No. 3301, to make available $2,000,000 for advanced three-dimensional visualization software with the

currently-deployed, personal computer-base Portable Flight Planning Software. **Pages S4990–92**

Stevens (for Abraham) Amendment No. 3305, to make available $15,000,000 to continue research and development on Silicon carbide research.

Pages S4990–92

Inouye (for Leahy) Amendment No. 3312, to make available $5,000,000 for Other Procurement for the Army for the development of the Abrams Full-Crew Interactive Skills Trainer. **Pages S4990–92**

Inouye (for Kennedy) Modified Amendment No. 3314, to make available $5,000,000 for the Environmental Security Technical Certification Program for technologies for the detection of unexploded ordinance from live-fire activities. **Pages S4990–92**

Inouye (for Kennedy) Modified Amendment No. 3315, to make available $5,000,000 for the Strategic Environmental Research and Development Program for technologies for the detection and transport of pollutants resulting from live-fire activities.

Pages S4990–92

Inouye (for Kennedy) Amendment No. 3316, to make available $5,000,000 for Surface Ship and Submarine HM&E Advanced Technology for continuing development by the Navy of the AC synchronous high-temperature superconductor electric motor.

Pages S4990–92

Stevens Amendment No. 3321, to provide $1,000,000 from Operation and Maintenance, Navy to continue a public service initiative. **Pages S4990–92**

Stevens (for Roberts) Amendment No. 3323, to provide research and development funds for a chemical and biological defense program. **Pages S4990–92**

Stevens (for Snowe) Amendment No. 3324, to set aside $3,000,000 for the Navy for operation and maintenance of a Navy benefits center.

Pages S4990–92

Stevens (for Snowe) Amendment No. 3325, to clarify that the authority to enter into contracts for LPD–17 class ships on an incrementally funded basis is to provide for two such ships. **Pages S4990–92**

Inouye (for Landrieu) Amendment No. 3326, to make additional funds available for the Navy Information Technology Center. **Pages S4990–92**

Stevens (for Gregg) Amendment No. 3329, to provide research and development funds for the Solid State Dye Laser project. **Pages S4990–92**

Inouye (for Feinstein) Amendment No. 3331, to make available $1,000,000 for Middle East Regional Security Issues. **Pages S4990–92**

Inouye (for Feinstein) Modified Amendment No. 3332, to make available certain funds for research, development, test, and evaluation for the Navy for continuation of the Compatible Processor Upgrade Program. **Pages S4990–92**

Stevens (for Warner) Amendment No. 3334, to provide, with an offset, funds for five additional Weapons of Mass Destruction Civil Support Teams and for additional equipment for the Weapons of Mass Destruction Civil Support Team program.

Pages S4990–92

Stevens (for Warner) Modified Amendment No. 3335, to make available $30,000,000 for information security initiatives, and to provide offsets.

Pages S4990–92

Stevens (for Nickles) Modified Amendment No. 3336, to provide funds for a live-fire-side-by-side test of the air-to-air Starstreak and Stinger missiles.

Pages S4990–92

Stevens (for Nickles) Amendment No. 3337, to make available certain funds for the American Red Cross for Armed Forces Emergency Services.

Pages S4990–92

Stevens (for Allard) Amendment No. 3338, to set aside for the XSS–10 micro-missile technology program $12,000,000 of the amount appropriated for Research, Development, Test and Evaluation, Air Force. **Pages S4990–92**

Stevens (for Coverdell) Modified Amendment No. 3339, to provide for a demonstration project for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps. **Pages S4990–92**

Inouye (for Bingaman) Amendment No. 3342, to make available certain funds for the Bosque Redondo Memorial. **Pages S4990–92**

Stevens (for Inhofe) Amendment No. 3343, to make available with an offset, $300,000 for research, development, test, and evaluation Defense-Wide for Generic Logistics Research and Development Technology demonstrations for air logistics technology.

Pages S4990–92

Stevens (for Inhofe) Amendment No. 3344, to make available, with an offset, $5,000,000 for research, development, test, and evaluation Defense-Wide for Explosives Demilitarization Technology for research into ammunition risk analysis capabilities.

Pages S4990–92

Stevens (for Roth) Amendment No. 3352, to make available $92,530,000 for C–5 aircraft modernization. **Pages S4990–92**

Stevens (for Roberts) Modified Amendment No. 3357, to make available certain funds for Military Personnel Research. **Pages S4990–92**

By 84 yeas to 14 nays (Vote No. 124), Boxer/Reid Amendment No. 3308, to prohibit the use of funds for the preventative application of dangerous pesticides in areas owned or managed by the Department of Defense that may by used by children.

Pages S4980, S4993

Stevens (for Collins) Modified Amendment No. 3178, to set aside $7,000,000 for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program.

Pages S5007–09

Stevens (for Domenici) Modified Amendment No. 3294, to make available $5,000,000 for research, development, test, and evaluation for the Air Force for Advanced Technology for the LaserSpark countermeasures program. **Pages S5007–09**

Stevens (for Domenici) Modified Amendment No. 3295, to make available $5,000,000 for research, development, test, and evaluation, Defense-Wide for Logistics Research and Development Technology Demonstration for a Silicon-Based Nanostructures program. **Pages S5007–09**

Stevens (for DeWine) Modified Amendment No. 3340, to provide for the operation of current Tethered Aerostat Radar System sites. **Pages S5007–09**

Stevens (for Mack/Graham) Modified Amendment No. 3347, to provide $5,000,000 to support a tropical remote sensing radar. **Pages S5007–09**

Stevens (for McCain/Stevens) Amendment No. 3361, to establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance.

Pages S5007–09

Inouye (for Byrd) Modified Amendment No. 3333, to make available up to $3,000,000 for Other Procurement for the Air Force for certain analyses of the restart of the production line for the U–2 aircraft. **Pages S5007–09**

Inouye (for Torricelli) Modified Amendment No. 3282, to state the sense of the Senate regarding the payment by the Secretary of the Air Force of $92,974.86 to the New Jersey Forest Fire Service as reimbursement for costs incurred in fighting a fire resulting from a training exercise at Warren Grove Testing Range, New Jersey. **Pages S5007–09**

Stevens (for Collins) Modified Amendment No. 3177, to set aside $6,000,000 to support smart maps and other intelligent spatial technologies.

Pages S5007–09

Stevens (for Thomas) Modified Amendment No. 3290, to prohibit the use of funds for the transfer of a veterans memorial object to a foreign country or entity controlled by a foreign government.

Pages S5007–09

Inouye (for Baucus) Modified Amendment No. 3372, to set aside for preparation and training for the digitization of FA–18 aircraft technical manuals, $5,200,000 of the amounts appropriated for the Navy for RDT&E for the Navy technical information presentation system. **Pages S5007–09**

Inouye (for Wyden/Gordon Smith) Modified Amendment No. 3287, to provide for the conveyance of an Emergency One Cyclone II Custom pumper truck to the Umatilla Indian Tribe, the current lessee. **Pages S5007–09**

Inouye (for Schumer/Moynihan) Modified Amendment No. 3313, to modify the funds available to offset the effects of low utilization of plant capacity at the Arsenals. **Pages S5007–09**

Stevens (for Inhofe) Amendment No. 3345, to set aside funds for maintaining the industrial mobilization capacity at the McAlester Army Ammunition Activity, Oklahoma. **Pages S5007–09**

Stevens (for McCain/Warner) Modified Amendment No. 3359, to repeal the prohibition on use of Department of Defense funds for the procurement of a nuclear-capable shipyard crane from a foreign source. **Pages S5007–09**

Stevens (for Frist) Modified Amendment No. 3285, to set aside $18,900,000 to meet certain unfunded requirements for MH–60 aircraft of the United States Special Operations Command.

Pages S5007–09

Stevens (for Domenici) Modified Amendment No. 3297, to make available $50,000,000 for research, development, test and evaluation, Defense-Wide for directed energy technologies, weapons, and systems.

Pages S5007–09

Stevens (for Lott/Cochran) Amendment No. 3376, to make additional funds available to the Title II, Defense-wide, Research, Development, Test, and Evaluation, for the Virtual Worlds Initiative.

Pages S5007–09

Stevens (for Lott) Amendment No. 3377, to make additional funds available to the Procurement of Ammunition, Marine Corps for procurement of ROCKETS, ALL TYPE, 83mm HEDP.

Pages S5007–09

Stevens (for Collins) Modified Amendment No. 3176, to add $6,000,000 for research, development, test and evaluation, Defense-wide, for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces. **Pages S5009–10**

Rejected:

Boxer Amendment No. 3311, to strike certain provisions regarding Operational Support Aircraft Leasing Authority. (By 65 yeas to 32 nays (Vote No. 125), Senate tabled the amendment.)

Pages S4999–S5007

Wellstone Modified Amendment No. 3366, to reduce the total amount provided for procurement by $1,000,000,000 in order to provide $922,000,000 for grants under part A of title I of the Elementary and Secondary Education Act of 1965. (By 83 yeas

to 15 nays (Vote No. 126), Senate tabled the amendment.) **Pages S4994–97, S4998–99, S5009**

Withdrawn:

Harkin Amendment No. 3355, to limit the use of funds for purchase and modification of Army High Mobility Trailers, and for modification of High Mobility Multipurpose Wheeled Vehicles to tow the trailers, until the trailers are fully tested. **Pages S4997–98**

During consideration of this measure today, the Senate also took the following action:

Reid Amendment No. 3292, to amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers, was ruled as not in order because it violated certain provisions of Rule XVI of the Standing Rules of the Senate, relating to legislating on an appropriations bill. **Page S4982**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison, Inouye, Hollings, Byrd, Leahy, Lautenberg, Harkin, Dorgan, and Durbin. **Page S5020**

Indian Substance Programs Consolidations: Senate passed S. 1507, to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, after agreeing to a committee amendment in the nature of a substitute. **Pages S5054–55**

U.S. Army 225th Birthday Recognition: Committee on the Judiciary was discharged from further consideration of S.J. Res. 46, recognizing the 225th birthday of the United States Army, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Pages S5055–56**

Enzi (for Thurmond) Amendment No. 3378, in the nature of a substitute. **Page S5056**

Enzi (for Thurmond) Amendment No. 3379, to amend the preamble. **Page S5056**

Enzi (for Thurmond) Amendment No. 3380, to amend the title. **Page S5056**

Responsible Father's Day: Senate agreed to S. Res. 322, encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as "Responsible Father's Day". **Page S5057**

Medals of Honor Awards: Senate passed S. 2722, to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith. **Pages S5057–58**

Defense Authorization—Agreement: A unanimous-consent agreement was reached providing for further consideration of S. 2549, to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, on Wednesday, June 14, 2000. **Page S5058**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report entitled "The Wekiva River Rock Spring Run and Seminole Creek"; to the Committee on Energy and Natural Resources. (PM–113) **Page S5026**

Nominations Received: Senate received the following nominations:

Francisco J. Sanchez, of Florida, to be an Assistant Secretary of Transportation.

Richard A. Boucher, of Maryland, to be an Assistant Secretary of State (Public Affairs), vice James P. Rubin.

1 Army nomination in the rank of general. **Page S5058**

Messages From the President: **Page S5026**

Messages From the House: **Page S5026**

Measures Referred: **Page S5026**

Communications: **Pages S5026–27**

Statements on Introduced Bills: **Pages S5027–30**

Additional Cosponsors: **Pages S5030–32**

Amendments Submitted: **Pages S5033–53**

Notices of Hearings: **Page S5053**

Authority for Committees: **Pages S5053–54**

Additional Statements: **Pages S5022–26**

Privileges of the Floor: **Page S5054**

Record Votes: Four record votes were taken today. (Total—127) **Pages S4993, S5007, S5009, S5019–20**

Adjournment: Senate convened at 9:31 a.m., and adjourned at 7:27 p.m., until 9:30 a.m., on Wednesday, June 14, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5058.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—TRANSPORTATION

Committee on Appropriations: Committee ordered favorably reported an original bill, making appropriations for the Department of Transportation and related

agencies for the fiscal year ending September 30, 2001.

APPROPRIATION—DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on District of Columbia concluded hearings on proposed budget estimates for fiscal year 2001 for the District of Columbia, after receiving testimony from Mayor Anthony A. Williams, Linda W. Cropp, Chairman, Council of the District of Columbia, and Alice M. Rivlin, Chairman, District of Columbia Financial Responsibility and Management Assistance Authority, all of Washington, D.C.

APPROPRIATIONS—TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation approved for full committee consideration an original bill, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001.

MERCHANT BANKING ACTIVITIES

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Subcommittee on Securities concluded joint hearings to examine the regulation of merchant banking activities under the Gramm-Leach-Bliley Act of 1999, after receiving testimony from Gary Gensler, Under Secretary of the Treasury for Domestic Finance; Lawrence H. Meyer, Member, Board of Governors, Federal Reserve System; Frederick M. Fritz, BancBoston Capital, Boston, Massachusetts, and Jeffrey Walker, Chase Capital Partners, New York, New York, both on behalf of the Financial Services Roundtable; Marc E. Lackritz, Securities Industry Association, and Joseph S. Bracewell, Century National Bank, on behalf of the Independent Community Bankers of America, both of Washington, D.C.; and John P. Whaley, Norwest Equity Partners and Norwest Venture Partners, Minneapolis, Minnesota, on behalf of the American Bankers Association and American Bankers Association Securities Association.

ONLINE PROFILING AND PRIVACY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine online profiling done by Internet network advertisers and how it impacts consumer's privacy, after receiving testimony from Jodie Bernstein, Director, Bureau of Consumer Protection, and David Medine, Associate Director for Financial Practices, both of the Federal Trade Commission; Jules Polonetsky, DoubleClick, New York, New York; Daniel Jaye, Engage, Inc., Andover, Massachusetts; Marc Rotenberg, Electronic Privacy Information Center, Washington, D.C.; and Richard M. Smith, Brookline, Massachusetts.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded hearings on the nominations of James V. Aidala, of Virginia, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency, Arthur C. Campbell, of Tennessee, to be Assistant Secretary of Commerce for Economic Development, and Ella Wong-Rusinko, of Virginia, to be Alternate Federal Co-chairman of the Appalachian Regional Commission, after the nominees testified and answered questions in their own behalf. Mr. Aidala was introduced by Senators Lieberman and Roberts, Mr. Campbell was introduced by Senator Frist and Representatives Bennie Thompson and Wamp, and Ms. Wong-Rusinko was introduced by Senators Warner and Hutchison.

TIBET

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded hearings to examine recent developments in promoting a positive Tibetan/Chinese relationship, while sustaining Tibet's unique religious, linguistic, and cultural heritage, after receiving testimony from Julia V. Taft, Special Coordinator for Tibet, Department of State; John Ackerly, International Campaign for Tibet, Washington, D.C.; Elliot Spurling, Indiana University Department of Central Eurasian Studies, Bloomington, on behalf of the Human Rights Watch; and Elizabeth Napper, Tibetan Nuns' Project, San Geronimo, California.

POST-CONVICTION DNA TESTING

Committee on the Judiciary: Committee concluded hearings on post-conviction DNA testing, focusing on how to incorporate DNA testing more fully into the American criminal justice system, and related proposals, after receiving testimony from Oklahoma Attorney General W.A. Drew Edmondson, Oklahoma City; New York State Attorney General Eliot Spitzer, New York; California Deputy Attorney General Enid A. Camps, Sacramento; Charles F. Baird, former Judge, Texas Court of Criminal Appeals, Austin, on behalf of the National Committee to Prevent Wrongful Executions; Joshua K. Marquis, Clatsop County District Attorney, Astoria, Oregon, on behalf of the National District Attorney's Association; Barry C. Scheck, Benjamin N. Cardozo School of Law, New York, New York, on behalf of the Innocence Project, George Clarke, San Diego County Deputy District Attorney, California, and James Wooley, Baker and Hostetler, Case Western Reserve University Law School, Washington, D.C., all on behalf of the National Commission on the Future of DNA Testing; Bryan A. Stevenson, New York University School of Law, New York, on behalf

of the Equal Justice Initiative of Alabama; and Dennis Fritz, Kansas City, Missouri.

PRESCRIPTION DRUG SAFETY AND PRICING

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine the accessibility of affordable prescription drugs, the price differentials for identical prescription drugs in the international marketplace, and drug quality and safety, after receiving testimony from Senators Gorton, Dorgan, Johnson, and Burns; Representative Sanders; Christopher T. Rhodes, University of Rhode Island, Kingston; Patricia M. Danzon, University of Pennsylvania Wharton School of Management, Philadelphia; Stephen W. Schondelmeyer, University of Minnesota College of Pharmacy PRIME Institute, Minneapolis; Ronald F. Pollack, Families USA, and Alan F. Holmer, Pharmaceutical Research and Manufacturers of America, both of Washington, D.C.; and Paul Abrams, NeoRx Corporation, Seattle, Washington, on behalf of the Biotechnology Industry Organization.

House of Representatives

Chamber Action

Bills Introduced: 10 public bills, H.R. 4642–4651, were introduced. **Page H4336**

Reports Filed: Reports were filed today as follows:

H. Res. 525, providing for consideration of H.R. 4635, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001 (H. Rept. 106–675). **Page H4336**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Isakson to act as Speaker pro tempore for today. **Page H4223**

Journal: Agreed to the Speaker's approval of the Journal of Monday, June 12 by a yea and nay vote of 329 yeas to 66 nays with one voting "present", Roll No. 257. **Pages H4225, H4227–28**

Recess: The House recessed at 9:18 a.m. and reconvened at 10:00 a.m. **Page H5225**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Fraud Audit of the Department of Education: H.R. 4079, amended, to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education (debated on Monday, June 12 and agreed to by a yea and nay vote of 380 yeas to 19 nays with one voting "present", Roll No. 258); **Page H4228**

Celebrating the 225th Birthday of the U.S. Army: H.J. Res. 101, recognizing the 225th birthday of the United States Army; and **Pages H4320–25**

Benefits of Music Education: H. Con. Res. 266, expressing the sense of the Congress regarding the benefits of music education. **Pages H4325–29**

Labor, HHS, and Education Appropriations: The House considered amendments to H.R. 4577, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001. The House previously considered the bill on June 8 and June 12. **Pages H4229–H4310**

Agreed To:

Stearns amendment No. 198 printed in the Congressional Record that prohibits the use of any funding to restrict military recruiting at secondary schools (agreed to by a recorded vote of 381 ayes to 41 noes with 1 voting present, Roll No. 266; **Pages H4284–85, H4302–03**

Paul amendment No. 3 printed in the Congressional Record that prohibits the use of any funding to develop a national medical identification system; **Pages H4285–86**

Sanders amendment that prohibits NIH funding to grant an exclusive or partially exclusive license pursuant to chapter 18 of title 35, United States Code, except in accordance with section 209 of such title, relating to the availability to the public of an invention and its benefits on reasonable terms (agreed to by a recorded vote of 313 ayes to 109 noes, Roll No. 268); and **Pages H4291–93, H4304**

Rejected:

Vitter amendment No. 192 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act (IDEA) funding by $1.4 billion and decrease various education programs as offsets. **Pages H4244–45**

Hoekstra amendment No. 202 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by

$383 million and decrease other education programs accordingly; **Pages H4245–46**

Bass amendment No. 7 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by $200 million and reduce Gear Up program funding accordingly (rejected by a recorded vote of 98 ayes to 319 noes, Roll No. 259); **Pages H4258–60, H4276–77**

Ryan of Wisconsin amendment No. 186 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by $300 million and decrease 21st Century Community Learning Centers accordingly (rejected by a recorded vote of 124 ayes to 293 noes, Roll No. 260); **Pages H4265–67, H4277**

Gary Miller of California amendment No. 2 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by $16 million and reduce Ready to Learn program funding accordingly (rejected by a recorded vote of 150 ayes to 267 noes, Roll No. 261); **Pages H4267–69, H4277–78**

Schaffer amendment No. 203 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by $10.3 million and reduce Education Research, Statistics, and Improvement funding accordingly (rejected by a recorded vote of 132 ayes to 287 noes, Roll No. 262); **Pages H4270–71, H4278–79**

Oxley amendment No. 182 printed in the Congressional Record that sought to reduce corporation for Public Broadcasting funding by $3.65 million (rejected by a recorded vote of 110 ayes to 305 noes, Roll No. 263); **Pages H4271–72, H4279**

Schaffer amendment No. 205 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by $43 million and decrease Job Corps funding accordingly (rejected by a recorded vote of 103 ayes to 315 noes, Roll No. 264); **Pages H4275–76, H4279–80**

Boehner amendment No. 196 printed in the Congressional Record that sought to prohibit funding for the Native Hawaiian Education Program (rejected by a recorded vote of 202 ayes to 220 noes, Roll No. 265); **Pages H4281–84, H4302**

Wilson amendment printed in part B of H. Rept. 106–657 that sought to appropriate $25 million for the 21st Century Teacher Scholarships Act with offsets from the Occupational Safety and Health Administration (rejected by a recorded vote of 156 ayes to 267 noes, Roll No. 267); and **Pages H4286–87, H4303–04**

Young of Florida amendment that sought to reduce each amount appropriated or otherwise made available by 0.617 percent (rejected by a recorded vote of 186 ayes to 236 noes, Roll No. 269). **Pages H4300–01, H4304–05**

Withdrawn:

Andrews amendment No. 1 printed in the Congressional Record was offered and subsequently withdrawn that sought to prohibit funding to count a blind or visually-impaired person as successfully rehabilitated under certain circumstances; **Page H4284**

Andrews amendment numbered 5 printed in the Congressional Record was offered and subsequently withdrawn that sought to prohibit funding to any Medicare+Choice organization that is out of compliance with requirements of part C of title XVIII of the Social Security Act; and **Pages H4287–88**

Tancredo amendment numbered 191 printed in the Congressional Record was offered and subsequently withdrawn that sought to increase funding for the Individuals With Disabilities Education Act by $30 million and reduce OSHA and HHS departmental management funding accordingly. **Pages H4288–91**

Points of order sustained against:

Language on page 44, lines 4 through 14, dealing with the bioterrorism emergency designation. **Page H4230**

Pelosi amendment No. 13 printed in the Congressional Record that sought to increase National Institutes of Health funding by $1.7 billion. **Pages H4231–36**

Andrews amendment No. 4 printed in the Congressional Record that sought to provide $40 million for a block grant to the Inner city Cardiac Satellite Demonstration Project in New Jersey and reduce HHS general department management funding accordingly; **Page H4236**

Stearns amendment No. 189 printed in the Congressional Record that sought to allow funding for a report which identifies the efforts taken to enhance the competitiveness of biomedical or behavioral research grants including a statement listing first-time principal researchers of projects supported by the institutes; **Pages H4237–38**

Obey amendment No. 14 printed in the Congressional Record that sought to increase teacher education, recruitment, and retention activities funding by $1 billion; **Pages H4238–43**

Roemer amendment No. 185 printed in the Congressional Record that sought to increase $25 million for teacher transition programs and decrease education research, statistics, and improvement funding accordingly; **Pages H4247–49**

Lowey amendment No. 15 printed in the Congressional Record that sought to start Federal funding of school construction and provides $1.3 billion

for school renovations to subsidize gross obligations of direct loans of $7 billion; **Pages H4249–54**

DeLauro amendment No. 16 printed in the Congressional Record that sought to increase Individuals with Disabilities Education Act funding by $1.5 billion; **Pages H4254–58**

Lowey amendment No. 17 printed in the Congressional Record that sought to increase Pell Grant funding by $938 million; **Pages H4260–64**

Kaptur amendment that sought to establish a Normal Trade Relations for China Transitional Adjustment Assistance Program for American workers displaced by the expansion of trade relations; **Pages H4280–81**

Obey amendment numbered 18 printed in the Congressional Record that sought to express the sense of the Congress that tax reductions for taxpayers in the top 1 percent of income levels should not be enacted until the Congress enacts a universal voluntary prescription drug benefit for all Americans under Medicare; and **Pages H4293–96**

DeLauro amendment numbered 10 printed in the Congressional Record that sought to increase funding for a variety of senior citizen programs by $661 million. **Pages H4297–H4300**

H. Res. 518, the rule that is providing for consideration of the bill was agreed to on June 8. The amendments were considered pursuant to unanimous consent agreements of June 8 and June 12.

Presidential Message—Wakiva River: Read a message from the President wherein he transmitted his report for the Wakiva River and several tributaries in Florida—referred to the Committee on Resources. **Pages H4310–11**

Interior and Related Agencies Appropriations: The House completed general debate on H.R. 4578, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001. **Pages H4314–20**

The House agreed to H. Res. 524, the rule providing for consideration of the bill by voice vote. **Pages H4311–14**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H4337–39.

Quorum Calls—Votes: Two yea and nay votes and eleven recorded votes developed during the proceedings of the House today and appear on pages H4227–28, H4228, H4276–77, H4277, H4277–78, H4278–79, H4279, H4279–80, H4302, H4302–03, H4303–04, H4304, and H4304–05. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 12:00 midnight.

Committee Meetings

"DECIMALS 2000—WILL THE EXCHANGES CONVERT?"

Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing entitled "Decimals 2000—Will the Exchanges Convert?" Testimony was heard from Arthur Levitt, Chairman, SEC; and public witnesses.

COMPUTER INSECURITIES

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing entitled: "Computer Insecurities at DOE Headquarters: DOE's Failure to Get Its Own Cyber House in Order." Testimony was heard from the following officials of the Department of Energy: Glenn S. Podonsky, Director, Office of Independent Oversight and Performance Assurance; and Eugene E. Habinger, Director, Office of Security and Emergency Operations.

KNOW YOUR CALLER ACT; TELEMARKETING VICTIMS PROTECTION ACT

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on the following bills: H.R. 3100, Know Your Caller Act of 1999; and H.R. 3180, Telemarketing Victims Protection Act. Testimony was heard from Representatives Salmon and Frelinghuysen; Eileen Harrington, Assistant Director, Marketing Practices, FTC; Jeff Hatch-Miller, Representative, State of Arizona; and public witnesses.

FEHBP: OPM'S POLICY GUIDANCE

Committee on Government Reform: Subcommittee on Civil Service held a hearing on FEHBP: OPM's Policy Guidance for 2001. Testimony was heard from William Flynn, III, Director, Retirement and Insurance Programs, OPM; and public witnesses.

ZIMBABWE: DEMOCRACY ON THE LINE

Committee on International Relations: Subcommittee on Africa held a hearing on Zimbabwe: Democracy on the Line. Testimony was heard from Nancy Powell, Acting Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

STUDENT ATHLETE PROTECTION ACT

Committee on the Judiciary: Held a hearing on H.R. 3575, Student Athlete Protection Act. Testimony was heard from Representatives Graham, Gibbons, Roemer and Berkley; and public witnesses.

CAPTIVE ELEPHANT ACCIDENT PREVENTION ACT

Committee on the Judiciary: Subcommittee on Crime held a hearing on H.R. 2929, Captive Elephant Accident Prevention Act of 1999. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on the following measures: H.R. 3693, Castle Rock Ranch Acquisition Act of 2000; H.R. 4420, to reauthorize the Southwestern Pennsylvania Heritage Preservation Commission; and H.R. 4579, Utah West Desert Land Exchange Act of 2000. Testimony was heard from Representatives Simpson and Murtha; the following officials of the Department of the Interior: Molly McUsic, Counselor to the Secretary; and William D. Shaddox, Chief, Land Resources Division, National Park Service; Michael Leavitt, Governor, State of Utah; and public witnesses.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule on H.R. 4635, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, providing one hour of 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. The rule provides that the bill shall be considered for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill and prohibiting reappropriations in a general appropriations bill) except as specified in the rule. The rule waives clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation) against amendments offered during consideration of the bill. The rule authorizes the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Walsh and Mollohan.

NATIONAL SCIENCE EDUCATION ENHANCEMENT ACT

Committee on Science: Held a hearing to review Science, Math, Engineering and Technology Education in Kindergarten Through 12th Grade and H.R. 4272, National Science Education Enhancement Act. Testimony was heard from public witnesses.

UNITED-U.S. AIRWAYS—PROPOSED MERGER

Committee on Transportation and Infrastructure: Held a hearing on the Proposed United-U.S. Airways Merger. Testimony was heard from Nancy E. McFadden, General Counsel, Department of Transportation; John M. Nannes, Deputy Attorney General, Antitrust Division, Department of Justice; and public witnesses.

Hearings continue July 15.

MEDICARE—COVER PRESCRIPTION DRUGS

Committee on Ways and Means: Held a hearing on legislation to cover prescription drugs under Medicare. Testimony was heard from Senators Kennedy and Breaux; Representatives Thomas, Cardin, Eshoo, Peterson of Minnesota and Allen; Nancy-Ann Min DeParle, Administrator, Health Care Financing Administration, Department of Health and Human Services; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 14, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine accounting for Goodwill, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, to hold hearings on S. 2454, to amend the Communications Act of 1934 to authorize low-power television stations to provide digital data services to subscribers, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: with the Select Committee on Intelligence, to hold hearings on missing classified information at Los Alamos, 10:15 a.m., SH–216.

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety, to hold hearings on the environmental benefits and impacts of ethanol under the Clean Air Act, 9:30 a.m., SD–406.

Committee on Finance: business meeting to mark up S. 662, 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; H.R. 3916, to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; and proposed legislation urging the President to initiate negotiations over the issue of foreign sales corporations at the July 20 meeting of the G–8 nations in Okinawa, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine the future of Lebanon, 10 a.m., SD–419.

Full Committee, to hold hearings to examine the International Criminal Court, focusing on protecting American servicemen and officials from the threat of international prosecution, 3:30 p.m., SD–419.

Committee on Governmental Affairs: business meeting to consider pending calendar business, 10 a.m., SD–342.

Committee on Indian Affairs: to hold hearings on S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture, 9:30 a.m., SR–485.

Full Committee, business meeting to mark up S. Res. 277, commemorating the 30th anniversary of the policy of Indian self-determination; S. 1586, to reduce the fractionated ownership of Indian Lands; S. 2508, to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes; H.R. 3051, to direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on the Jicarilla Apache Reservation in the State of New Mexico; and S. 2351, to provide for the settlement of the water rights claims of the Shivwits Band of the Paiute Indian tribe of Utah; to be followed by hearing on S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture, 2:30 p.m., SR–485.

Select Committee on Intelligence: with the Committee on Energy and Natural Resources, to hold hearings on missing classified information at Los Alamos, 10:15 a.m., SH–216.

Full Committee, to hold closed hearings on pending intelligence matters, 2:30 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights, and Competition, to hold hearings to examine the United Airways and U.S. Airways airline merger, 10 a.m., SD–226.

Full Committee, to hold hearings on the nomination of Paul C. Huck, of Florida, to be United States District Judge for the Southern District of Florida; the nomination of Joan Humphrey Lefkow, of Illinois, to be United States District Judge for the Northern District of Illinois; the nomination of George Z. Singal, of Maine, to be United States District Judge for the District of Maine; the nomination of John W. Darrah, of Illinois, to be United States District Judge for the Northern District of Illinois; and the nomination of Johnnie B. Rawlinson, of Nevada, to be United States Circuit Judge for the Ninth Circuit, 2 p.m., SD–226.

House

Committee on Agriculture, Subcommittee on Risk Management, Research, and Specialty Crops, hearing on H.R. 4541, Commodity Futures Modernization Act of 2000, 10 a.m., 1300 Longworth.

Committee on Appropriations, to mark up the Commerce, Justice, State, and Judiciary appropriations for fiscal year 2001, 10 a.m., 2359 Rayburn.

Subcommittee on Foreign Operations, Export Financing and Related Programs, to mark up appropriations for fiscal year 2001, time to be announced, H–140 Capitol.

Committee on Banking and Financial Services, hearing on H.R. 4585, Medical Financial Privacy Protection Act, 10 a.m., 2128 Rayburn.

Committee on the Budget, Education Task Force, hearing on Smothering Education Reform, How Washington Stifles Innovation, 2 p.m., 210 Cannon.

Health Task Force, hearing on Medicare's Regulatory Burden on Providers, 10 a.m., 210 Cannon.

Committee on Commerce, to mark up H.R. 3113, Unsolicited Electronic Mail Act of 1999, 2 p.m., 2123 Rayburn.

Subcommittee on Health and Environment, hearing entitled: ''Prescription Drugs: Modernizing Medicare for the 21st Century,'' 10 a.m., 2322 Rayburn.

Committee on Government Reform, Subcommittee on Government Management, Information, and Technology, hearing entitled: ''Agency Response to the Electronic Freedom of Information Act,'' 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Information, and Technology, to mark up H.R. 4049, Privacy Commission Act, 4 p.m., Rayburn.

Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, hearing on ''Does Congress Delegate Too Much Power to Agencies and What Should be Done About It?'' 2 p.m., 2247 Rayburn.

Committee on International Relations, hearing on the Treatment of Religious Minorities in Western Europe, 10 a.m., 2172 Rayburn.

Subcommittee on Western Hemisphere, to mark up H. Con. Res. 232, expressing the sense of Congress concerning the safety and well-being of United States citizens injured while traveling in Mexico; followed by a hearing on Challenges to Hemispheric Democracy: Elections, Coups, and Instability, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, oversight hearing on the State of Competition in the Airline Industry, 10 a.m., 2141 Rayburn.

Committee on Resources, hearing on H.R. 4345, Alaska Native Claims Technical Amendments Act of 2000, 11 a.m., 1324 Longworth.

Committee on Small Business, hearing on Rural Health Care Services: Has Medicare Reform Killed Small Business Providers? 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on the processing of attorney fees by the SSA, 2 p.m., B–318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, June 14

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 2549, Defense Authorization. Also, Senate may begin consideration of Transportation Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, June 14

House Chamber

Program for Wednesday: Consideration of the conference report on S. 761, Electronic Signatures in Global and National Commerce Act (rule waiving points of order);

Consideration of H.R. 4577, Labor, HHS, and Education Appropriations Act, 2001 (continue consideration); and

Consideration of H.R. 4578, Interior and Related Agencies Appropriations Act, 2001 (open rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E989
Barcia, James A., Mich., E985
Barr, Bob, Ga., E989
Barrett, Thomas M., Wisc., E984
Berry, Marion, Ark., E992
Clyburn, James E., S.C., E989
Coble, Howard, N.C., E987
Deutsch, Peter, Fla., E984, E991
Duncan, John J., Jr., Tenn., E992
Eshoo, Anna G., Calif., E990, E991
Gallegly, Elton, Calif., E985, E988, E990
Gilman, Benjamin A., N.Y., E986, E989, E991
Hoeffel, Joseph M., Pa., E986, E988
Holt, Rush D., N.J., E993
Lee, Barbara, Calif., E990
Lewis, Jerry, Calif., E983
McInnis, Scott, Colo., E983, E983, E984, E986, E988
Meek, Carrie P., Fla., E983
Menendez, Robert, N.J., E989
Murtha, John P., Pa., E986
Ney, Robert W., Ohio, E983
Phelps, David D., Ill., E990
Radanovich, George, Calif., E984
Rodriguez, Ciro D., Tex., E985
Roukema, Marge, N.J., E992
Skelton, Ike, Mo., E992
Smith, Adam, Wash., E983
Smith, Christopher H., N.J., E991
Underwood, Robert A., Guam, E988

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